



# **Ordinary Meeting of Council**

## **AGENDA**

**27 October 2021**

**Commencing at 5.30pm**

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

**On-site Inspections - Nil**

Queanbeyan-Palerang Regional Council advises that this meeting will be webcast to Council's website. Images and voices of those attending will be captured and published.

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- 4.2 Minutes of the Extraordinary Meeting of Council held on 29 September 2021
- 4.3 Minutes of the Planning and Strategy Committee of the Whole held on 13 October 2021

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**6 ADJOURNMENT FOR PUBLIC FORUM**

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**Confidential - Not for Publication**

**16 REPORTS FOR CLOSED SESSION**

16.1	Country Womens Association NSW - Carpark at rear of 152 Wallace Street, Braidwood - Renewal of Licence Agreement with QPRC	
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*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 Bungendore Property**

*Item 16.2 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**16.3 Crawford-Rutledge Properties - Expression of Interest**

*Item 16.3 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**17 CONCLUSION OF THE MEETING**

**SUPPLEMENTARY REPORT: BRAIDWOOD HERITAGE CENTRE – PRIMARY  
DESIGN CONSULTANT TENDER**

**LIST OF ATTACHMENTS**

**Open Attachments**

- Item 9.1 Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209)  
*Attachment 1 Proposed Submission on New Bungendore High School for Consideration at Council Meeting of 27 October 2021 (Under Separate Cover)*
- Item 9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang  
*Attachment 1 MOD.2011.077.A - Section 4.55 (1A) - Assessment Report - 7123 Nerriga Road, Corang (Under Separate Cover)*  
*Attachment 2 MOD.2011.077.A - Power Options Report - 7123 Nerriga Road, Corang (Under Separate Cover)*  
*Attachment 3 MOD.2011.077.A - Modification Request - 7123 Nerriga Road, Corang (Under Separate Cover)*  
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- Item 9.3 Proposed Planning Proposal - Abbeyfield Seniors Housing Project  
*Attachment 1 Map 1 - Abbeyfield Site (Subject to Final Survey and Access Arrangements) (Under Separate Cover)*
- Item 9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong  
*Attachment 1 Preliminary Planning Proposal - Creekborough Rd, Bywong (Under Separate Cover)*  
*Attachment 2 Previous Building Entitlement Request (Under Separate Cover)*  
*Attachment 3 DPIE Advice - Lot 16 DP846996, Williamsdale (Under Separate Cover)*

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- Item 9.5 Jumping Creek Draft Voluntary Planning Agreement  
*Attachment 1 Draft Voluntary Planning Agreement - Jumping Creek 9 August 2021 (Under Separate Cover)*  
*Attachment 2 Jumping Creek Land Dedication Requirements (Under Separate Cover)*  
*Attachment 3 Annexure A - Proposed Active Open Space (Under Separate Cover)*  
*Attachment 4 Annexure B - Vegetation Management Plan (Under Separate Cover)*  
*Attachment 5 Annexure C - Contamination Report Excerpt (Under Separate Cover)*  
*Attachment 6 Annexure D - Woody Weed Areas (Under Separate Cover)*  
*Attachment 7 Annexure E - Erosion Control Plan (Under Separate Cover)*  
*Attachment 8 Annexure F - Trail Management Plan (Under Separate Cover)*
- Item 9.6 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015  
*Attachment 1 Braidwood DCP 2006 (Under Separate Cover)*  
*Attachment 2 Palerang DCP 2015 (Under Separate Cover)*
- Item 9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022  
*Attachment 1 Draft Bungendore Section 7 11 Development Contributions Plan For Community and Recreation Facilities (Under Separate Cover)*  
*Attachment 2 Palerang Council Section 94A Development Contributions Plan (as amended) (Under Separate Cover)*
- Item 9.11 Regional Road Transfer and Road Classification Review  
*Attachment 1 Full Round Submission Guidelines - September 2021 (Under Separate Cover)*  
*Attachment 2 Regional Roads Financial Data (Under Separate Cover)*
- Item 9.21 Audit, Risk & Improvement Committee Charter and Tenure of Members  
*Attachment 1 Revised ARIC Charter (Under Separate Cover)*  
*Attachment 2 Current ARIC Charter (Under Separate Cover)*
- Item 9.22 Request for Donation for Rates Relief  
*Attachment 1 Donation Application (Under Separate Cover)*  
*Attachment 2 Not for Profit Company Status - Company Search (Under Separate Cover)*
- Item 9.23 Investment Report - September 2021  
*Attachment 1 Investment Report Pack - September 2021 (Under Separate Cover)*
- Item 9.25 Delegation to Chief Executive Officer  
*Attachment 1 Delegations to the Mayor (Under Separate Cover)*
- Item 10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract Number 2021-36  
*Attachment 1 Tender Submissions listing (Under Separate Cover)*  
*Attachment 2 Regional Procurement Tender Evaluation Report (Under Separate Cover)*
- Item 11.1 Local Traffic Committee Meeting Minutes - 13 October 2021  
*Attachment 1 Local Traffic Committee Meeting Minutes - 13 October 2021 (Under Separate Cover)*

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- Item 11.2 Audit, Risk and Improvement Committee - Minutes 16 June 2021  
*Attachment 1 Audit, Risk and Improvement Committee Minutes - 16 June 2021 (Under Separate Cover)*
- Item 11.3 Bungendore Town Centre and Environs Committee Meeting Minutes  
*Attachment 1 BTCEC Ellendon St Arts Link Proposal - 20 September 2021 (Under Separate Cover)*  
*Attachment 2 BTCEC Minutes - 20 September 2021 (Under Separate Cover)*  
*Attachment 3 BTCEC Minutes - 26 August 2021 (Under Separate Cover)*
- Item 11.4 Bungendore War Memorial s355 Committee Meeting Minutes  
*Attachment 1 BWMC Minutes - 1 July 2021 (Under Separate Cover)*  
*Attachment 2 BWMC Annual General Meeting Minutes - 6 August 2020 (Under Separate Cover)*  
*Attachment 3 BWMC 2021 Annual Report (Under Separate Cover)*
- Item 11.5 Carwoola/Stoney Creek Area s355 Committee Meeting Minutes  
*Attachment 1 Carwoola - Stoney Creek s355 Meeting Minutes - 27 February 2021 (Under Separate Cover)*  
*Attachment 2 Carwoola - Stoney Creek s355 Meeting Minutes - February 2020 (Under Separate Cover)*  
*Attachment 3 Carwoola - Stoney Creek s355 Meeting Minutes - 27 June 2019 (Under Separate Cover)*
- Item 13.1 Delegates Report  
*Attachment 1 Cr Harrison - DRCCC Delegates Report (Under Separate Cover)*  
*Attachment 2 Cr Harrison - Attachment: 211018 Report to DRCCC No 41 (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions  
*Attachment 1 Responses to Councillors Questions (Under Separate Cover)*

**Closed Attachments**

- Item 9.8 Googong Sports Club Inc - Tripartite Agreement  
*Attachment 1 Deed of Agreement - Googong Sports Club (Under Separate Cover)*
- Item 9.12 Tender Recommendation - Construction of Reedy Creek Bridge, Contract Number 2021-27  
*Attachment 1 Tender Recommendation Report - 2021-27, Construction of Reedy Creek Bridge (Under Separate Cover)*
- Item 9.14 Contract 2021-37 Bungendore Landfill Reinstatement  
*Attachment 1 2021-37 Bungendore Landfill Rehabilitation Tender Evaluation Report (Under Separate Cover)*
- Item 9.15 Update to Services NSW for Business Agreement  
*Attachment 1 Partnership Agreement (Under Separate Cover)*
- Item 9.16 Application for QPRC Cultural Grant - Two Fires Festival  
*Attachment 1 Cultural Grant application Two Fires Festival (Under Separate Cover)*  
*Attachment 2 Assessment of Two Fires Festival Application (Under Separate Cover)*

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- Item 9.17 QPRC Cultural Grants Application - Heritage Community Singing in Queanbeyan Park  
*Attachment 1 Application Singing in the Park (Under Separate Cover)*  
*Attachment 2 Assessment Singing in the Park (Under Separate Cover)*
- Item 9.18 Proposed Lease - 257 Crawford St Queanbeyan  
*Attachment 1 QCCP Heads of Agreement (Under Separate Cover)*  
*Attachment 2 Commercial Lease Revenues (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions  
*Attachment 2 Responses to Councilors Questions with Confidential Information (Under Separate Cover)*
- Item 16.2 Bungendore Property  
*Attachment 1 MoU (Under Separate Cover)*  
*Attachment 2 Bungendore Property Information (Under Separate Cover)*  
*Attachment 3 Disturbance Claim (Under Separate Cover)*  
*Attachment 4 Office-Library-Community (Under Separate Cover)*  
*Attachment 5 Pool Scope and Estimate (Under Separate Cover)*  
*Attachment 6 Lease Term Sheets (Under Separate Cover)*
- Item 16.3 Crawford-Rutledge Properties - Expression of Interest  
*Attachment 1 Cox Design Schemes (Under Separate Cover)*  
*Attachment 2 Marketing Collateral (Under Separate Cover)*  
*Attachment 3 Valuation Summaries (Under Separate Cover)*  
*Attachment 4 Table of Bids (Under Separate Cover)*





MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 22 September 2021 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Overall (Chair)  
Cr Biscotti – via Zoom  
Cr Brown  
Cr Harrison  
Cr Hicks – via Zoom  
Cr Marshall – via Zoom  
Cr Schweikert – via Zoom  
Cr Taylor – via Zoom  
Cr Winchester – via Zoom

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

**Also Present:** 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

259/21

#### **RESOLVED (Taylor/Biscotti)**

That apology for non-attendance from Cr Noveska be received and noted.

The resolution was carried unanimously.



**4. CONFIRMATION OF MINUTES**

**4.1 Minutes of the Ordinary Meeting of Council held on 25 August 2021**

260/21

**RESOLVED (Biscotti/Taylor)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 August 2021 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 September 2021**

261/21

**RESOLVED (Biscotti/Schweikert)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 8 September 2021 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

262/21

**RESOLVED (Biscotti/Taylor)**

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

The resolution was carried unanimously.

There were no disclosures.

**6. ADJOURNMENT FOR PUBLIC FORUM**

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

263/21

**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 5.32pm and resumed at 5.50pm.

264/21

**PROCEDURAL MOTION**

**RESOLVED (Taylor/Biscotti)**

That the expected early departure of Cr Brown be noted.

The resolution was carried unanimously.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

The Mayor vacated the Chair at 5.51pm.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**9.1 Election of Mayor**

During discussion Cr Harrison raised a point of order stating a resolution is required to amend the Mayor's term to conclude on the day of the Local Government Election. The CEO upheld the point of order.

265/21

**RESOLVED (Harrison/Winchester)**

That an election for the position of Mayor be now conducted by open voting (show of hands) pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005, the term of office being from the date of election of Mayor until the day of the Local Government Election.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Mayor for the remaining term to the day of the Local Government Election. There were two written nominations received, those of Cr Tim Overall and Cr Kenrick Winchester, both of whom had accepted the nomination. The vote was conducted in alphabetic order.

The CEO called for a vote for Cr Overall, with six votes received being a majority of those who voted, the CEO declared Cr Overall as Mayor for the ensuing term.

Cr Overall assumed the Chair.

The Mayor thanked the Councillors who supported him and Cr Biscotti for his ongoing support while Deputy Mayor.

**9.2 Position of Deputy Mayor**

266/21

**RESOLVED (Taylor/Biscotti)**

That Council elect a Deputy Mayor for the from the date of the Deputy Mayor election until the day of the Local Government Election, noting that the method of ballot for such an election is by open voting (show of hands), pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Deputy Mayor for the remaining term to day of the Local Government Election. There were three written nominations received, those of Cr Michele Biscotti, Cr Kenrick Winchester and Cr Trevor Hicks, all of whom had accepted nomination. The vote was conducted in alphabetic order.

The first vote by a show of hands resulted in five votes for Cr Biscotti, and two votes each for Crs Hicks and Winchester. With this being a majority of those present who voted, the Returning Officer declared Cr Biscotti duly elected as Deputy Mayor for the remaining term.

*It was later noted a Councillor abstained from the vote for Deputy Mayor, indicating a clear majority had not been achieved. A further vote for Deputy Mayor will be conducted at an Extraordinary meeting on 29 September 2021.*

**9.3 Delegations to Mayor and Deputy Mayor**

267/21

**RESOLVED (Taylor/Schweikert)**

That, pursuant to Section 377(1) of the *Local Government Act 1993*, the delegations to the Mayor Tim Overall and Deputy Mayor Michele Biscotti be granted and remain in force until revoked by resolution of Council.

The resolution was carried unanimously.

**9.4 Committee Delegates and Representatives**

268/21

**RESOLVED (Schweikert/Taylor)**

That Council re-appoint its representatives and delegates to all committees and external organisations from 22 September until the day of the Local Government Elections.

The resolution was carried unanimously.

**9.5 Delegation of Authority to Planning and Strategy Committee of the Whole**

269/21

**RESOLVED (Marshall/Schweikert)**

That Council delegate the decision-making powers to the Planning and Strategy Committee of the Whole for the following financial related documentation and processes:

1. Endorsement of the Long-Term Financial Plan for public exhibition.
2. Resolution to notify IPART of Council's intention to lodge a Special Rate Variation application.
3. Endorsement of the revised Operational Plan for public exhibition with inclusion of the Special Rate Variation option.

The resolution was carried unanimously.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood**

270/21

**RESOLVED (Hicks/Taylor)**

That:

1. Development application DA.2019.1170 for a commercial premises (bakery) on Lot 1, Lot 2, Lot 3 Sec 15 DP 758152, No.87-91 Lascelles Street, Braidwood 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.

**9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong**

271/21

**RESOLVED (Biscotti/Taylor)**

That all intersection options for the proposed Bunyip Drive and Old Cooma Road intersection, servicing neighbourhoods 3 to 5 at Googong, be placed on public exhibition for a period of 28 days.

The resolution was carried unanimously.

**9.8 Road Naming Proposed Foxtton Place, Braidwood Village**

272/21

**RESOLVED (Harrison/Schweikert)**

That Council:

1. Adopt in principle the name Foxtton Place as the proposed name for the new road created under subdivision development consent DA.2014.143.
2. Advertise the name for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette if no objections are received.

The resolution was carried unanimously.

**9.9 Review of Environmental Factors - Regional Sports Complex - Environa**

273/21

**RESOLVED (Biscotti/Schweikert)**

That pursuant to Division 12 of SEPP (Infrastructure) 2007 and Section 5.5 of the *Environmental Planning and Assessment Act 1979*, Council adopt the Review of Environmental Factors for the Regional Sports Complex for the completion of bulk earthworks, stormwater infrastructure and below ground services and endorse all of the mitigation measures recommended therein.

The resolution was carried unanimously.

**9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee**

274/21

**RESOLVED (Hicks/Schweikert)**

That:

1. Council endorse the Review of Environmental Factors and Landscape Plans for the proposed South Jerrabomberra 'Town Park' and place the documents on public exhibition for 28 days.
2. Any comments made during the exhibition period be the subject of a further report for Council's consideration.

The resolution was carried unanimously.

**9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications**

275/21

**RESOLVED (Biscotti/Taylor)**

That:

1. Council nominate and seek grant funds from the Regional Sports Facilities Fund Round 2, for the following high priority projects from the QPRC Sports Facilities Strategic Plan:
  - a. Wright Park Amenities
  - b. Toilet Facilities at Hoover Rd, Archery Field
  - c. Steve Mauger Oval Floodlights
2. Subject to the Stronger Country Communities Grants - Round 4 announcement, the following high priority projects be utilised for subsequent submission:
  - a. Steve Mauger Netball Amenities
  - b. Madew Oval Women's Change rooms
  - c. Riverside Oval Women's Amenities
  - d. Seiffert Oval Women's Change rooms
  - e. Change facilities at Queanbeyan Town Park

The resolution was carried unanimously.

**9.12 Captains Flat Road Grant Works Program**

276/21

**RESOLVED (Marshall/Schweikert)**

That Council endorse the program of work detailed in this report for the Captains Flat Road from Briars Sharrow Road to Captains Flat village.

For: Cr Biscotti, Brown, Harrison, Marshall, Overall, Schweikert,  
Taylor and Winchester

Against: Cr Hicks

**9.13 Monaro Street Upgrade - Concept Design**

277/21

**RESOLVED (Biscotti/Taylor)**

That Council:

1. Note the Community Engagement Report on the Monaro Street Upgrade concept design.
2. Note that the species selection for street trees in Monaro Street will include Urban Ash and Pin Oak.
3. Note the proposed street layout and parking.
4. Endorse the exhibited Monaro Street Upgrade concept design to progress to detailed design.

For: Cr Biscotti, Brown, Harrison, Overall, Schweikert, Taylor and Winchester

Against: Crs Hicks and Marshall

**9.14 Crown Road Management Policy**

278/21

**RESOLVED (Harrison/Overall)**

That Council adopt the Crown Road Management Policy with the following amendment:

- Paragraph 6.2.3: The road will provide access to more than two dwellings where the dwellings are located on separate parcels of land.

The resolution was carried unanimously.

**9.15 Tender Recommendation - QPRC HVAC Maintenance Contract 2019/16**

279/21

**RESOLVED (Harrison/Schweikert)**

That Council accept the tender submitted by Airmaster to the value of \$45,226.06 including GST.

The resolution was carried unanimously.

Cr Brown left the meeting at 6.31pm.

**9.16 Community Facilities Hire Fees**

280/21

**RESOLVED (Hicks/Marshall)**

That Council:

1. Note the report.
2. Waive hire fees during COVID lockdown for the groups listed in the report.
3. Apply the 2021/2022 Community Centre fees and charges for all groups listed in the report from 1 November 2021.
4. Advise users who currently receive free hire of facilities to apply to the QPRC Annual Community Grants Program.

The resolution was carried unanimously.

**9.17 QPRC Cultural Grants application, Heart 2 Heart Psychic Centre**

281/21

**RESOLVED (Biscotti/Taylor)**

That Council not approve a donation of \$1,000 from QPRC Cultural Grants to the Heart 2 Heart Psychic Centre, due to the project not meeting the eligibility criteria for QPRC Cultural Grants.

The resolution was carried unanimously.

**9.18 Revised QPRC Parking Policy**

**MOVED (Marshall/Biscotti)**

That Council:

1. Consider the draft QPRC Parking Policy at a Councillor workshop.
2. Place the draft QPRC Parking Policy on public exhibition for 28 days.

Cr Hicks foreshadowed a CONTRARY motion: ["That Council adopt the revised QPRC Parking Policy 2021."]

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

282/21

**RESOLVED (Marshall/Biscotti)**

That Council:

1. Consider the draft QPRC Parking Policy at a Councillor workshop.
2. Place the draft QPRC Parking Policy on public exhibition for 28 days.

The resolution was carried unanimously.



**9.19 QPRC 2020/21 Financial Statements**

283/21

**RESOLVED (Harrison/Schweikert)**

That Council:

1. Refer the 2020/21 Financial Statements to audit in accordance with section 413(1) of the *Local Government Act 1993*.
2. Note that the 2020/21 financial statements have been prepared in accordance with:
  - a. The *Local Government Act 1993* and regulations made thereunder
  - b. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
  - c. The Local Government Code of Accounting Practice and Financial Reporting.
3. Note that the 2020/21 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
4. Note that the financial statements will be adjusted to include gifted assets once their in-house valuation has been completed.
5. Note that the financial statements will be adjusted to include revaluation of Infrastructure, Property, Plant and Equipment once revaluation workpapers have been finalised.
6. Is not aware of any matter that would render these statements false or misleading in any way.
7. Delegates authority to the Mayor, Deputy Mayor, CEO and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements.
8. Delegate authority to the CEO to issue the financial statements upon receipt of the audit report.

The resolution was carried unanimously.

**9.20 Investment Report - August 2021**

284/21

**RESOLVED (Schweikert/Marshall)**

That Council:

1. Note the investment return for August 2021 was \$528,214.
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 August 2021.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

- 285/21      **10.1 COVID-19 Update**  
**RESOLVED (Schweikert/Taylor)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 286/21      **10.2 New Integrated Planning and Reporting Framework Guidelines**  
**RESOLVED (Schweikert/Harrison)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 287/21      **10.3 Mayoral Representation Following Local Government Elections**  
**RESOLVED (Marshall/Biscotti)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 288/21      **10.4 Resolution Action Sheet**  
**RESOLVED (Biscotti/Hicks)**  
That the report be received for information.  
  
The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES**

- 289/21      **11.1 Braidwood Showground s355 Committee Meeting Minutes**  
**RESOLVED (Schweikert/Biscotti)**  
That Council:
1. Note the AGM meeting minutes of Braidwood Showground Reserve Trust held on 31 July 2018.
  2. Note the AGM meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019
  3. Note the meeting minutes of Braidwood Showground Reserve Trust held on 15 November 2018.
  4. Note the meeting minutes of Braidwood Showground Reserve Trust held on 4 April 2019.
  5. Note the meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019.
  6. Note the meeting minutes of Braidwood Showground Reserve Trust held on 11 February 2021.
  7. Note the meeting minutes of Braidwood Showground Reserve Trust held on 9 March 2021.
- The resolution was carried unanimously.

**11.2 Bungendore Town Centre and Environs Committee Meeting Minutes**

290/21

**RESOLVED (Schweikert/Hicks)**

That Council:

1. Note the minutes of the Bungendore Town Centre and Environs Committee held on 31 May 2021.
2. Note the minutes of the Bungendore Town Centre and Environs Committee held on 21 June 2021.
3. Note the minutes of the Bungendore Town Centre and Environs Committee held on 19 July 2021.

The resolution was carried unanimously.

**11.3 Wamboin Community Hall s 355 Committee Meeting Minutes**

291/21

**RESOLVED (Harrison/Taylor)**

That Council:

1. Note the AGM meeting minutes of Wamboin Community Hall held on 19 July 2021.
2. Note the meeting minutes of Wamboin Community Hall held on 19 July 2021.
3. Note the 2020/2021 Financial Report of Wamboin Community.

The resolution was carried unanimously.

**12. NOTICES OF MOTIONS**

**12.1 Poll on Election Day**

**MOVED (Marshall/Harrison)**

That Council:

1. Pursuant to section 14 of the *Local Government Act 1993* (NSW):
  - a. Take a poll of electors on the question of whether the Queanbeyan-Palerang Regional Council local government area should be de-amalgamated, so as to restore the former local government areas of Queanbeyan City and Palerang, and
  - b. hold the poll on the day of the 2021 NSW local government elections, being Saturday, 4 December 2021 or such later or other day as may subsequently be proclaimed.
2. Examine any additional cost of a poll on the amalgamation as part of the quarterly budget review.

During discussion Cr Marshall raised a Point of Order stating the Mayor should clarify his comments regarding the proposed special rate variation of the former Palerang Council. The Mayor replied the proposal was well known and published at the time.

The motion (of Crs Marshall and Harrison) was PUT, and with the vote being four-all, the Mayor exercised his casting vote and declared the motion LOST.

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

### 13. REPORTS TO COUNCIL - DELEGATES REPORTS

#### 13.1 Delegates Report

292/21

**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

293/21

**RESOLVED** (Taylor/Biscotti)

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

294/21

**RESOLVED** (Overall/Taylor)

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

#### **Item 16.1 Review of Representation - Issue Order on Property Owners**

*Item 16.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be*

*privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.2 Request for Concession on Development Application Fees - Repair to Heritage Building**

*Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Hardship Request - Deferral of Developer Contributions - Two Applications**

*Item 16.3 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.4 Request for Rental Rebate**

*Item 16.4 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.5 Rent Relief - Queanbeyan Riverside Caravan Park**

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

**Item 16.6 Undetected Leak Application - Greenleigh**

*Item 16.6 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.7 Complaint about Signage re Clarke Gang**

*Item 16.7 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.11pm to discuss the matters listed above.

Cr Hicks left the meeting at 7.11pm.

**16.1 Review of Representation - Issue Order on Property Owners**

295/21

**RESOLVED (Marshall/Schweikert)**

That Council:

1. Note the representations from the Owner.
2. Issue a new Notice of Proposed Order requiring the removal of the unauthorised dam and to restore the land to its original condition, in line with the Terms specified in Table 2 of this report.
3. Issue Penalty Notice for Fail to Comply with the Notice to Provide Records and Information, which was given to the owners on 23 June 2021.
4. Re-issue the Notice to Provide Records and Information requesting the information and records be supplied with 30 days.

The resolution was carried unanimously.

Cr Hicks returned to the meeting at 7.12pm.

**16.2 Request for Concession on Development Application Fees - Repair to Heritage Building**

296/21

**RESOLVED (Marshall/Harrison)**

That Council advise the applicant that a concession on application fees is not available in this case.

For: Crs Biscotti, Harrison, Marshall, Overall, Taylor and Winchester

Against: Crs Hicks and Schweikert

**16.3 Hardship Request - Deferral of Developer Contributions - Two Applications**

297/21

**RESOLVED (Marshall/Schweikert)**

That:

1. Council agree to payment plans for developer contribution charges as outlined in the report.
2. Council delegate authority to the CEO to determine requests for payment plans for developer contribution charges.
3. In relation to Applicant 2, staff check that all relevant concessions have been applied.

The resolution was carried unanimously.

**16.4 Request for Rental Rebate**

298/21

**RESOLVED (Biscotti/Schweikert)**

That Council:

1. Provide the rebate to the applicant during the designated lockdown period for the Queanbeyan-Palerang Regional Council LGA as recommended.
2. Consider an increase in the donations budget (through first quarter review) to reflect the increasing financial hardship caused by COVID-19.

The resolution was carried unanimously.

**16.5 Rent Relief – Queanbeyan Riverside Caravan Park**

The matter did not proceed.

**PROCEDURAL MOTION**

299/21

**RESOLVED (Overall/Schweikert)**

That Council not adjourn for the scheduled supper break but continue with the meeting and complete the agenda.

The resolution was carried unanimously.

**16.6 Undetected Leak Application - Greenleigh**

300/21

**RESOLVED (Hicks/Schweikert)**

That Council write off a total of \$4,000 in water usage charges for the property listed in this report.

The resolution was carried unanimously.

**16.7 Complaint about Signage re Clarke Gang**

301/21

**RESOLVED (Schweikert/Harrison)**

That Council reaffirm its response to the complainant in 2017 and is satisfied with the wording on the signage.

The resolution was carried unanimously.

302/21

**RESOLVED (Overall/Schweikert)**

That the meeting now return to Open Session.

The resolution was carried unanimously.



The meeting returned to Open Session at 7.31pm and the livestream recommenced.

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

**17. CONCLUSION OF THE MEETING**

The time being 7.36pm, the Mayor announced that the Agenda for the meeting had now been completed and closed the meeting.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**



MINUTES OF THE EXTRAORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers and via Zoom on Wednesday, 29 September 2021 commencing at 5.30pm.

## ATTENDANCE

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

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

**Also Present:** 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

303/21

#### **RESOLVED (Taylor/Biscotti)**

That apology for non-attendance from Cr Noveska be received and noted.

The resolution was carried unanimously.

**4. DISCLOSURES OF INTERESTS**

304/21

**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.

There were no disclosures.

Cr Marshall joined the meeting at 5.31pm.

**5. ADJOURNMENT FOR PUBLIC FORUM**

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

305/21

**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 5.32pm and resumed at 5.33pm.

**6. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**6.1 Position of Deputy Mayor**

306/21

**RESOLVED (Overall/Harrison)**

That Council elect a Deputy Mayor for the period 29 September until the day of the Local Government Elections, noting that the method of ballot for such an election is by open voting (show of hands), pursuant to Schedule 7, Part 1(3) of the Local Government (General) Regulation 2005.

The resolution was carried unanimously.

The CEO, as Returning Officer, called for nominations for the position of Deputy Mayor for the remaining term to the day of the Local Government Election. There were three written nominations received, those of Cr Michele Biscotti, Cr Trevor Hicks and Cr Kenrick Winchester, all of whom had accepted nomination. The vote was conducted in alphabetic order.

The first vote by a show of hands resulted in four votes for Cr Biscotti, and two votes each for Crs Hicks and Winchester. In accordance with the *NSW Local Government Act 1993* and the *NSW Local Government (General) Regulation 2005*, a draw from a hat resulted in Cr Winchester being excluded.

The second vote by a show of hands resulted in four votes for Cr Biscotti and two for Cr Hicks. With this being a majority of those present who voted, the Returning Officer declared Cr Biscotti duly elected as Deputy Mayor for the remaining term.

307/21                    **6.2    Delegations to Deputy Mayor**  
**RESOLVED (Taylor/Harrison)**

That, pursuant to Section 377(1) of the *Local Government Act 1993*, the delegations to the Deputy Mayor, Cr Michele Biscotti, be granted and remain in force until revoked by resolution of Council.

The resolution was carried unanimously.

**7.    CONCLUSION OF THE MEETING**

The time being 5.36pm, the Mayor announced that the Agenda for the meeting had now been completed and closed the meeting.

**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 Queanbeyan Council Chambers and via Zoom on Wednesday, 13 October 2021, commencing at 5.30pm.

### ATTENDANCE

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

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

**Also Present:** 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**

There were no apologies.

**4. DISCLOSURES OF INTEREST**

PLA166/21

**RESOLVED (Taylor/Marshall)**

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

The resolution was carried unanimously.

There were no disclosures.

**5. ADJOURNMENT FOR PUBLIC FORUM**

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

PLA167/21

**RESOLVED (Overall/Harrison)**

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 6.09pm.

**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 Review of Determination - REV.2021.1000 - Request for Review of Council's Refusal of DA.2020.1172 - Additions and Alterations to a Rural Supplies Premises - 121 Wallace Street, Braidwood**

**MOVED (Hicks/Schweikert)**

That:

1. Application REV.2021.1000 for Review of Determination for additions and alterations to a rural supplies premises (DA.2020.1172) on Lots 1 & 2 DP 596527, Lot 1 DP 995410 & Lot 2 DP 1208847, No.121 Wallace Street, Braidwood be approved subject to the recommended conditions of consent.
2. Those persons who lodged submissions on the application be advised in writing of the determination of the review.

During discussion, Cr Harrison foreshadowed a CONTRARY motion:  
["That:

1. Council confirm its previous decision of 16 December 2020 and refuse the Review of Determination REV.2021.1000 for additions and alterations to a rural supplies premises (DA.2020.1172) on Lots 1 & 2 DP 596527, Lot 1 DP 995410 & Lot 2 DP 1208847, No.121 Wallace Street, Braidwood on the grounds that the development is not in keeping with the character and amenity of the locality and in particular:
  - a. With reference to Section 4.15 (1) (b) of the *EP&A Act*, the nature and scale of the development is likely to lead to the intensification of activities that are not consistent with either the character, amenity or scale of other business activities in the area, nor with the mixed use residential development that is currently promoted through the relevant local planning instruments;
  - b. With reference to Section 4.15 (1) (c) of the *EP&A Act*, the present site, on the main street of Braidwood and in the centre of the town, in a mixed use zone and immediately adjacent to a residential area, is not suitable for increased development or use on the scale being proposed;
  - c. With reference to Section 4.15 (1) (e) of the *EP&A Act*, it is not in the public interest to encourage the expansion of this style of business in this particular location, in the centre of the town.
2. Those persons who lodged submissions on the application be advised in writing of the determination of the application."]

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

For: Crs Biscotti, Hicks, Overall and Schweikert

Against: Crs Brown, Harrison, Marshall, Noveska, Taylor and Winchester



The FORESHADOWED motion (of Cr Harrison) was brought forward, seconded by Cr Winchester, PUT and CARRIED.

PLA168/21

**RESOLVED (Harrison/Winchester)**

That:

1. Council confirm its previous decision of 16 December 2020 and refuse the Review of Determination REV.2021.1000 for additions and alterations to a rural supplies premises (DA.2020.1172) on Lots 1 & 2 DP 596527, Lot 1 DP 995410 & Lot 2 DP 1208847, No.121 Wallace Street, Braidwood on the grounds that the development is not in keeping with the character and amenity of the locality and in particular:
  - a. With reference to Section 4.15 (1) (b) of the *EP&A Act*, the nature and scale of the development is likely to lead to the intensification of activities that are not consistent with either the character, amenity or scale of other business activities in the area, nor with the mixed use residential development that is currently promoted through the relevant local planning instruments;
  - b. With reference to Section 4.15 (1) (c) of the *EP&A Act*, the present site, on the main street of Braidwood and in the centre of the town, in a mixed use zone and immediately adjacent to a residential area, is not suitable for increased development or use on the scale being proposed;
  - c. With reference to Section 4.15 (1) (e) of the *EP&A Act*, it is not in the public interest to encourage the expansion of this style of business in this particular location, in the centre of the town.
2. Those persons who lodged submissions on the application be advised in writing of the determination of the application.

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

Against: Crs Hicks, Overall and Schweikert

**8.2 Development Application - DA.2020.1109 - Change of Use from a Dwelling to a Place of Public Worship - 128 Bicentennial Drive, Jerrabomberra**

PLA169/21

**RESOLVED (Brown/Overall)**

That:

1. Development application DA.2020.1109 for a Place of Public Worship on Lot 166 DP786394, No.128 Bicentennial Drive, Jerrabomberra be refused on the following reasons:
  - a. The development application has not been able to demonstrate satisfactory compliance with Clause 1.2 (2)(a) Aim of Queanbeyan Local Environmental Plan 2012 as it does not facilitate the orderly and economic use and development of land in Queanbeyan based on ecological sustainability principles.

- b. The development application has not been able to demonstrate satisfactory compliance to meet Clause 2.3 Objective 3 of the long term vision for the R2 Low Density Residential Zone of Queanbeyan Local Environmental Plan 2012 as it does not encourage development that considers the low density amenity of existing and future residents.
  - c. The proposed development is inconsistent with the R2 Low Density Zone Land Use Table as proposed in Draft Queanbeyan Palerang Local Environmental 2020 which will prohibit a Place of Public Worship in the R2 Low Density Zone.
  - d. The proposed development is inconsistent with Part 2.1.2(2) Objective 2 of Queanbeyan Development Control Plan 2012 as it is not considered able to maintain and improve the amenity of Queanbeyan.
  - e. The proposed development is inconsistent with Part 2.3.6 Objective 1 of Queanbeyan Development Control Plan 2012 as it is not considered able to provide effective management of noise.
  - f. The proposed development is inconsistent with Part 2.3.6 Control (a) and Control (f) of Queanbeyan Development Control Plan 2012 as it is not considered to have acceptable noise impacts on sensitive receivers.
  - g. The proposed design is considered unsatisfactory having regard to Objectives 3 and 4 of Part 2.12 Tree and Vegetation Management of Queanbeyan Development Control Plan 2012.
  - h. The proposed development is considered to have an unacceptable impact under the following matters required to be considered under Section 4.15 of the *Environmental Planning and Assessment Act 1979*:
    - i. Context & Setting
    - ii. Access, Transport & Traffic (relating to onsite car parking and tree management)
    - iii. Noise
    - iv. Site design and internal design
    - v. Cumulative impacts
    - vi. Suitability of the site
    - vii. The public interest.
2. Those persons who lodged submissions on the application be advised in writing of the determination of the application.

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

Against: Cr Hicks

**8.3 Proposed Amendments to South Jerrabomberra Development Control Plan 2015**

PLA170/21

**RESOLVED (Hicks/Biscotti)**

That Council:

1. Exhibit the proposed amendments to the South Jerrabomberra Development Control Plan 2015 for a period of 28 days.
2. Grant a variation to dwelling applications in the South Jerrabomberra urban release area, allowing them to be assessed against the corrected provisions of Tables 6.3 and 7.1 of the DCP until Council considers its formal adoption.

The resolution was carried unanimously.

**8.4 Captains Flat Road Grant Works Program Review**

PLA171/21

**RESOLVED (Hicks/Schweikert)**

That Council endorse the revised program for the grant works proposed on Captains Flat Road.

The resolution was carried unanimously.

**8.5 IPART - Rate Peg Review with Population Growth**

PLA172/21

**RESOLVED (Harrison/Overall)**

That Council:

1. Note the Final Report on the IPART review of the population rate peg.
2. Incorporate the rating options into the refresh of the Long Term Financial Plan.
3. Continue to advocate to Government, with RCNSW and CRJO, the further consideration of the matters deemed outside the IPART scope.

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

Against: Cr Hicks

**8.6 Long Term Financial Plan**

**MOVED (Overall/Schweikert)**

That Council:

1. Amend and exhibit the draft Long Term Financial Plan as may be necessary to include currently known and proposed government revenue policy changes.
2. Refer the draft Long Term Financial Plan to Treasury Corp.
3. Hold workshops and receive a revised draft Long Term Financial Plan in early 2022 giving consideration to a further scenario or scenarios (in addition to the pathways for Scenarios 1, 2, 3).
4. The additional scenario/s consider updated proposed government revenue policy changes and a range of Revenue and Expense measures including:
  - a. Updated Rate Peg including population growth factor 2022/23.
  - b. Options for any rate peg catch up due to past population growth through a SRV.
  - c. Review and consider potential modification of rating structure.
  - d. Review Contributions Plans to further fund infrastructure to service development.
  - e. Increased additional savings target per annum from an organisational service review.
  - f. Reviewing the FTE at 7.5/1000 residents ratio.
  - g. Increased revenue from disposal of non-strategic properties owned by the General Fund and the Water and Sewer Funds.
  - h. Associated with 2.g above, reviewing the level of water and sewer dividends.
  - i. Alternative funding, including grant funding options in place of an Environmental SRV.
  - j. Likely changes to the Emergency Services Levy.
  - k. Impacts from the NSW Regional Roads Review and potentially transfer of emergency services assets to Government.

During discussion Cr Marshall foreshadowed a CONTRARY motion: ["That Council note the staff report."]

The motion (of Crs Overall and Schweikert) was PUT, and with the vote being five-all, the Mayor exercised his casting vote and declared the motion CARRIED.

PLA173/21

**RESOLVED (Overall/Schweikert)**

That Council:

1. Amend and exhibit the draft Long Term Financial Plan as may be necessary to include currently known and proposed government revenue policy changes.
2. Refer the draft Long Term Financial Plan to Treasury Corp.
3. Hold workshops and receive a revised draft Long Term Financial Plan in early 2022 giving consideration to a further scenario or scenarios (in addition to the pathways for Scenarios 1, 2, 3).
4. The additional scenario/s consider updated proposed government revenue policy changes and a range of Revenue and Expense measures including:
  - a. Updated Rate Peg including population growth factor 2022/23.
  - b. Options for any rate peg catch up due to past population growth through a SRV.
  - c. Review and consider potential modification of rating structure.
  - d. Review Contributions Plans to further fund infrastructure to service development.
  - e. Increased additional savings target per annum from an organisational service review.
  - f. Reviewing the FTE at 7.5/1000 residents ratio.
  - g. Increased revenue from disposal of non-strategic properties owned by the General Fund and the Water and Sewer Funds.
  - h. Associated with 2.g above, reviewing the level of water and sewer dividends.
  - i. Alternative funding, including grant funding options in place of an Environmental SRV.
  - j. Likely changes to the Emergency Services Levy.
  - k. Impacts from the NSW Regional Roads Review and potentially transfer of emergency services assets to Government.

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

Against: Crs Brown, Hicks, Marshall, Noveska and Winchester

PLA174/21

**Procedural Motion**

**RESOLVED (Overall/Schweikert)**

That Council not adjourn for the scheduled supper break but continue with the meeting and complete the agenda.

The resolution was carried unanimously.

**SUPPLEMENTARY REPORT**

**8.7 Request for Consent to Exercise Council Delegation for Resolution of Tender within Caretaker Period**

PLA175/21

**RESOLVED (Schweikert/Biscotti)**

That:

1. Council submit a letter to the Minister for Local Government requesting consent to exercise Council Delegation for Resolution of Tender during Caretaker Period (in accordance with Section 393B(2) of the Local Government (General) Regulation 2021 at the 24 November 2021 Ordinary Council Meeting.
2. If the Tender Evaluation process for all three tenders is completed prior to the Caretaker Period due to commence on 5 November 2021, Council hold an Extraordinary Council Meeting on 3 November 2021 to grant a resolution in respect of awarding these three Tenders.

The resolution was carried unanimously.

**9. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

There were no Items for Information.

**10. REPORTS OF COMMITTEES**

**10.1 Minutes of QPRC Heritage Advisory September 2021**

PLA176/21

**RESOLVED (Overall/Schweikert)**

That Council note the minutes of QPRC Heritage Advisory Committee held on 16 September 2021.

The resolution was carried unanimously.

**11. NOTICES OF MOTIONS**

**11.1 Exempt & Complying Development**

PLA177/21

**RESOLVED (Harrison/Schweikert)**

That, in conjunction with the finalisation of the Queanbeyan-Palerang LEP, Council receive a report on the extent to which Exempt and Complying Development in the Landuse Zones E4 Environmental Living, RU5 Village and RU1 Primary Production, as proposed under Planning Proposal PP\_2015\_PALER\_002\_00, have been addressed under the new QPLEP, or other planning legislation, and what provisions proposed in this Planning Proposal remain to be addressed.

The resolution was carried unanimously.

**12. 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.

**13. REPORTS FOR CLOSED SESSION**

PLA178/21

**RESOLVED (Overall/Taylor)**

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

**Item 13.1 Consideration of Legal Action Relating to Unauthorised Development at a Property in Googong**

*Item 13.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.36pm to discuss the matters listed above.

**13.1 Consideration of Legal Action Relating to Unauthorised  
Development at a Property in Googong**

PLA179/21

**RESOLVED (Schweikert/Marshall)**

That Council commence criminal (Class 5) and civil enforcement proceedings (Class 4) in the NSW Land and Environmental Court against the owners of the property as outlined in this report.

The resolution was carried unanimously.

PLA180/21

**RESOLVED (Overall/Taylor)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.38pm and the livestream recommenced.

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

**14. CONCLUSION OF THE MEETING**

The time being 7.38pm, the Mayor announced that the Agenda for the meeting had now been completed and closed the meeting.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**



**ITEM 5    DECLARATION OF CONFLICTS/PECUNIARY INTERESTS**

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

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

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

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

**Recommendation**

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



9.1 **Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209) (Ref: ; Author: Tegart/Thompson)**

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File Reference: PR.2021.1036

**Summary**

Council received advice from the NSW Department of Planning, Industry and Environment (DPIE) that the State Significant Development Application for the new Bungendore High School had been placed on exhibition from 20 September to 18 October 2021. DPIE invited Council to provide advice on the proposal including any recommended conditions of consent. This report considers the content of Council's submission to DPIE.

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**Recommendation**

That:

1. **Council advise DPIE that it objects to the proposal for the development of the new Bungendore High School (SSD-14394209) for the reasons detailed in Attachment 1 of this report, noting that subject to satisfactory resolution of these items Council may withdraw its objection to the proposal.**
  2. **Council provide a copy of its recommended conditions of consent for the new Bungendore High School as detailed in Attachment 1 of this report.**
  3. **Attachment 1 be forwarded to DPIE as Council's formal submission on the proposal.**
- 

**Background**

The NSW Department of Education has submitted a State Significant Development (SSD) application (SSD-14394209) for a new high school in Bungendore with a capacity of up to 450 students and 41 staff. The NSW DPIE will be assessing the application and is the consent authority.

The proposed site in Bungendore comprises four lots, two-part lots and a portion of road reserve, with a total area of approximately 29,205m<sup>2</sup>. The site currently contains the existing QPRC Bungendore Office and associated carpark, a vacant property in Majara Street owned by QPRC, the Bungendore Community Centre, the Bungendore Pool, a portion of Bungendore Park, a portion of Bungendore Common and a portion of the Majara Street road reserve. The proposed works include the following:

- Demolition of the Bungendore Community Centre and Bungendore Pool.
- Construction of new school buildings and facilities with a capacity for up to 450 students and 41 staff.
- Construction of new community building to replace the existing Bungendore Community Centre to provide for a community library, Council shopfront and community health hub.
- Repurposing of the existing single storey QPRC Office building for use as a high school building.
- Establishment of an agricultural plot and associated high school building and scout storage shed on a portion of the Bungendore Common.
- Construction of a school access road to the eastern edge of the site providing access to staff car parking.

### 9.1 Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209) (Ref: ; Author: Tegart/Thompson) (Continued)

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- Development of a forecourt and plaza for pedestrians.
- Construction of new games courts.
- Provision of dedicated open space areas; and
- Associated off-site works, including upgrades to nearby road intersections and infrastructure, on-street parking, crossings and footpaths.

The SSD was placed on exhibition between 20 September and 18 October 2021. DPIE invited Council to provide advice on the proposal including any recommended conditions of consent.

Council sought an extension of time to lodge its submission given the significance of the application and to allow time for the matter to be considered at a Council meeting. Council was advised that a preliminary submission should be made on or before the 18 October 2021 confirming whether Council would be objecting to the proposal. A further detailed submission could then be lodged by 29 October 2021.

In accordance with the above Council lodged a preliminary submission on 18 October 2021 confirming that it would be lodging a more detailed submission on or before 29 October 2021 and that the preliminary submission should be treated as an objection.

#### **Proposed Submission**

Council considered the matters to be included in its submission at a workshop on 20 October 2021. In considering those matters Council's took care to ensure that its comments were restricted to planning matters and the impacts of the development in that context.

The outcomes of that workshop are detailed in Attachment 1 of this report. This attachment will form the basis of Council's submission. The attachment includes Schedules 1 and 2 which distil down the issues to those that Council is raising an objection too (Schedule 1) and those issues that Council considers can be dealt with as conditions of consent (Schedule 2).

It is not proposed to reiterate the matters contained in the attachments in the body of this report other than to briefly summarise the issues as follows:

Issues requiring clarification or warranting objection:

- Unacceptable loss of on-street parking spaces.
- Replacement carparking for loss of parking from Scout Hall.
- Confirmation that landscaping of roundabouts will occur.
- Insufficient parking for kiss and drop area in Turallo Terrace.
- Safety of pedestrian crossing in Turallo Terrace.
- Whether the legislative construction of the original dedication of the Crown lands being acquired is overcome by the acquisition by the Education Minister.
- Fencing adjacent to heritage items.
- Providing an alternative to the digital sign in in the proposal.

**9.1 Proposed Submission on State Significant Development Application for New High School at Bungendore (SSD-14394209) (Ref: ; Author: Tegart/Thompson) (Continued)**

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Issues that can be dealt with by conditions of consent:

- Design and provision of utility services including water, sewer and stormwater.
- Implementation of erosion and sediment controls.
- Ensuring legal access is retained to 16 Majara Street.
- Ensuring the provision of School Crossing Supervisors.
- Times for waste collection.
- Appropriate design for access for delivery vehicles.
- Protection of the new school facilities from flooding.
- Payment of developer contributions.
- The provision of information normally provided under local government approvals.
- Comments relating to building design.
- Relocation of Bush Balladeers Memorial.
- Site contamination.
- Fencing and maintenance of Mick Sherd Oval including consultation with the War Memorial Committee.
- Civil engineering design and standards.
- Information on food preparation areas.

**Conclusion**

The new Bungendore High School project is an important development in the context of Bungendore and the local government area as a whole. Council has prepared a list of matters which it believes should be considered in the assessment of the SSD to deliver a better project for the community. These matters should be forwarded to DPIE as Council's formal submission.

**Attachments**

Attachment 1



Proposed Submission on New Bungendore High School for Consideration at Council Meeting of 27 October 2021 (*Under Separate Cover*)



9.2 **Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis)**

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File Reference: TSC/80/2002/DA / MOD.2011.077.A

**Summary**

***Reason for Referral to Council***

This application has been referred to Council because the application involves a significant variation to a requirement in a development control plan.

Proposal:	Modification: Delete a Condition of Approval of TSC/80/2002/DA (Condition 9 of a Proposed Seven Lot Subdivision) – Requirement for Reticulated Electricity Supply for Concessional Allotments
Applicant/Owner:	Coe Planning Services / Almeno Number One P/L
Subject Property:	Lot 3 DP 1063771, No. 7123 Nerriga Road, Corang, NSW
Zoning and Permissibility:	RU1 Primary Production Zone under the Palerang Local Environmental Plan 2014
Public Submissions:	Nil
Issues Discussed:	Planning Requirements and Proposed Variation
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

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**Recommendation**

That:

- 1. Approval be granted to a variation to Section C1.2.9 of the Palerang Development Control Plan 2015 to allow the provision of an alternate power supply for three concessional lots in a seven lot Torrens title subdivision for the following reasons:**
    - (a) The proponent has raised significant issues with obtaining a reticulated electricity supply to allotments due to disagreement with adjoining landowners to allow the registration of an easement across their property, and other alternatives resulting in unacceptable vegetation clearing;**
    - (b) The proponent has suggested to Council staff, they provide an alternate power supply with ground mounted solar electricity system, nominated to be installed to all three concessional allotments at the developers cost;**
    - (c) The provision of a restriction on the title of the land via a covenant requiring the installation, and ongoing provision of ground mounted solar infrastructure on relevant allotments.**
  - 2. Modification application MOD.2011.077.A to allow installation of a ground mounted solar power supply in place of reticulated electricity supply on concessional lots at Lot 3 DP 1063771, No.7123 Nerriga Road, Corang be granted conditional approval, subject to the original conditions of consent imposed by MOD.2011.077 as amended by the conditions listed below:**
-

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

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**Condition 9 (Amended Condition):**

The applicant is to provide a ground mounted solar electricity system with a minimum generating capacity of 7.5kW to each of the concessional lots (i.e. proposed Lots 2, 3 and 4). No infrastructure is to be installed if tree removal is required without prior consent from Queanbeyan-Palerang Regional Council. The applicant shall install the systems at their own cost and prior to the issue of a Subdivision Certificate for the land. A specification document for each system should be provided to Council prior to the release of a Subdivision Certificate.

**Condition 10A (New Condition):**

A section 88B legal instrument burdening each of the three approved concessional allotments is to be created prior to issue of a Subdivision Certificate. It is to specify that the owner of the lot at any point in time is responsible for the on-going maintenance and replacement of any panels, batteries, inverters, and any parts that form part of the operation of the solar electricity supply system and that it must be maintained in good order and condition in perpetuity. Prior to any sale, evidence as to the age of the system and its maintenance status is to be provided to any potential purchasers.

**Condition 10 (Amended Condition)**

A section 88B legal instrument burdening proposed lots 1 and 5 to 7 is to be created prior to issue of a Subdivision Certificate. It is to specify that prospective purchasers of the property will need to provide an on site system of power generation at their own cost as the land is unlikely to be able to be serviced by a reticulated electricity supply system.

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**Background**

***Subject Property***

The subject site is legally described as Lot 3 DP 1063771, and is commonly known as 7123 Nerriga Road, Corang. The site is located on the western side of Nerriga Road and has an area of 175.5ha. There is no existing development on the site except for clearing and construction of internal roads associated with the subdivision. Vehicular access is provided to the site via a constructed road which connects to Nerriga Road and was approved under the initial development application for the subdivision. Existing development within the locality consists of a mixture of rural residential and agricultural uses.





9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)

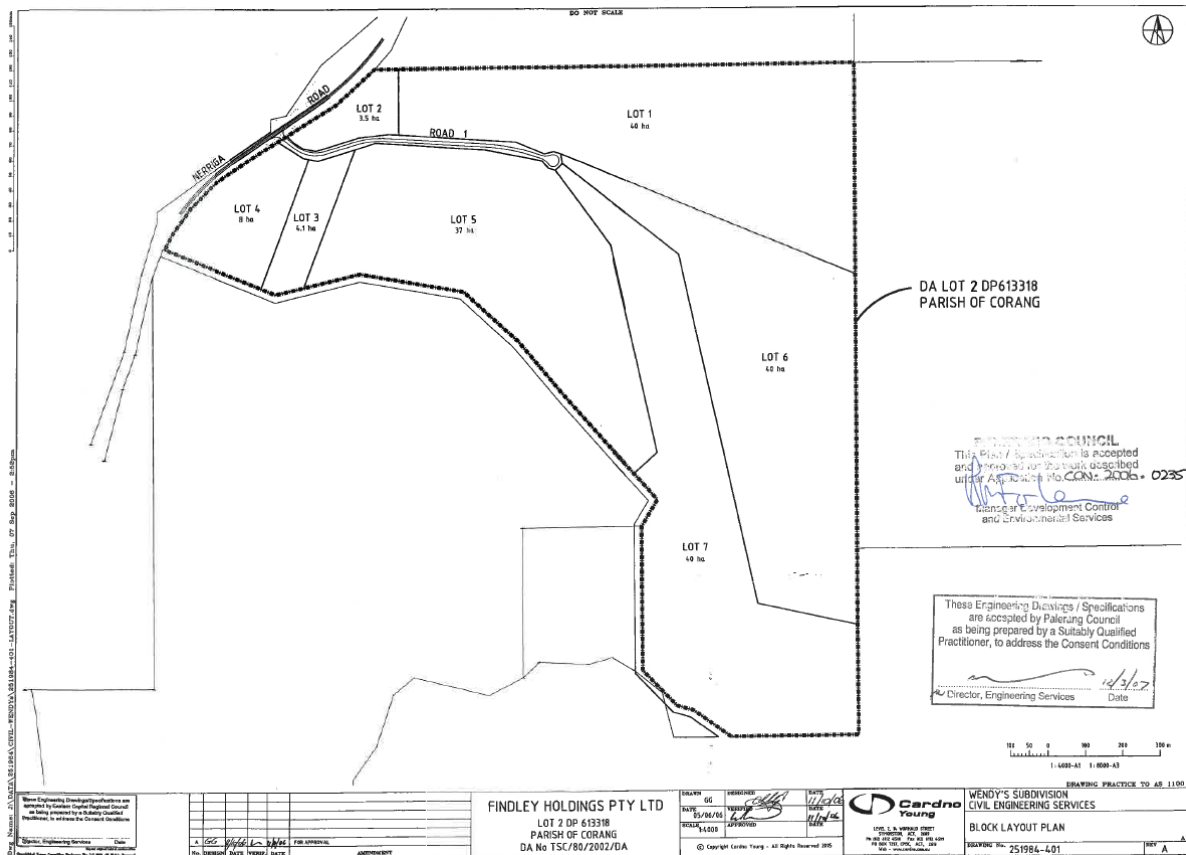


Figure 2 – Approved Subdivision Plan (TSC/80/2002/DA)

**Proposed Modification - MOD.2011.077.A**

The modification proposes to delete Condition 9 of the development consent granted under TSC/80/2002/DA and MOD.201.077. Condition 9 requires the following:

*Condition 9 - The applicant is to provide a reticulated power supply to each proposed concessional allotment, in accordance with the supply requirements of Country Energy.*

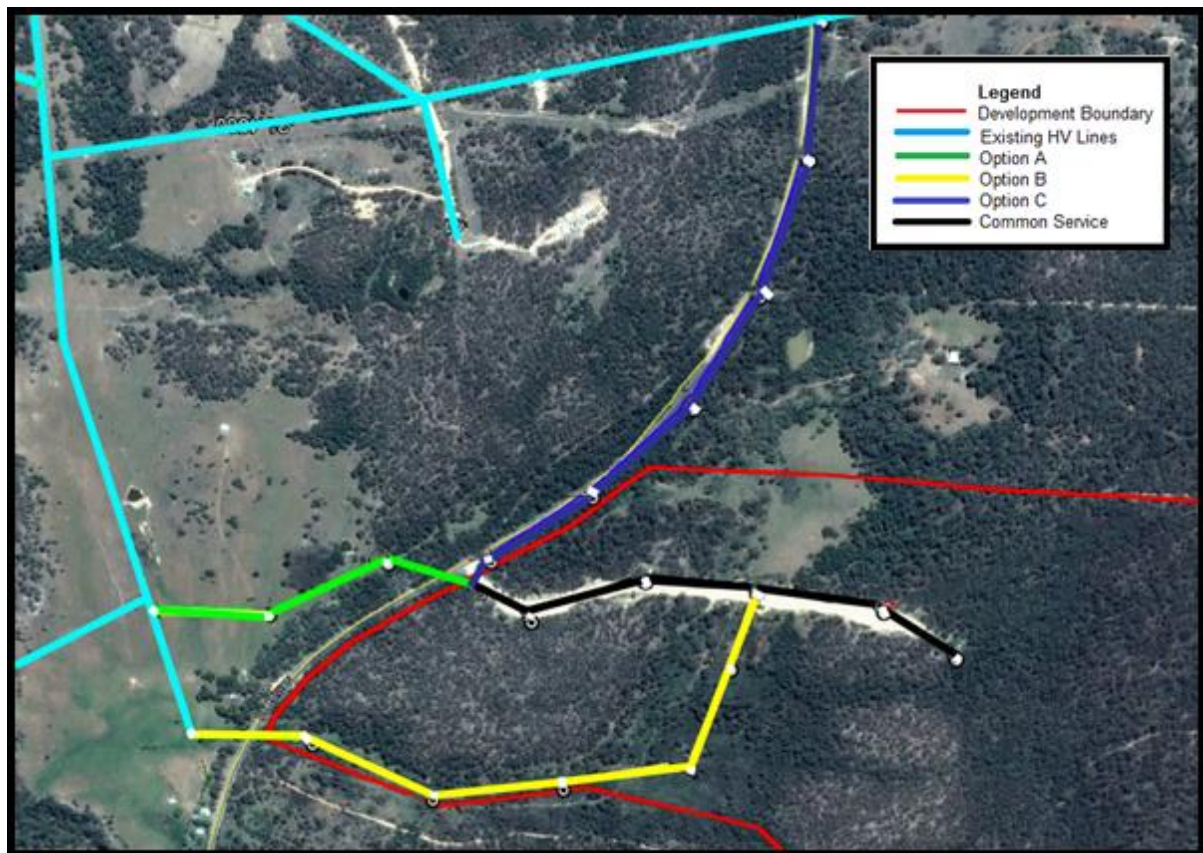
Proposed Lots 2, 3 and 4 are the concessional allotments. By deleting Condition 9 the modification proposes to remove the requirement for reticulated electricity to be supplied to Lots 2, 3, and 4 of the seven lot Torrens title subdivision as approved under TSC/80/2002/DA.

The modification does not affect the electricity arrangements for the remaining Lot 1 and Lots 5 to 7. The consent does not require that these lots be provided with any electricity supply (reticulated or otherwise). This is because under the planning instrument that these lots were approved under (Tallaganda LEP1991), the larger lots were created under clause 13 for the purposes of agriculture, with a dwelling entitlement due to the size of the lot. These lots were not treated as rural residential, and as agricultural lots, no obligation to supply electricity was required.

An Infrastructure Report was prepared by Power Line Design (dated 07/06/2018) in support of the proposed modification (Attachment 2). The key details from the report highlight relevant issues in providing reticulated electricity supply to not only the three concessional allotments but for the remaining allotments as well.

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

The following image derived from the report (Figure 3) will be used in the describing the findings of the report.



**Figure 3- Existing and Potential Reticulated Electricity Supplies as Identified in Report Prepared by Power Line Design (dated 07/06/2018)**

The nearest Essential Energy asset is a high voltage (HV) line aligned north-south and located in Lot 41 DP755925 approximately 150m from the nearest Western boundary of Lot 3 DP 1063771. The existing HV lines in the locality are shown in light blue above.

Three options were assessed to connect the 7 lot subdivision to Essential Energy assets. These were labelled Option A, Option B and Option C and their routes are outlined in Figure 3 above.

*Option A – The Green Route*

Option A is the shortest and cheapest route. This involves 3 spans across Lot 41 DP755925 to Nerriga Road which is approximately 460m. This option was rejected as the landowner of Lot 41 would not allow access or easement creation across their property.

*Option B – The Yellow Route*

Option B involves a smaller span across the southern boundary of Lot 41 DP755925 to Nerriga Road and through the back of the newly created lots for a route length of approximately 1000m. This option was also rejected as the landowner of Lot 41 would not allow access or easement creation across their property even though the distance across their property was considerably less than Option A.



**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

*Option C – The Dark Blue Route*

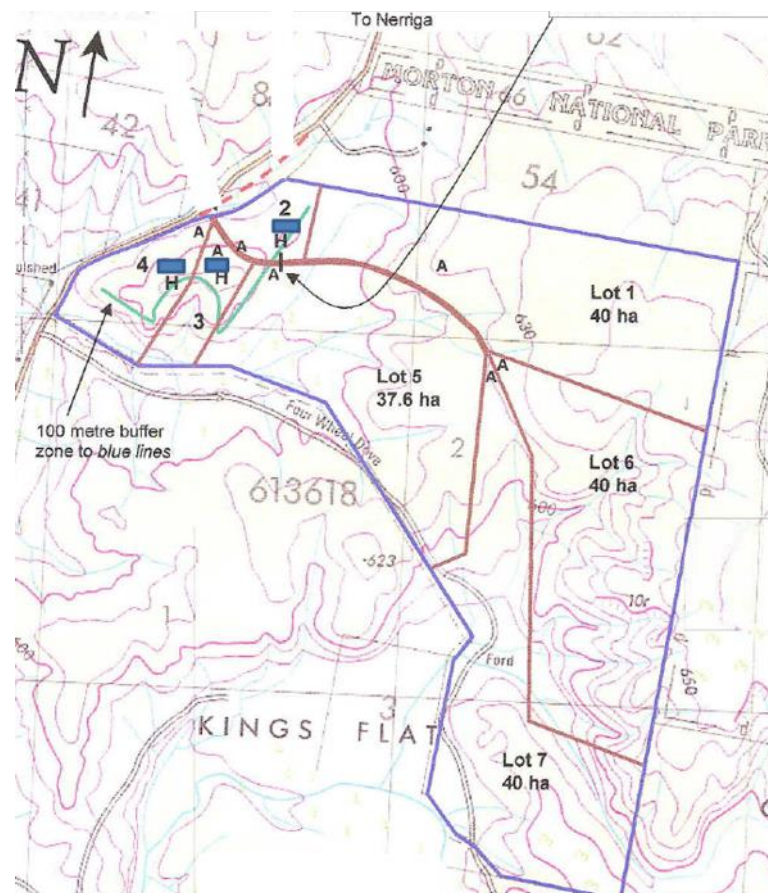
Option C involves installation of poles and wires along Nerriga road. This option was included for a price comparison however it was rejected due to the amount of tree clearing required and route length of approximately 900m.

For clarity the red lines in Figure 3 mark the boundaries of the subject lot. The black line marks the location of the reticulated supply within the street reserve having been supplied by options A, B or C.

The report concludes that:

*After consideration of the current network assets in the area, rejection of the proposed designs A and B across [Lot 41], and the amount of clearing required for Option C it is concluded that without the landowners permission [from Lot 41], it is not reasonably feasible to connect to Essential Energy existing assets in the area.*

Given the above the applicant is seeking to delete the requirement for a reticulated electricity supply and proposes, as an alternative, to provide ground mounted solar installations for the three concessional lots. The applicant would be installing the ground mounted equipment prior to the sale of the properties, ready for use by any prospective purchasers of the site. The approximate location of the ground mounted solar installations is shown by the blue boxes in Figure 4 below.



**Figure 4 – Indicative Location of Ground Mounted Solar on Nominated Lots**

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

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***Planning Requirements***

Assessment of the application has been undertaken in accordance with Section 4.55(1A) of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.55(1A) are summarised in the attached *Section 4.55 Table – Matters for Consideration*.

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

1. *State Environmental Planning Policy (Infrastructure) 2007*
2. *Palerang Local Environmental Plan 2014 (PLEP)*.
3. *Palerang Development Control Plan 2015 (PDCP)*

The development generally satisfies the requirements and achieves the objectives of these planning instruments. The significant issue relating to the proposal for the Council's consideration is whether a variation to allow the supply of power from an alternate power supply, being 'ground mounted solar', in place of the standard requirement for reticulated electricity supply for three concessional allotments within a seven lot Torrens title subdivision should be supported. Specifically the proposal would vary Section C1.2.9 of the PDCP 2015.

**(a) Compliance with LEP**

The relevant requirements of the *Palerang Local Environmental Plan 2014*, include clause 6.11, which is detailed below.

*6.11 Essential services*

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

- (a) the supply of water,
- (b) *the supply of electricity,*
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable vehicular access.

It is considered that clause 6.11 of the LEP will be satisfied through the provision of an alternate electricity supply through the construction and provision of a ground mounted solar system for each concessional allotment. The clause itself does not specify the specific means of electricity supply.

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

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**(b) Compliance with DCP**

Section C1.2.9 includes relevant provisions for electricity supply associated with the approval of the subdivision of land.

*C1.2.9 Electricity*

Objective

- a) To provide logical, efficient and environmentally sensitive extensions to electricity supply networks
- b) To promote opportunities for on-site generation of power

Control

- 1) Suitable power shall be provided by the developer to the boundary of all additional lots created in accordance with the requirements of the electricity supply body
- 2) Written evidence from the electricity supply body that the electricity infrastructure is satisfactory will be required prior to release of subdivision certificate
- 3) Consideration will be given to renewable energy sources in lieu of connection to the network in land use zones RU1 Primary Production, E3 Environmental Management and E4 Environmental Living.
- 4) Refer to section B7 Engineering requirements in this DCP

Council's policy stance is to have reticulated electricity supply to all new subdivisions. The control under Section C1.2.9 (3) provides Council with the ability to consider alternate power supply options for development within certain nominated zones. The subject site is located within the RU1 Primary Production Zone consistent with control C1.2.9 (3).

It is considered that the provision of ground mounted solar supply as proposed by the applicant would result in an outcome that satisfies Control 3.

It is noted within the Infrastructure Assessment Report prepared by Power Line Design that there were three options to allow reticulated electricity supply.

In two of the options this was not able to be achieved without an adjoining owner consenting to the provision of an electricity easement over their property. This permission was requested and denied.

The third option would be technically viable, however, would result in further vegetation removal. The subdivision site contained significant native vegetation which will be cleared to allow future development. It is not considered a reasonable outcome to have the development result in further vegetation clearing if this can be avoided.

As a result, the provision of ground mounted solar panels on each concessional allotment to provide a form of electricity supply is considered an acceptable design outcome.

Councillors may recall a recent example at Gum Flat Lane (Item 8.2 - 11 August 2021) where land from a subdivision was sold on the basis that future purchasers would be required to install their own on-site solar system. The new owners claimed that they were unaware of this requirement at the time of purchase. It is important therefore, that if this variation is approved, appropriate notification of the circumstances relating to electricity supply should be included on the Title of the land.

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

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Council has also previously approved a new Torrens title subdivision with the provision of ground mounted solar. This example at 419 Captains Flat Road was approved by Council at its meeting of 27 November 2019.

The main difference between the Gum Flat Lane case and both the Captains Flat Road example and the proposal presently before Council is that the on ground solar arrays will be constructed by, and at the cost of the developer, before the allotments are sold.

*Summary of Variation Request*

It is considered acceptable that Council amends the existing condition for reticulated electricity supply (Condition 9) to require the provision of ground mounted solar infrastructure for each of the three concessional allotments in place of the existing requirement of reticulated electricity supply. It is also recommended that an additional condition be added to the modified notice of determination to require a covenant on the title of the concessional lots requiring the installation, provision, and maintenance of electricity supply in perpetuity.

Notwithstanding the variation granted above, there is still the matter of no reticulated electricity supply being required or available to Lots 1 and 5 to 7. While it is accepted that the LEP in place at the time of the approval did not require the provision of a reticulated electricity supply to these agricultural lots, Council's experience with the Gum Flat Lane matter indicates that it would be prudent to require the developer to notify prospective purchasers that no reticulated electricity supply is available to the site and that the ability to viably provide such a supply is unlikely. Therefore, any future development on these four lots would need to be provided with an on-site electricity supply installed at the future owners cost.

This could be achieved through a section 88B notation on the Title of the property. It is recommended that this be included as a condition of consent to replace present condition 10. This condition presently requires easements to be created for the envisaged reticulated electricity supply. Subject to Council approving this modification application these easements are no longer required and the condition can be replaced with a requirement for the section 88B notation to be included.

**(c) Development Engineer's Comments**

Council's Development Engineer did not support the removal of a reticulated electricity supply. However, pursuant to Section C1.2.9, Council can consider alternate power supply options within the RU1 Zone. In this case the application has been amended from its initial proposal to remove the requirement for reticulated electricity, to now proposing the use of an alternate power supply through the implementation of ground mounted solar panels for 3 concessional allotments within an approved seven lot Torrens title subdivision.

**9.2 Modification Application - MOD.2011.077.A - Variation to Electricity Supply Arrangements - 7123 Nerriga Road, Corang (Ref: ; Author: Thompson/Glouftsis) (Continued)**

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**Conclusion**

The submitted proposal for a modification to DA TSC/80/2002/DA on Lot 3 DP 1063771, 7123 Nerriga Road, Corang, has been assessed under Section 4.55(1A) of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Palerang Local Environmental Plan 2014* and *Palerang Development Control Plan 2015*. The development generally satisfies the requirements and achieves the objectives of these instruments except for those matters relating to electricity supply to the proposed lots.

The applicant has submitted a variation request to allow electricity to be provided consistent with section C1.2.9 (3) of the PDCP. The variation request is supported and it is considered appropriate that issues associated with the proposed modification can be overcome through the recommended amendments to conditions of consent.

**Attachments**

- |              |  |
|--------------|--|
| Attachment 1 | MOD.2011.077.A - Section 4.55 (1A) - Assessment Report - 7123 Nerriga Road, Corang ( <i>Under Separate Cover</i> ) |
| Attachment 2 | MOD.2011.077.A - Power Options Report - 7123 Nerriga Road, Corang ( <i>Under Separate Cover</i> )                  |
| Attachment 3 | MOD.2011.077.A - Modification Request - 7123 Nerriga Road, Corang ( <i>Under Separate Cover</i> )                  |
| Attachment 4 | MOD.2011.077 - Original Notice of Determination - 7123 Nerriga Road, Corang ( <i>Under Separate Cover</i> )        |



9.3 Proposed Planning Proposal - Abbeyfield Seniors Housing Project (Ref: ;  
Author: Thompson/Carswell)

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File Reference: 26.1.98-11

**Summary**

The purpose of this report is to consider a planning proposal to enable, with development consent, a seniors housing development managed by Abbeyfield on part of the closed section of Majara Street north of Turallo Terrace (Map1). Once the road is closed and a new allotment created, the land will be incorporated into Schedule 1 (Additional Permitted Uses) of the *Palerang Local Environmental Plan 2014 (PLEP 2014)* or the *Queanbeyan-Palerang Local Environmental Plan 2021* (if the latter is notified before the process is completed).

It is recommended that the planning proposal be forwarded to the Department of Planning, Industry and Environment (DPIE) requesting a Gateway determination be issued under section 3.34 of the *NSW Environmental Planning and Assessment Act 1979* and in the event of one being issued, that all other necessary actions be taken to progress it to finalization.

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**Recommendation**

**That Council take all actions to progress a planning proposal to amend Schedule 1 (Additional Permitted Uses) of *Palerang Local Environmental Plan 2014* or the *Queanbeyan-Palerang Local Environmental Plan 2021* (if the latter is notified before the end of this process) in order to allow for Seniors Housing as a permissible use with consent on the northern part of the closed section of Majara Street Bungendore.**

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**Background**

Council most recently considered the Abbeyfield development at its meeting of 28 October 2020. Part 3 of Minute No. 211/20 is relevant to this proposal.

*That Council Support reassigning the Abbeyfield aged care residential site from 4-6 Majara St to approx. 1800m<sup>2</sup> site at Majara St road reserve north of Turallo Tce, and take steps to make necessary planning and administrative actions to enable that use, including:*

- a. authorising closure of that part of Majara St road reserve;*
- b. undertaking site compatibility planning assessment to enable aged care residential use on that closed section of Majara St;*
- c. arranging a peppercorn licence to Abbeyfield to develop and occupy the site as an aged care residential facility.*

Item 3b of the resolution anticipated the undertaking of a site compatibility certificate to enable this development to take place. However, further research indicated that this was not as straight forward as it had originally appeared, could be a very time-consuming process and was being phased by current State government reforms. Given this and the understanding the State Government is currently reviewing this process, it is now recommended that a planning proposal being undertaken instead.

This was the original approach taken by Council (PLA 023/18 – 14 March 2018) when the development was proposed at 4-6 Majara Street, Bungendore.

### 9.3 Proposed Planning Proposal - Abbeyfield Seniors Housing Project (Ref: ; Author: Thompson/Carswell) (Continued)

#### **Implications**

##### ***Legal***

The planning proposal will need to comply with the provisions of the *Environmental Planning and Assessment Act 1979* and its Regulations as well as the relevant provisions of Council's Community Engagement and Participation Plan.

##### ***Policy***

Council has previously indicated a broad policy position of support for this project through its resolution of 28 October 2020 (Minute No. 211/20).

##### ***Environmental***

Any potential impacts on the natural environment are likely to be the subject of appropriate conditions at development application stage.

##### ***Social / Cultural***

Abbeyfield House in Bungendore will provide affordable accommodation options for senior residents in the region. This is the first step in providing a not-for-profit, affordable, non-denominational social housing option in Bungendore for seniors on low incomes.

##### ***Economic***

Should the project proceed, there will be short- and longer-term employment benefits as well as having other economic benefits for Bungendore.

##### ***Strategic***

The plan is consistent with Council's draft long term strategy of the current Community Strategic Plan which states in Strategic Pillar 4 – Connection:

Key Goal	Community Outcome	Community Strategy – Service Objective
4.5 We plan for and provide regional facilities which promote better social connection and access for the community.	Social connection within our region is provided via access to a range of community across the region	Support for safe and equitable access to facilities and amenities through well-presented, sited, effective, secure, and clean buildings for community, civic and recreational use.
4.6 We undertake planning to ensure infrastructure is prepared for future growth. Community Outcome	Changing community demand is met by well planned for and placed infrastructure. Community Strategy – Service Objective	Provide the asset management logistics for the organisation through well planned, sited, and designed infrastructure and support facilities.

**9.3 Proposed Planning Proposal - Abbeyfield Seniors Housing Project (Ref: ; Author: Thompson/Carswell) (Continued)**

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It is also consistent with Direction 24.4 of the *South East and Tablelands Regional Plan Implementation Plan 2017-2019* which has the following action:

*Promote opportunities for retirement villages, nursing homes and similar housing for seniors in local housing strategies.*

The goal of providing an affordable housing alternative for a particular cohort of the population is also generally consistent with the theme of affordable housing contained in various parts of the *Bungendore Structure Plan 2048*.

***Engagement***

Should a Gateway determination be issued it will include a condition requiring community engagement as well as other actions.

***Financial***

At this stage costs include the administrative costs of preparing this report and if resolved as recommended these will include the costs associated with the planning proposal process.

***Resources (including staff)***

The planning proposal will be managed by Council's Land-Use Planning staff within Council's Operational Plan Budget.

***Integrated Plan***

This planning proposal falls within one of the programs of the Land-Use Branch in the Operational Plan 2021-21.

**Conclusion**

The planning proposal is the first step in progressing the proposed development on this site. It is considered that the development for supportive accommodation will provide a significant social benefit to the community of Bungendore.

It is recommended that Council proceed with the planning proposal to amend the *Palerang Local Environmental Plan 2014* or the *Queanbeyan-Palerang Local Environmental Plan 2021* (if the latter is notified before the process is completed).

**Attachments**

Attachment 1



Map 1 - Abbeyfield Site (Subject to Final Survey and Access Arrangements) (*Under Separate Cover*)



9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647,  
Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown)

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File Reference: 26.1.98-11

**Summary**

The purpose of this report is to provide Council with advice in respect of a request to progress a formal planning proposal to allow for the erection of a dwelling house on land known as Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong. Currently the allotment does not have a dwelling entitlement.

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**Recommendation**

**That Council:**

1. **Note the report.**
  2. **Determine not to progress a planning proposal for the subject land.**
  3. **Advise the landowner of Council's determination.**
- 

**Background**

Council has received a preliminary planning proposal report in respect of land comprising Lot 186 DP754873 and Lot 1 DP1233647, Creekborough Road, Bywong. The report, prepared by consultants Hugh Dennett Pty Ltd on behalf of the landowner, is provided in Attachment 1.

The landowner in this instance is seeking to erect a dwelling house on the subject land. The majority of the site is covered by Lot 186 which is 19.43 hectares in area and zoned RU1 Primary Production under *Palerang Local Environmental Plan 2014* ('the LEP'). The site also comprises Lot 1 which has an area of 0.18 hectares in area and is zoned E4 Environmental Living. In total the site has an area of approximately 19.61 hectares. The site is located adjacent to the existing E4 zone in Bywong. Figure 1 below illustrates the respective zoning of the subject site.

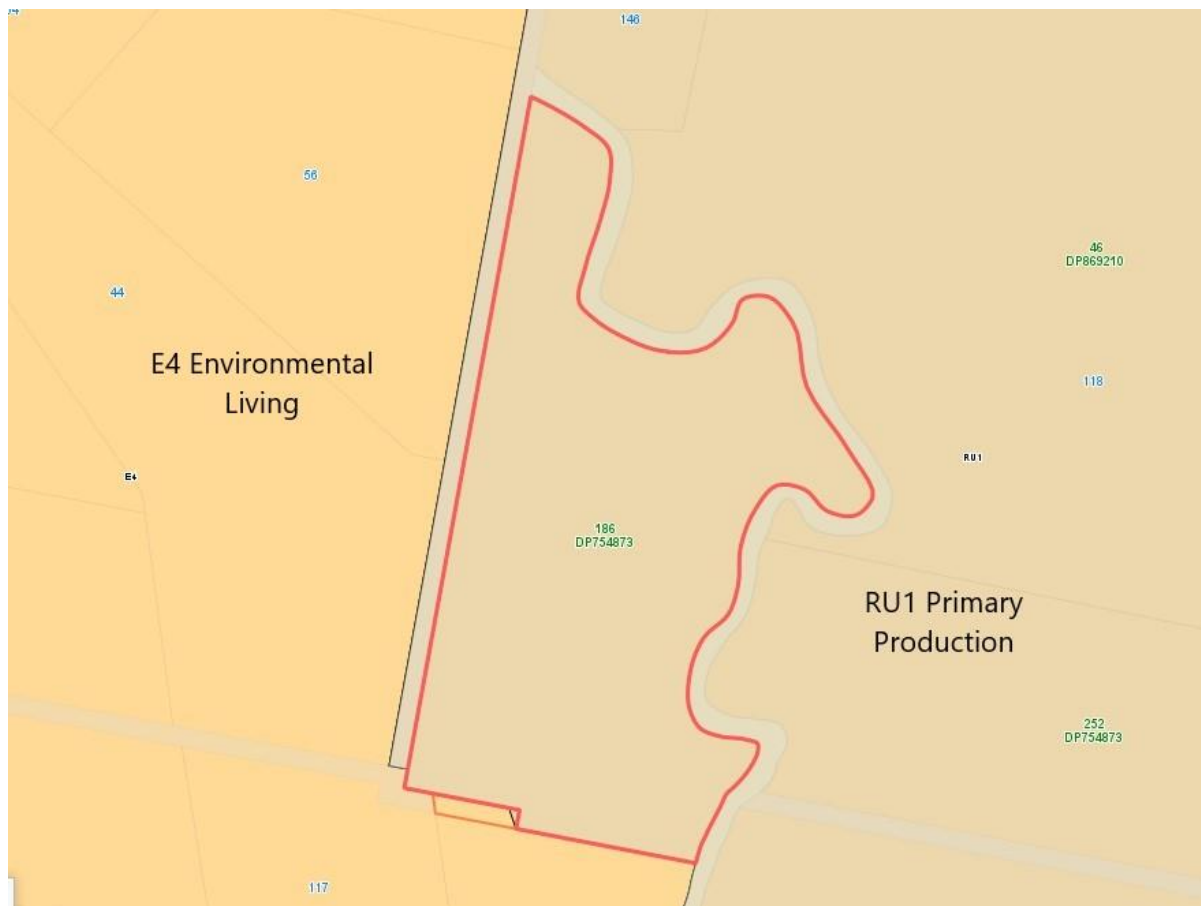
At this time, a dwelling house is not permitted to be erected on the subject land as it fails to meet the relevant provisions for the erection of a dwelling house contained at Clause 4.2A of the LEP. The landowner has previously received correspondence from Council confirming the subject land does not have a dwelling entitlement (see Attachment 2). It appears the land was previously part of an adjacent rural landholding at some time. It is understood the land was purchased by the current owner in 2018.

The minimum lot size required for the erection of a dwelling on that part of the land zoned RU1 Primary Production is generally 80 hectares (unless part of an 'averaging subdivision'). The minimum lot size required for that part of the land zoned E4 Environmental Living is generally 6 hectares (unless part of an 'averaging subdivision'). The subject lots were not created under the averaging provisions of the LEP nor are they existing holdings that hold a historical dwelling entitlement.

Accordingly, it would be necessary for Council to amend the LEP and reduce the applicable lot size on the subject land in order for any subsequent development application for a dwelling house to meet the relevant lot size requirement. The preliminary planning proposal report has proposed that a 10 hectare minimum lot size may be the appropriate approach in this instance (noting that was subject to further discussions with Council).

**9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown) (Continued)**

The consultant's report contends that the proposal in this instance is largely unique by virtue of the specific location and characteristics of the subject land, and that a site-specific planning proposal to allow a dwelling entitlement is justified in this instance. In particular, it is argued that the characteristics of the site are consistent with criteria set out in the *Palerang Rural Lands Strategy 2016-36*, and given the site's unique characteristics, it is unlikely to set an undesirable precedent in respect of other requests for spot rezonings of rural lands elsewhere in the local government area (LGA).



**Figure 1 – Zoning Subject Site**

**Assessment of the Proposal**

An assessment of the relevant strategic and legislative planning controls applying to the site is set out below.

*South East and Tablelands Regional Plan 2036*

The Regional Plan represents the Department of Planning, Industry and Environment's (DPIE's) overarching strategic planning document for the Region including the Queanbeyan-Palerang LGA. The Regional Plan contains a series of planning directions relevant to a range of social, economic and environmental planning matters. Direction 28 'Manage Rural Lifestyles' (p.56) notes that new rural residential development must be consistent with a local housing strategy prepared by Council and approved by the Department of Planning, Industry and Environment. This is to ensure the cumulative impacts of rural residential development on both the environment and surrounding land uses are appropriately considered.

This position is further reinforced in the specific narrative for Queanbeyan-Palerang LGA (p.63) that notes proposals for rural residential development should be limited to areas identified through an appropriate strategic planning process.

**9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown) (Continued)**

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*Section 9.1(2) Directions - 1.2 Rural Zones and 1.5 Rural Lands*

Section 9.1 Directions are policy directions issued by the Minister for Planning and Public Spaces under the *Environmental Planning & Assessment Act, 1979*. Planning authorities are required to give effect to these directions when preparing planning proposals. Two of these directions have relevance to the proposal in this instance. These are Direction 1.2 Rural Zones and Direction 1.5 Rural Lands.

Direction 1.2 Rural Zones is predominantly relevant to the rezoning of rural land. Similar to the Regional Strategy, it requires any rezoning proposals to be consistent with a strategy endorsed by the Department of Planning, Industry and Environment, except in minor circumstances. Whilst a specific rezoning of the land has not necessarily been proposed in this instance, the planning proposal does seek an amendment to planning controls in order to make the land available for rural residential purposes in the future.

Direction 1.5 Rural Lands is specifically relevant to any planning proposal that seeks to reduce the minimum lot size for rural or environmentally zoned land. The Direction sets out a series of considerations and matters to be addressed in a planning proposal. Again, it is a requirement of the direction that such proposals be consistent with an approved Strategy, or, be of minor significance.

At this time, Council does not have a Strategy approved by the Department of Planning, Industry and Environment.

Given the proposal has the potential to set a precedent for other such similar requests, it is not considered to be of minor significance.

*QPRC Local Strategic Planning Statement*

In respect of rural planning issues, the Local Strategic Planning Statement (LSPS) notes that Council needs to both undertake a review of rural planning provisions and continue to review the supply and demand of rural residential development. The timeframe for this review is by 2025.

Neither the site nor general area are identified for additional development in the LSPS.

***Palerang LEP 2014***

As noted, the proposal does not meet the relevant minimum lot size requirements for the land under *Palerang LEP 2014* at this time.

The minimum lot size required for the erection of a dwelling on that part of the land zoned RU1 Primary Production is generally 80 hectares (unless part of an 'averaging subdivision'). The minimum lot size required for that part of the land zoned E4 Environmental Living is generally 6 hectares (unless part of an 'averaging subdivision'). As noted, the subject lots were not created under the averaging provisions of the LEP nor are they existing holdings that hold a historical dwelling entitlement.

Staff have undertaken a desktop analysis to determine the extent to which other undersized vacant lots exist in the Wamboin/Bywong area under the LEP. That analysis suggests there are potentially up to 200 lots zoned RU1 Primary Production that are currently undersize and do not meet the area required for the erection of a dwelling. There are likely to be many more lots with similar restrictions in rural areas of the LGA at this time.

Accordingly, it is considered the proposal in this instance does have the potential to create a precedent for other requests, both in the area and throughout QPRC.

**9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown) (Continued)**

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*Palerang Rural Lands Strategy 2016-36*

Following the preparation of the *Palerang LEP 2014*, the former Palerang Council resolved to undertake a Rural Lands Study. The aim of the study was to determine a 20-year strategic direction for rural, rural residential and environmental land in the former Palerang LGA at that time. It also contained a number of criteria to inform decision making in respect of numerous requests before the Council at that time for either dwelling entitlements, subdivision or rezoning of land.

The preliminary planning proposal does provide an analysis against these specific criteria for the subject site (noting the subject site was not included amongst the matters that were before the former Palerang Council when the Strategy was drafted). That analysis argues the proposal in this instance is consistent with those criteria, including:

- It is unique given other land west of Brooks Creek is zoned E4 Environmental Living,
- The land does not lend itself to agricultural production given its layout and nature,
- The land has few environmental values,
- The proposal is consistent with settlement patterns in the area,
- The proposal is unlikely to create any economic costs for Council or community in respect of servicing and the like,
- The land is manageable in respect of risks such as bushfire, and
- The proposed development will make a positive contribution to the community.

The *Palerang Rural Lands Strategy* has not been endorsed by the Department of Planning, Industry and Environment at this time. The Strategy essentially details a series of actions and work items that need to be undertaken by Council to inform the future development or settlement of rural lands into the future. The Strategy does not identify particular locations or areas suitable for additional settlement, rather sets out the principles that should inform that analysis.

The Strategy notes further consideration of many of the relevant strategic issues still needs to be undertaken to inform any future settlement decisions. Action 1A1 of the Strategy notes that the rezoning of rural land or subdivision of properties under 80 hectares for urban or rural residential purposes should not occur unless land is part of a rural residential strategy (or similar). Whilst a specific rezoning or subdivision of the land is not necessarily proposed in this instance, the Strategy does support the principle that amending planning legislation to allow for additional rural settlement should be planned and strategic.

*Previous Rural Lot Size Advice - Department of Planning, Industry and Environment*

Council has previously received advice from the Department of Planning, Industry and Environment (DPIE) in 2019 in respect of a proposal to reduce minimum lot sizes on E4 zoned land to allow the subdivision of an existing dual occupancy development on Lot 16 DP846996, Williamsdale (Attachment 3). That advice confirms the Department requires proposals to reduce rural lot sizes for new rural settlement to be considered strategically, not as one-off proposals.



**9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647, Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown) (Continued)**

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**Implications*****Legal***

It is possible for property owners to request a review of Council's decision concerning a proposed rezoning from the Department of Planning and Environment (DPE). In regard to a planning proposal, an applicant may ask for a Rezoning Review if:

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

This would be subject to a fee payable to the DPIE and if granted a Rezoning Review would be carried out independently by the Southern Region Planning Panel.

***Policy***

There is a concern that allowing a one-off spot rezoning for rural residential uses could set a precedent for similar such requests to Council. It is important rural residential settlement is planned and undertaken consistent with an appropriate strategy. Advice from the DPIE in relation to the proposal at Williamsdale (see above) confirms this.

***Environmental***

Additional rural residential development does have the potential to impact on the environment through surface and groundwater extraction, vegetation clearing, additional fencing, firewood collection and the like. An appropriate strategy considers the incremental impact of these activities.

***Strategic***

The proposal is not considered to be consistent with a number of the strategic and statutory planning documents applying to the land. It is important any additional dwelling and subdivision opportunities for rural lands be planned and strategic.

***Financial***

These include the administrative costs of preparing this report which also necessitated a site inspection and research of the proposal. These are partly offset by the enquiry fee of \$1,587.

**Conclusion**

Council often receives requests for the creation of dwelling entitlements on undersized rural parcels of land, or to allow for further subdivision of parcels of land below the minimum lot sizes set out in Council's planning controls. These take the form of requests to either rezone land or to reduce applicable minimum lot size requirements. Numerous reports on these have been considered by Council in the past and these have primarily arisen from the exhibition of the *Palerang Local Environmental Plan 2014*. Staff have noted a significant increase in the number of informal requests for such changes over the past 6-12 months.

At this time, such requests are generally not progressed, due to the potential to set an undesirable precedent in respect of encouraging further spot rezoning requests which can lead to the fragmentation of rural and environmental zoned lands. Council staff provide consistent advice to all landowners that one-off proposals for additional rural settlement opportunities are unlikely be supported. It is important new settlement of rural lands is planned for and not undertaken in an ad-hoc manner.




**9.4 Dwelling Entitlement Request - Lot 186 DP 754873 and Lot 1 DP1233647,  
Creekborough Road, Bywong (Ref: ; Author: Thompson/Brown) (Continued)**

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Council staff have previously met with the landowner and consultant on-site to discuss the proposal. Council staff have previously indicated it is unlikely they can support the request for the planning proposal in this instance and have suggested the landowner no longer progress the matter. However, the landowner has indicated she would like the matter to be formally reported to the Council for determination and has paid the relevant fee for that to occur (thus prompting the report to Council in this instance).

It is recommended that the preliminary planning proposal not be progressed in this instance.

**Attachments**

- Attachment 1  Preliminary Planning Proposal - Creekborough Rd, Bywong (*Under Separate Cover*)
- Attachment 2  Previous Building Entitlement Request (*Under Separate Cover*)
- Attachment 3  DPIE Advice - Lot 16 DP846996, Williamsdale (*Under Separate Cover*)

9.5 **Jumping Creek Draft Voluntary Planning Agreement (Ref: ; Author:  
Thompson/Brown)**

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**File Reference:** 21.4.3-05

**Summary**

The purpose of this report is to outline the outcomes of the recent public exhibition of the draft voluntary planning agreement (VPA) for the Jumping Creek site in Queanbeyan, and, to recommend Council authorise the Mayor and Chief Executive Officer to now execute the draft VPA consistent with the terms set out in the exhibited version.

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**Recommendation**

**That Council:**

- 1. Note the outcomes of the recent exhibition of the draft voluntary planning agreement for Jumping Creek.**
  - 2. Authorise the Mayor and Chief Executive Officer to execute the draft voluntary planning agreement consistent with the terms set out in the exhibited version.**
- 

**Background**

At its meeting of 8 September 2021 Council resolved to exhibit a draft voluntary planning agreement (“VPA”) for the Jumping Creek site in Queanbeyan (PLA154/21). As noted in the report at that time, the draft VPA is a legal agreement between Council and PEET Jumping Creek Pty Ltd (“PEET”) under Division 7.1 Subdivision 2 of the *Environmental Planning & Assessment Act, 1979* (“the Act”).

The draft VPA provides for PEET to make certain developer contributions towards local infrastructure (including off-site roadworks, community facilities and public utilities), to undertake a range of environmental improvements to the site, and, to dedicate land to Council for future public ownership. These works and contributions will be required as part PEET’s proposed development of the site (218 residential lots and one residual lot).

A copy of the exhibited draft VPA is provided at Attachment 1. The relevant supporting documents accompanying the VPA are shown at Attachments 2-8. Broadly, the VPA provides for:

- The rehabilitation and improvement of 47.2ha of residual land at Jumping Creek not proposed to be developed;
- The dedication of this residual land to Council for future public ownership;
- The dedication of 8.7ha of land for local active open space (local park) and embellishment of that land for facilities such as play equipment;
- Monetary contributions for offsite roads, community services and plan administration; and
- Monetary contributions for water and sewer infrastructure.

As a consequence of entering into the VPA, no further local contributions would be payable by PEET under either s7.11 or s7.12 of the *Environmental Planning and Assessment Act 1979*, or s306(2)(a) of the *Water Management Act 2000* (i.e. contributions towards sewer or water utilities).

**9.5 Jumping Creek Draft Voluntary Planning Agreement (Ref: ; Author: Thompson/Brown) (Continued)**

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The draft VPA and supporting documentation were placed on public exhibition for a period of 28 days from 13 September 2021 until 11 October 2021. No submissions were subsequently received on the draft plan during the exhibition period.

**Implications*****Legal***

The draft Voluntary Planning Agreement (VPA) has been prepared in accordance with the *Environmental Planning & Assessment Act 1979*.

***Environmental***

The development of Jumping Creek represents an opportunity to address ongoing land degradation at the site. Subject to appropriate remediation beforehand, public ownership of the site by Council can assist in addressing soil erosion, weed management, contamination and sedimentation movement into the Queanbeyan River and the long-term protection of two important environmental assets being the Queanbeyan River Corridor and part of the Eastern Escarpment.

***Asset***

Council will be acquiring new open space at Jumping Creek to be managed into the future.

Some areas are important to provide more formal recreational open space for the residents of Jumping Creek. Other areas such as the River corridor are important biodiversity and access ways that should be managed by Council in perpetuity. Much of the remainder will be managed bushland suitable for passive recreational pursuits. Internal roads (including the intersection with Ellerton Drive) and water and sewer infrastructure will be constructed at the cost of the developer outside of the VPA and handed back to Council as assets on completion of each stage of the development.

***Strategic***

Development at Jumping Creek is consistent with Council's adopted *Queanbeyan Residential and Economic Strategy 2015-2031*. The Strategy also seeks to ensure the environmental impacts associated with residential development are minimised.

***Engagement***

As noted, the draft VPA and supporting documentation were placed on public exhibition for a period of 28 days from 13 September 2021 until 11 October 2021. No submissions were received on the draft plan during the exhibition period. No changes are recommended to the VPA.

***Financial***

Each party bears its own costs in preparing a VPA. Costs to date are mainly staff time which is funded by existing salary votes. Should the VPA progress to implementation some legal costs will be incurred in finalising the agreement.

**9.5 Jumping Creek Draft Voluntary Planning Agreement (Ref: ; Author: Thompson/Brown) (Continued)**

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***Resources (including staff)***









Future management of land at Jumping Creek will require additional Council resources however, it is intended that the significant costs associated with rehabilitating the land be borne predominantly by the developer prior to the land being received by Council.

**Conclusion**

There are significant benefits to Council and the community in progressing the draft VPA for the Jumping Creek site. These include ensuring the future residue land is appropriately remediated and embellished prior to being handed over to Council for ownership. It also ensures that suitable arrangements are in place to collect future monetary contributions for local infrastructure.

Accordingly, it is recommended the Council authorise the Mayor and Chief Executive Officer to now execute the draft voluntary planning agreement consistent with the terms set out in the exhibited draft LPA.

**Attachments**

- |   |   |
|---|---|
| Attachment 1<br>   | Draft Voluntary Planning Agreement - Jumping Creek 9 August 2021<br><i>(Under Separate Cover)</i> |
| Attachment 2<br>  | Jumping Creek Land Dedication Requirements <i>(Under Separate Cover)</i>                          |
| Attachment 3<br> | Annexure A - Proposed Active Open Space <i>(Under Separate Cover)</i>                             |
| Attachment 4<br> | Annexure B - Vegetation Management Plan <i>(Under Separate Cover)</i>                             |
| Attachment 5<br> | Annexure C - Contamination Report Excerpt <i>(Under Separate Cover)</i>                           |
| Attachment 6<br> | Annexure D - Woody Weed Areas <i>(Under Separate Cover)</i>                                       |
| Attachment 7<br> | Annexure E - Erosion Control Plan <i>(Under Separate Cover)</i>                                   |
| Attachment 8<br> | Annexure F - Trail Management Plan <i>(Under Separate Cover)</i>                                  |



9.6 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015  
(Ref: ; Author: Thompson/Jansen)

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**File Reference:** 26.1.1-02 and 26.1.1-05

**Summary**

The purpose of this report is to advise Council on the outcome of the recent exhibition of the proposed amendments to the Braidwood Development Control Plan (BDCP) 2006 and the Palerang Development Control Plan (PDCP) 2015. No objections to the proposed amendments were raised during the exhibition period. As such, it is recommended that Council now adopt the proposed amendments.

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**Recommendation**

**That Council:**

- 1. Adopt the exhibited amendments to the Braidwood Development Control Plan 2006 and the Palerang Development Control Plan 2015.**
  - 2. Adopt the Braidwood Development Control Plan 2006 as a formal development control plan under the NSW *Environmental Planning and Assessment Act, 1979*.**
- 

**Background**

At its meeting on 8 September 2021 Council considered a report on administrative amendments to both the Braidwood Development Control Plan (BDCP) 2006 and the Palerang Development Control Plan (PDCP) 2015 and resolved to place the proposed amendments for both plans on public exhibition for 28 days (PLA153/21).

The intention of the amendments was to clarify that the BDCP will apply wholly to the State listed area of Braidwood, while the PDCP applies to the remainder of the former Palerang LGA. A number of additional matters were also updated as set out in the Council report at that time.

The draft amendments were subsequently placed on public exhibition from 9 September 2021 to 8 October 2021 in accordance with Council's Community Engagement and Participation Plan. No submissions were received in regard to the proposed amendments.

During the exhibition period for the draft DCPs, Council staff were formally advised of a number of changes to State legislation in respect of vegetation clearing controls, in particular amendments to the *State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017* and the introduction of the *Rural Fire Service Boundary Clearing Code for NSW*.

Accordingly, other than the changes to Part B3.5 Tree and Vegetation Management of the PDCP that were part of Attachment 2 to the 8 September report, a number of additional changes have now been made to that Part since exhibition to clarify the applicability of these amendments to the QPRC area. These additional changes are highlighted in red text in Attachment 2.

9.6 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015  
(Ref: ; Author: Thompson/Jansen) (Continued)

**Implications**

**Legal**

Re-adopting BDCP 2006 and updating both the BDCP 2006 and the PDCP 2015 will ensure that appropriate development controls are in place under the *Environmental Planning and Assessment Act 1979* for the State-listed heritage area of Braidwood (as well as under the *Heritage Act 1977*).

**Policy**

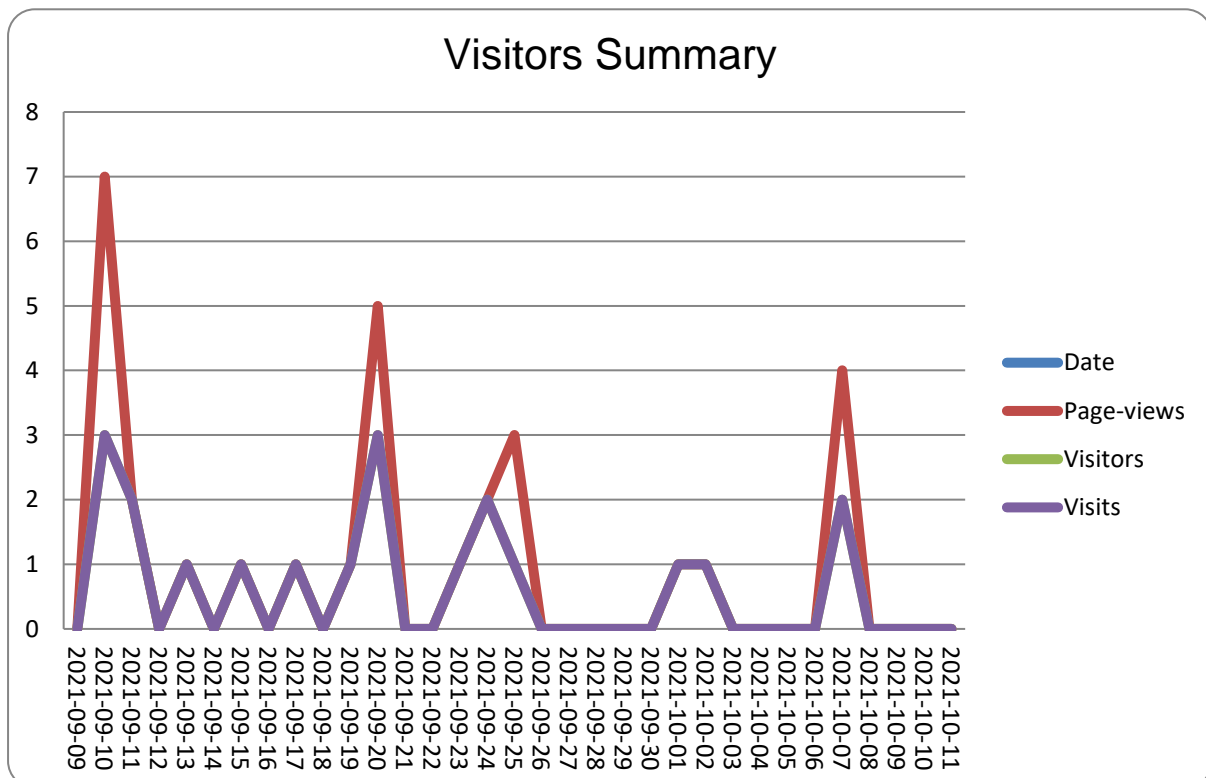
Re-adopting BDCP 2006 and updating both BDCP 2006 and PDCP 2015 will ensure these policy documents are up to date and can be implemented when assessing development applications.

**Strategic**

The proposal will assist in ensuring that heritage and other planning controls are in place for the State-listed heritage area of Braidwood and elsewhere in the LGA.

**Engagement**

The amendments were placed on public exhibition from 9 September to 8 October 2021 in accordance with Council’s Community Engagement and Participation Plan. Although the site was visited a number of times as the graph below shows, no submissions were received in regard to the proposed amendments.





**9.6 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015  
(Ref: ; Author: Thompson/Jansen) (Continued)**

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***Resources (including staff)***

The changes to the BDCP 2006 and PDCP 2015 are an in-house administrative process involving one staff member in the Land Use Planning Team.

**Conclusion**

Re-adopting the BDCP 2006 as well as the amendments to the BDCP 2006 and the PDCP 2015 will clarify that the provisions of the BDCP 2006 apply to Braidwood under the *Environmental Planning and Assessment Act 1979* as well as under the *Heritage Act 1977*. In addition, the PDCP 2015 has been updated to reflect recent amendments to other State legislation, particularly in respect of provisions for tree and vegetation removal.

It is recommended the proposed amendments to both DCPs now be adopted.

**Attachments**

Attachment 1      Braidwood DCP 2006 (*Under Separate Cover*)



Attachment 2      Palerang DCP 2015 (*Under Separate Cover*)





## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022 (Ref: ; Author: Thompson/Meyer)**

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**File Reference:** 21.4.1

**Summary**

The purpose of this report is to provide Council with advice in respect of the preparation of a new development contributions plan to collect for community and recreational facilities in Bungendore, as well as repealing and amending a number of other existing, outdated contribution plans.

Currently developer contributions toward the provision of community and recreation facilities in Bungendore are primarily collected under *Palerang Council Section 94 Development Contributions Plan No. 7 for the Provision of Recreation Facilities at Bungendore*, which was originally prepared and adopted by Council in July 2007.

Given the plan is now more than 14 years old, it was timely for it to be reviewed as part of Council's broader review of its local infrastructure contributions plans over recent months. That review found a number of areas where the plan needed to be updated and amended.

As such, a new plan has been now been drafted - the *Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022* ('the Draft Contributions Plan'). The Draft Contributions Plan provides updated arrangements for the efficient and equitable determination, collection and management of development contributions toward the provision of new or upgraded community and recreation facilities to meet the needs of Bungendore's growing population.

As a consequence of the proposed introduction of the Draft Contributions Plan, a number of existing contribution plans applying to Bungendore are also proposed to be either formally repealed or amended as necessary. Details on these changes are provided in the report.

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**Recommendation**

**That Council:**

- 1. Endorse both the new *Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022*, and, the amended *Palerang Council Section 94A Development Contributions Plan 2015*, for public exhibition for a period of 28 days.**
  - 2. Receive a report on the outcomes of the exhibition period prior to considering the Draft Contribution Plan's adoption.**
- 

**Background**

*Palerang Council Section 94 Development Contributions Plan No. 7 for the Provision of Recreation Facilities at Bungendore* ('Contributions Plan No. 7') was originally adopted by the Council on 12 July 2007. The Plan came into effect on 18 July 2007 and applies to all land within the existing Bungendore urban area, as well as rural land surrounding Bungendore.

The Plan identifies the recreation facilities required to meet the needs of an additional 2,500 residents in Bungendore at that time and authorised the collection of contributions to raise \$1,970,000 towards providing those facilities. Under Contributions Plan No. 7, residential subdivision, dual occupancy development, secondary dwellings and multi-unit developments are levied.

**9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022 (Ref: ; Author: Thompson/Meyer) (Continued)**

Contributions Plan No. 7 has not been amended since its adoption over 14 years ago although its contributions are indexed when they are imposed as a condition(s) of development consent. The Plan requires a number of updates, particularly in relation to the population projections for the town and the facilities identified to support the town's growing population identified in the Structure Plan. The facilities and works identified in the Plan's Works Schedule have been provided and/or completed, and Council has since identified a new range of facilities and works (some of which are already in progress) to meet the needs of Bungendore's population, projected to grow by an additional 4,000 residents over the next 20 years (to approximately 8,000 residents in 2041). The costs associated with providing facilities and undertaking works have also risen considerably over the life of the Plan.

As such, the *Draft Bungendore Section 7.11 Contributions Plan for Community and Recreation Facilities 2022* ('the Draft Contributions Plan') has now been prepared to address these issues and is provided as Attachment 1 to this report. The Draft Contributions Plan contains three significant changes to the existing Contributions Plan No. 7:

- Firstly, the Draft Contributions Plan contains a revised Schedule of Works. The Schedule of Works in the Draft Contributions Plan identifies a range of new and upgraded community and recreation facilities throughout Bungendore, including those at the Bungendore Sports Hub, Frogs Hollow and Warren Little Recreation Reserve. Importantly, it also identifies the essential open space and passive recreation facilities required within the four proposed urban release areas to the north and east of Bungendore, which will ultimately contain almost 1,400 dwellings. The Schedule of Works also establishes the costs of providing the required facilities – with a total cost of almost \$13.27 million.
- Secondly, the levies applied to applicable development have been re-calculated, based on the revised Schedule of Works and the most recent population and dwelling projections for Bungendore updated so as to ensure sufficient, but equitable, contributions are raised to assist Council in providing the identified facilities. Levies will continue to be applied to residential subdivision, as well as a range of development for the purposes of 'residential accommodation', including dual occupancy development, secondary dwellings and multi-unit developments.
- Thirdly, the area to which the plan applies has been amended to now only apply to existing and future development proposed in Bungendore. Accordingly, the burden of paying contributions will be focussed on development in the existing township and the proposed release areas, similar to other contribution plans in place at this time. The surrounding rural catchment has been removed from the area to which the Draft Contributions Plan is applied and is instead proposed to be covered by a fixed levy contribution plan (this is discussed in more detail later on in this report).

It is also intended that the Draft Contributions Plan will repeal and replace *Section 94 Contributions Plan for Bungendore – Yarrawlumla Council*. Again, a review of the identified community facilities and population projections within the plan has confirmed that Plan is now largely outdated. New community facilities identified to meet the needs of the future population have now been included in the Draft Contributions Plan.

Accordingly, it is proposed that the Draft Contributions Plan will repeal both the *Palerang Council Section 94 Development Contributions Plan No. 7 for the Provision of Recreation Facilities at Bungendore* and the *Section 94 Contributions Plan for Bungendore – Yarrawlumla Council* (Yarrawlumla Council Section 94 Plan No. 1 – Bungendore).

Note that whilst the draft Plan identifies a works schedule to the value of **\$13,269,333**, the draft Plan only intends to collect a total of **\$10,221,400**. The remaining balance of **\$3,047,933** is to be funded from the balance of contributions already collected under both Contribution Plan No.7 and *Section 94 Contributions Plan for Bungendore – Yarrawlumla Council* (Yarrawlumla Council Section 94 Plan No. 1).

### 9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022 (Ref: ; Author: Thompson/Meyer) (Continued)

The Draft Contributions Plan also necessitates the minor amendment of the *Palerang Council Section 94A Development Contributions Plan* ('the Palerang 94A Plan') by including land in Bungendore currently zoned R5 Large Lot Residential, and subsequently excluding this same land from the Palerang 94A Plan. This ensures that only one of the Plans (the Draft Contributions Plan) will now apply to the R5 zoned land in Bungendore.

Staff have not proposed any further rebranding or updating of the Palerang 94A Plan at this time beyond confirming its correct area of application. Such changes will likely be made when a single LGA wide Section 7.12 (formerly Section 94A) fixed levy development contributions plan is made. A copy of the amended Palerang Section 94A plan is provided at Attachment 2, with the two amendments shown in red text (on pages 6 and 8).

Accordingly, future development within the urban boundaries of Bungendore will now be predominantly subject to the various Section 7.11 contribution plans in place (including the proposed Draft Contributions Plan), whilst the surrounding rural areas will be subject to the Palerang Section 94A Plan.

Table 1 below illustrates the proposed contribution per residential lot under the Draft Contributions Plan, against the existing contribution plans proposed to be repealed (note all costs are escalated to June 2021 costs for comparative purposes).

**Table 1 - Comparative Plan Costs**

Plan	Costs Escalated to June 2021
<u>Current Contributions</u>	
Existing Palerang Contribution Plan No 7	\$3,103.86
Existing Yarrowlumla Council s94 Plan No 1	\$3,606.44
<b>TOTAL</b>	<b>\$6,710.30</b>
<u>Proposed Contributions</u>	
<i>Draft Contributions Plan</i>	<b>\$7,923.00</b>

### Implications

#### **Legal**

The Draft Contributions Plan has been prepared in accordance with Section 7.11 of the *Environmental Planning and Assessment Act 1979* and Clauses 26 and 27 of the *Environmental Planning and Assessment Regulation 2000*.

In this regard part of the reforms to the local infrastructure contribution system currently before Parliament is to limit contributions to essential works and to exclude contributions for community facilities other than land. Depending on the outcome of a Legislative Council Inquiry and any transitional requirements put in place, a further review of this contribution plan might be necessary.

#### **Policy**

The Draft Contributions Plan reflects the relevant key goals of Council's *Community Strategic Plan 2018-2028* (specifically, Key Goals 1.1.5, 3.1.2 and 4.1.5), as well as the relevant planning priorities contained within Council's Local Strategic Planning Statement (namely Priorities 2, 10 and 11). It also reflects the long-term vision for Bungendore and its town centre, as contained within *Bungendore Structure Plan 2048*.

**9.7 Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022 (Ref: ; Author: Thompson/Meyer) (Continued)**

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**Asset**

The Draft Contributions Plan will provide a framework for the efficient and equitable determination, collection and management of monetary contributions towards the provision of a range of public assets, namely community and recreation facilities in Bungendore.

**Economic**

By better establishing the nexus, the Draft Contributions Plan will ensure the broader Queanbeyan-Palerang community is not unfairly burdened by the cost of providing community and recreation facilities within Bungendore.

**Strategic**

As indicated, the Draft Contributions Plan has been prepared in accordance with both the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*, and reflects the relevant objectives and goals of Council's *Community Strategic Plan 2018-2048*, the *Local Strategic Planning Statement* and the *Bungendore Structure Plan 2048*.

**Engagement**

Draft contributions plans are required to be publicly exhibited for a period of 28 days and will be advertised in accordance with Council's Community Engagement and Participation Plan. The outcomes of that consultation period will be brought back to Council for final consideration.

**Financial**

The Draft Contributions Plan will assist Council in raising a large proportion of the cost of providing community and recreation facilities in Bungendore over the next 20 years, which is presently estimated to be approximately \$12.5 million.

**Resources (including staff)**



The costs incurred so far include staff costs in reviewing Contributions Plan No. 7 as well as preparing the Draft Contributions Plan and drafting this report. These are covered by the relevant project budget for the Land-use Planning Branch.

**Conclusion**

Overall, the Draft Contributions Plan reflects the various changes and improvements to contributions plans in the 14 years since Contributions Plan No. 7 was adopted. It also establishes a much clearer relationship (or 'nexus') between the community and recreation facilities proposed for Bungendore and the development to be levied, thereby justifying the collection of the contributions which would be authorised by the Plan.

The *Draft Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022* will greatly assist Council in raising funding for the provision of essential community and recreation facilities in Bungendore over the next 20 years in a reasonable, equitable and justifiable manner and it is recommended it be placed on public exhibition for comment.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br> | Draft Bungendore Section 7 11 Development Contributions Plan For Community and Recreation Facilities ( <i>Under Separate Cover</i> ) |
| Attachment 2<br> | Palerang Council Section 94A Development Contributions Plan (as amended) ( <i>Under Separate Cover</i> )                             |

9.8 **Googong Sports Club Inc - Tripartite Agreement (Ref: ; Author: Thompson/Carey)**

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**File Reference:** 52.4.1-65

**Summary**

Council has in place a non-binding Memorandum of Understanding (MOU) with the Googong Sports Club Incorporated (the Club) and Googong Township Pty Ltd (GTPL) for provision of land and construction of sports field amenities at Googong between future sports fields 3 and 4. Progress has been made with the planning of the project and the parties have now requested the MOU be replaced with a formal agreement.

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**Recommendation**

**That:**

- 1. Council endorse the Deed of Agreement between Googong Sports Club Inc, Googong Township Pty Limited and Council.**
  - 2. The Chief Executive Officer be authorised to execute the Agreement.**
- 

**Background**

The original Local Planning Agreement (LPA) provided for an area of land approximately 7000m<sup>2</sup> in size to be dedicated to Council for sports field amenities. The MOU between the parties provided for this land to be gifted by Googong Township Pty Ltd (the developer) to the newly formed Googong Sports Club (the Club) to establish a licenced club facility. The facility would include public amenities on the lower ground floor of the building to service the two adjoining sports fields.

The sports fields would still be dedicated to and managed by Council in accordance with the LPA and the MOU provided that if the sports club was not built within a certain timeframe, the land would transfer back to Council in accordance with the LPA.

As a result of the MOU, the developer has taken the appropriate steps to create the lot, which is known as 199 Wellsvale Drive, Googong.

Concurrently, the Club has been formally incorporated and has completed detailed designs for the building. The project has reached the point where the Club is securing finance to construct the facility and GTPL is ready to transfer ownership, however a more binding agreement between the parties is now required to satisfy the respective party's needs.

A Deed of Agreement has been developed to provide all parties with the desired level of security needed to move forward (see Attachment 1). The Agreement gives the Club the assurance needed to secure finance, GTPL security that its obligations under the LPA are met and Council security over the land should the project not proceed.

While the above securities are a formalisation of the original intent of the MOU, the Agreement goes further to secure community interests beyond construction and future operation of the sporting club, through registration of a Strata Plan for the building and a long-term lease back to Council for the community amenities on the lower ground floor. This latter clause is designed to protect the community's interests well into the future should circumstances change with the Club.

**9.8 Googong Sports Club Inc - Tripartite Agreement (Ref: ; Author: Thompson/Carey) (Continued)**

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**Implications*****Legal***

The Agreement and proposed future lease will give Council and the community security of tenure and ensure the legal obligations under the LPA are met to Council's satisfaction. The formal lease over the amenities on the strata lot will come back to Council prior to execution.

Council staff have been working closely with panel lawyers Elringtons, to finalise the Deed of Agreement and the lease.

***Policy***

The Agreement is in keeping with the intent of the MOU signed by Council and meets the requirements of the LPA.

***Asset***

While the public amenities and changerooms will be assets of the Club, the lease will bring basic maintenance obligations for the amenities back to Council, as would be the case should the Club's circumstances change and the amenities later become an asset of the Council.

***Social / Cultural***

The Googong Sports Club will provide a community gathering place, based around sports and recreation. The Club will also deliver support currently not available in the area to many local sporting groups. The finished facility will be an enhancement to the network of sports facilities on the Googong Common.

***Engagement***

The LPA and proposed sporting facilities at Googong have been widely exhibited. The Googong Sports Club would be exhibited during its Development Application process.

***Financial***

The Deed of Agreement and lease are designed to be nominal cost, however the cost of maintaining the amenities will be equal to that of stand-alone Council owned amenities under the LPA.

**Conclusion**

The proposed Deed of Agreement provides all parties with a higher level of security, while still meeting the original intent of the MOU. This will allow the project to move forward allowing the Club to be constructed around a similar time as the third sports field being commissioned and ready to serve the community.

**Attachments**

- Attachment 1 Deed of Agreement - Googong Sports Club (*Under Separate Cover*) -  
**CONFIDENTIAL**



9.9 Planning for New Memorial Park - Next Steps (Ref: ; Author: Thompson/Geyer)

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**File Reference:** PJT0059

**Summary**

Council received formal notification from DPIE that the Planning Proposal to amend the Queanbeyan LEP to make a cemetery a permissible use on 1187 & 1241 Old Cooma Road, Googong was published in the NSW Government Gazette on 3 September 2021. While this is a significant milestone in the process, there is still considerable work to be completed before a memorial park becomes a reality. This report sets out the next steps that need to be undertaken.

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**Recommendation**

**That Council endorse the process of proceeding with the Memorial Park Project as outlined in this report, including:**

- **Technical studies and designs**
  - **Communications Management Plan**
  - **Local Cemeteries Strategy**
  - **Business Management Plan**
- 

**Background**

The formal publishing of *Queanbeyan Local Environment Plan 2012 (Amendment No 11)* is the completion of the strategic land use planning process to secure a new memorial park and cemetery facility to serve Queanbeyan, Googong, Jerrabomberra and surrounding districts, well into the future.

While this is a milestone in the process, a significant amount of work is yet to be completed before a new facility can start servicing the community. This report sets out the next steps that need to be undertaken.

Within the various studies completed to-date, there are a number of recommendations for further investigation that will inform the detailed concept designs, operational plans and the development application (DA) process. These additional investigations include archaeological surveys, engineering investigation to inform integrated water management and further geotechnical investigation to inform greater detailed design.

It is also recommended that a comprehensive Communications Management Plan and a Local Cemeteries Strategy be developed. These two latter documents are designed to assist the community in being fully informed and to contribute to the Memorial Park's design and ongoing management.

Concurrent to preparing the above documents, and carrying out the further investigations, a Business Management Plan will also be prepared and be guided by the various studies and strategies.

All these studies and strategies need to be complete, along with detailed landscape and layout designs, to inform the DA process. All design work, studies and further community engagement are to be carried out prior to the DA being lodged. Based on the projected timeline in Table 1, it is anticipated a DA could potentially be lodged later in 2022 or early 2023.

### 9.9 Planning for New Memorial Park - Next Steps (Ref: ; Author: Thompson/Geyer) (Continued)

**Table 1. Timelines**

<i>Item</i>	<i>Description</i>	<i>Commencement</i>	<i>Completion</i>
Comprehensive Communications Plan	Develop and implement a comprehensive communications plan for the project	November 2021	November 2021
Archaeology	Carry out Archaeological survey	November 2021	February 2022
Geotechnical	Conduct detailed Geotech survey to inform detailed design	December 2021	February 2022
Engineering	• Civil investigation and design	February 2022	June 2022
	• Hydrological investigation to inform Integrated Water Management Plan	February 2022	June 2022
	• Structural design	June 2022	November 2022
Cemetery Consultant	Development of Business Operations Plan to inform detailed design	November 2021	November 2022
Detailed design	<ul style="list-style-type: none"> <li>• Final cemetery layout/zones</li> <li>• Civil design/access/parking</li> <li>• Buildings</li> <li>• Landscape design</li> </ul>	February 2022	November 2022
Development Application	Preparation of report and DA documentation ready for lodgement	November 2022	December 2022

### **Implications**

#### ***Legal***

The *Queanbeyan Local Environment Plan 2012 (Amendment No 11)* was made in accordance with section 3.36(2)(a), and was published on the NSW Legislation website on 3 September 2021 under section 3.24(5) in accordance with the *Environmental Planning and Assessment Act 1979*. The amendment states as follows:

- (1) *This clause applies to the following land at Googong—*
- (a) *1187 Old Cooma Road, Lot 126, DP 754881,*
  - (b) *1241 Old Cooma Road, Lot 2, DP 112382.*

- (2) *Development for the purposes of cemeteries is permitted with development consent.*

## 9.9 Planning for New Memorial Park - Next Steps (Ref: ; Author: Thompson/Geyer) (Continued)

### **Environmental**

Findings and recommendations from the various studies carried out to-date have not precluded the development of a memorial park on land at 1187-1241 Old Cooma Road, Googong. This report identifies that further investigations are required to inform the final design plans and development process. It is estimated these further investigations will be carried out over the next six to eight months.

### **Sustainability**

The proposed memorial park will be designed to service the Queanbeyan, Googong, Jerrabomberra and surrounding districts for the next 50-80 years and beyond. Carefully designed to provide a broad range of services and options, the new facility is aimed to be a long lasting, sustainable facility, staying abreast of the changing industry and community expectations.

### **Asset**

The completed project will have its own Asset Management Plan, built into the Business Management Plan, that ensures the ongoing upkeep of facilities, in perpetuity, with appropriate asset renewal along the way. It is further proposed to establish a "Perpetual Fund" in accordance with best practice cemetery management.

### **Social/Cultural**

A Social Impact Assessment was conducted as part of the Planning Proposal process. The assessment identified a number of likely social impacts and provided recommendations to mitigate or enhance the situation. These recommendations will form key components of the plans and strategies to be developed over the coming months and are summarised in Table 2 below.

**Table 2 – Summary of Key Components of Social Impact Assessment**

<i>Description of Likely Social Impact</i>	<i>Recommended Mitigation or Enhancement</i>
Reduced social wellbeing arising from decreased levels of community trust in the planning decision making process arising from both actual and perceived shortfalls in the ability of QPRC to involve people in decisions that affect them through community consultation processes to date.	➤ Implementation of a comprehensive communications management plan
Cumulative risks to the ways people travel on a day to day basis arising from likely increases in vehicle traffic to and from the site for cemetery operational activities, resulting in fear of longer travel times and more stressful driving experiences including accidents.	<ul style="list-style-type: none"> <li>➤ Implementation of road improvements recommended in the Transport Impact Assessment.</li> <li>➤ Implementation of a cemetery operational management plan that prevents conflict between cemetery service times and road network 'peak' traffic times.</li> <li>➤ Advocate to Transport for NSW for a reliable public transport route to the cemetery site.</li> </ul>

### 9.9 Planning for New Memorial Park - Next Steps (Ref: ; Author: Thompson/Geyer) (Continued)

	<ul style="list-style-type: none"> <li>➤ Consideration of additional significant improvements to the road route between Queanbeyan CBD and the site.</li> </ul>
Risks to community cohesion arising from localised activism and fear of changes in character to the existing rural setting.	<ul style="list-style-type: none"> <li>➤ Implementation of a comprehensive communications management plan that includes the provision of community services information and referral options for counselling services.</li> <li>➤ Provision of targeted opportunities for people to participate in future concept design of the cemetery.</li> <li>➤ Provision of a program of community development activities or projects targeting Mount Campbell and Burrabella residents.</li> </ul>
Fear of potential decreased property values leading to speculative real estate market behaviour and consequently higher risks of financial stress.	<ul style="list-style-type: none"> <li>➤ Implementation of a comprehensive communications management plan that includes QPRC liaison with relevant local property developers or real estate agents to monitor property sales in the immediate site area.</li> <li>➤ Provision of targeted opportunities to involve residents in the development of cemetery concept design drawings to ensure they can assist with suggestions that manage concerns that they perceive could impacts their property value.</li> </ul>
Risks to the community's ability to access cemetery services and facilities, with a potential shortfall of interment space if the proposal does not progress.	<ul style="list-style-type: none"> <li>➤ If the proposal is approved, <ul style="list-style-type: none"> <li>○ QPRC should commence exhibition of their Draft Cemetery Strategy.</li> <li>○ Detailed design of the cemetery should include considerations outlined at section 7.5, of the Social Impact Assessment.</li> </ul> </li> <li>➤ If the proposal does not progress, QPRC should urgently pursue provision of an alternative cemetery site to prevent residents being socially disadvantaged in their ability access to interment services.</li> </ul>

#### **Strategic**

A new memorial park to service the Queanbeyan, Googong, Jerrabomberra and surrounding districts is critical social infrastructure and provides essential community health needs. The project has been in Council's strategic plans for nine years and has passed the initial Strategic Land Use Planning step with the publication of the *Queanbeyan LEP 2012 (Amendment No 11)*. The next step is the development planning phase, leading to the lodgement of a Development Application in late 2022.

### 9.9 Planning for New Memorial Park - Next Steps (Ref: ; Author: Thompson/Geyer) (Continued)

#### ***Engagement***

As identified in the Social Impact Assessment report, it is important that one of the next steps is to prepare a comprehensive communications management plan. A key point within the development planning phase is to engage with the community on design details and on aspects of the operational plan for the new facility. Instruments to facilitate this engagement would include community and stakeholder workshops, “Your Voice” exhibits at key points along the design process, a dedicated Memorial Park Project page on Council’s website and a project specific newsletter, delivered to Googong, Royalla and Burra residents.

#### ***Financial***

The current investigations and preparation for the new memorial park is an operational project, within the Cemeteries program. Costs are offset by income from interments at Council’s existing Lanyon Drive Cemetery. The 2021-2022 Operational Plan has an allocation of \$210,000 for works associated with this project.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>	<b>Amount</b>
760505	Consultants Contractors	Queanbeyan Cemetery Operation	\$210,000

#### ***Resources (including staff)***

Urban Landscapes staff will work with consultants and contractors to complete the remaining investigations and finalise designs and strategies to move towards a DA.

#### **Conclusion**

The proposed further investigation, implementation of a comprehensive communications plan, finalisation of the Local Cemeteries Strategic Plan, completion of detailed designs, along with the preparation of a Business Management Plan will complete the suite of documents needed to take the project to the point where a development application could be lodged for the memorial park.

Community engagement is integral throughout this process, providing direct opportunities to have input into the detailed design and general principles of operation. With a projected timeline of twelve to eighteen months before physical work could commence, it is critical to move forward before Lanyon Drive Cemetery reaches capacity.

#### **Attachments**

Nil



9.10 Queanbeyan Park - Museum Precinct Master Plan (Ref: ; Author:  
Richards/Geyer)

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File Reference: 23.1.1

**Summary**

Queanbeyan Park is a Crown reserve and Council is the Crown Land Manager. The Urban Landscapes branch is currently developing a draft Plan of Management for the Park. During the process, and following feedback from Green Flag, it was highlighted that the former Tree House, Axis Youth Centre and surrounding area needs specific attention. These facilities are part of the Queanbeyan Park reserve. It was further identified that the Queanbeyan Park and Queanbeyan Museum interface should be reviewed as an integrated precinct. Councillors were presented with issues and options at a recent workshop.

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**Recommendation**

**That Council endorse preparation of a Master Plan for the Queanbeyan Park – Queanbeyan Museum Precinct with initial concepts and options then presented to a workshop of Council.**

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**Background**

The Queanbeyan Park is a significant community asset and well used for sports, community events and extensive general passive recreation. Over the past few years Queanbeyan Park has been awarded an international Green Flag for the high standard of maintenance and management.

During the assessment for Green Flags it was recommended that the Park have a dedicated Plan of Management (PoM), rather than be captured in a generic plan, as is currently the case. The PoM will provide greater guidance for staff and the community on management of the Park.



**Figure 1 – Aerial View of Queanbeyan Park**



9.10 Queanbeyan Park - Museum Precinct Master Plan (Ref : ; Author: Richards/Geyer) (Continued)

During the process of preparing the PoM, the future use of the former Tree House, Axis Youth Centre and ultimate configuration of the Council's maintenance area, which form part of Queanbeyan Park, also need to be addressed.



**Figure 2 – Location of the Tree House, Axis Youth Centre and Council's Maintenance Facility**

Queanbeyan Museums directly adjoin the Park and have common operational spaces. The Museums and Queanbeyan Park are all public land and highly valued community assets, however, have evolved and been managed independently of each other for many years. During internal discussions on management options that benefit both the Park and the Museums, it was identified the best way forward would be the development of a Precinct Master Plan.



**Figure 3 – Museum Precinct**



**9.10 Queanbeyan Park - Museum Precinct Master Plan (Ref: ; Author: Richards/Geyer) (Continued)**

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At a workshop of Council on 15 September 2021, a number of issues were discussed, including but not limited to the following.

***Queanbeyan Park***

- Need a dedicated Plan of Management.
- Issues with dilapidated fence, grounds and what future use of Tree House should be.
- Axis Youth Centre appearance and future use.
- Way finding signage and access.
- Parks depot, poorly laid out in prime location.
- Number of events the Park can sustain each year.
- User needs and desires.
- Size and quality of sports amenities.

***Queanbeyan Museums***

- Land tenure issues.
- Limited display area.
- Print Museum isolated from main museum.
- Lack of connectivity and access into and between spaces.
- Historical layout of properties.

At the workshop Council expressed views on some underlying principles to be taken into consideration during the process of developing the Precinct Master Plan. These included:

- ✓ Continued community use of the Axis building;
- ✓ Improved Park/Museum interface;
- ✓ Desire for Park presence and improved access on Farrer Place frontage;
- ✓ Possible café in former Tree House building;
- ✓ Improvement to appearance of maintenance depot; and
- ✓ Retention/enhancement of sports in the Park.

It is proposed to engage an appropriately qualified and experienced consultant to assist the Urban Landscapes and Community and Culture teams to develop the Precinct Master Plan. The Plan of Management will be developed inhouse but will be informed by the Precinct Plan.

Concurrent to the above plans, the opportunity will be taken to also prepare a Curated Heritage Management Strategy for Council's numerous heritage buildings across the CBD, including the chambers and adjacent heritage buildings in Crawford Street

**9.10 Queanbeyan Park - Museum Precinct Master Plan (Ref: ; Author: Richards/Geyer) (Continued)**

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**Implications*****Legal***

Queanbeyan Park and the Museums are on Council managed Crown lands. Any Plan of Management or Precinct Master Plan will be developed in accordance with the requirements of the *Local Government Act 1993* and *Crown Lands Management Act 2016*.

***Environmental***

The development of the PoM and the Precinct Master Plan will need to address all environmental matters associate with the relevant properties. This will include heritage and cultural matters, in accordance with the *Crown lands Management Act 2016*.

***Sustainability***

While both the Park and the Museums are located on heritage sites, there will be opportunities to factor sustainability into the respective plans.

***Social / Cultural***

Queanbeyan Park and Queanbeyan Museums are integral to Queanbeyan social and cultural fabric. It would be difficult to find a member of the community who does not have a strong connection to the "Town Park" or have attended some of the multitude of events held throughout the years. Conversely the Museums have strived to capture the cultural history of Queanbeyan accumulating an impressive and representative catalogue of items over time.

It is, however, possible to overuse a park and the events that find the Park so desirable an end up causing a negative impact. With this in mind, part of the PoM will be to review an optimum level of events, ensuring continued public access over time, and the Precinct Plan will consider interaction of events and cultural activities between the two locations.

In addition, the Axis and Tree House buildings have been home to a variety of important community activities including play schools, youth services and a range of social and community meetings. The future use and purpose of these venues will be of great interest to local residents.

***Economic***

Both the Park and the Museums contribute to the local economy in their own way. A carefully designed Park-Museum precinct has the potential to increase economic return to the community. The idea of a café within the precinct could also provide a direct economic return from the site.

***Engagement***

The process of developing a PoM for Queanbeyan Park and a Master Plan for the Park-Museum precinct would require considerable community engagement. It is proposed the process would include a series of stake holder workshops, Council workshops and broader community engagement through Your Voice followed by a period of public exhibition.

These feed directly into the final plans that will be put to Council for endorsement. At this point, Council could choose to adopt the Precinct Master Plan, however, the Plan of Management must go on a further formal exhibition period in accordance with the Act, followed by endorsement by Council and then forwarding to the Minister for Crown Lands for adoption.

**9.10 Queanbeyan Park - Museum Precinct Master Plan (Ref: ; Author: Richards/Geyer) (Continued)**

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***Financial***

Council has allocated a sum of \$25,000 to undertake the Plan of Management for Queanbeyan Park. It is proposed to utilise these funds to engage the consultant to address design principles of the Precinct Master Plan and utilise staff to undertake community engagement, data gathering and final documentation. With the collaboration of the Urban Landscapes and Community and Culture Teams, supported by an appropriate consultant, both documents will be produced giving better value for Council's investment.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>		<b>Amount</b>
Project 760110	Consultants - Other	Parks and Recreation Projects	\$	25,000

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***Resources (including staff)***

While it is proposed to utilise the existing budget to engage an appropriately qualified and experienced consultant to work with the project team, Council staff will drive the community engagement and gather all the necessary data to complete the project.

**Conclusion**

A dedicated Plan of Management for Queanbeyan Park is appropriate. The need to address the future of Axis Youth Centre and former Tree House buildings, both within the Park, is also an important part of the PoM. The opportunity to address the interface between the Park and the Museum concurrent to the PoM preparation will give the best outcome for both facilities and the community.

**Attachments**

Nil



9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke)

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File Reference: 31.1.9-02

**Summary**

In February 2019, the NSW Government announced that a Regional Road Classification and Transfer Review would be initiated to ensure the current classification framework is still fit for purpose, that roads across NSW are appropriately classified, and invite councils to nominate regional roads for transfer to NSW Government management and funding. The Government proposes up to 15000km of the 17000km (88%) regional roads managed by regional councils, may be transferred.

Due to the complex nature of the review, the Independent Panel staged the application process into three categories - the initial nomination, the priority round and the full round. In September 2020, QPRC made a submission to the initial nomination round. Council was not requested to provide additional information as part of the priority round. The full round is now open for submissions.

Council resolved to reclassify and transfer regional roads at its meeting in October 2020.

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

Submissions are due by Friday 24 December 2021.

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**Recommendation**

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

- 1. Council's Regional Roads as listed below are all nominated to be transferred to, managed by and fully funded by the NSW State Government:**
    - **Bungendore/ Macs Reef Road (MR7607) from Gibraltar Street, Bungendore to the Federal Highway.**
    - **Captains Flat Road (MR270) from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood.**
    - **Cooma/Krawaree Road (MR7625) from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary.**
    - **Nerriga Road (MR92) from the Kings Highway, Braidwood to Endrick River, north of Nerriga.**
    - **Cooma Street/Old Cooma Road (MR584) from Rutledge St, Queanbeyan to 0.9km South of Burra Road.**
    - **Tarago Road (MR268) from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary.**
  - 2. The following local roads be nominated to be reclassified to Regional Roads and transferred to, managed by and fully funded by the NSW State Government:**
-

**9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)**

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- Ellerton Drive / Edwin Land Parkway / Tomsitt Drive – from Yass Road Roundabout to Lanyon Drive.
3. The following local roads be nominated to be reclassified to Regional Roads:
    - Old Cooma Road – from the existing regional road end, 0.9km South of Burra Road to the Monaro Highway.
    - Araluen Road – from Cooma Road to Eurobodalla Council Boundary.
    - Oallen Road – From Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River.
  4. Nominate all of Nerriga Road to be reclassified from a Regional Road to a State Road.
  5. Council's submission to include a requirement that all transferred and re-classified roads are to continue to be maintained by QPRC via a RMCC style maintenance contract.
  6. Council advise Goulburn Mulwaree, Snowy Monaro and Eurobodalla Councils of the proposal to transfer/reclassify regional roads MR268 and MR7625 and Araluen Road respectively.
- 

**Background**

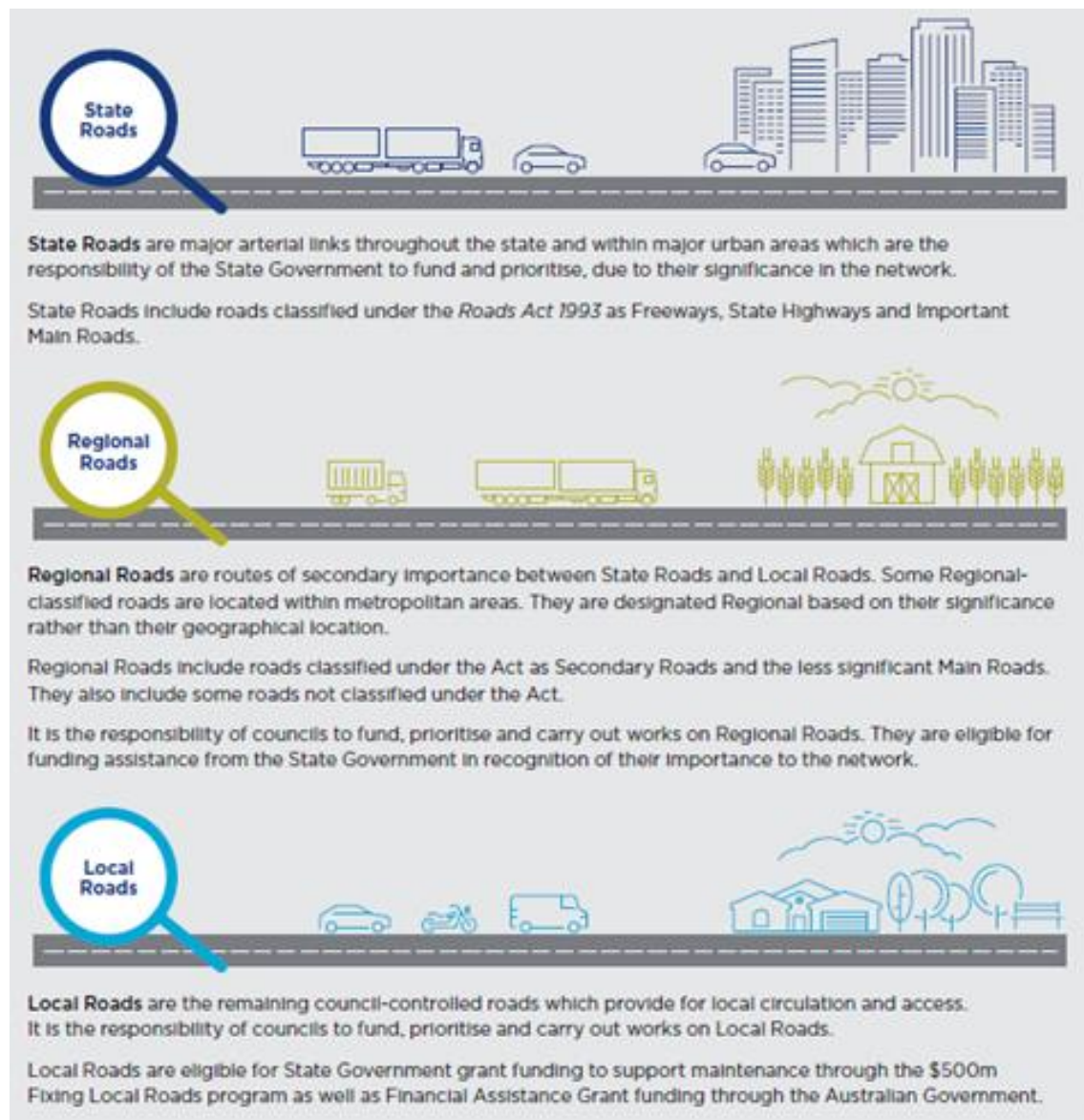
In February 2019, the NSW Government announced that a Road Classification Review would be initiated to ensure the current classification framework is still fit for purpose, and that roads across NSW are appropriately classified. Future Transport 2056 identifies the Road Classification Review as a key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

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

The NSW Minister for Regional Roads recently endorsed the Panel's recommendations, transferring over 350km of priority regional roads and allocated \$250 million in this year's budget towards upgrading transferred roads, stating 'there's no 'one size fits all' approach, which is why we'll be working one-on-one with each council to create an ongoing maintenance arrangement that utilises the existing local workforce and delivers the quality of roads the community expects'.

### 9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)

The road hierarchy is illustrated below:



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

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

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

### 9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)

This information was provided to the Panel as part of the initial round of applications in September 2020. A total of 52 Councils statewide were invited to submit applications in the priority round, which was open between 9 November and 9 December 2020. QPRC was not invited to participate in this round.

Applications opened on 27 September 2021 for the full round and close on 24 December 2021. The Independent Panel will review all submissions from January to June 2022 with a final report with recommendations presented to the Minister in June 2022.

#### Regional Road Review

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

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

Road Name	Road Length (km)
Bungendore/ Macs Reef Road (MR7607) (from Gibraltar Street, Bungendore to the Federal Highway)	19.567 (19.567km sealed – 0km unsealed)
Captains Flat Road (MR270) (from the Kings Highway east of Queanbeyan to Coghill Street, Braidwood)	86.088 (66.153km sealed – 19.935km unsealed)
Cooma/ Krawaree Road (MR7625) (from Captains Flat Road, Braidwood to Snowy Monaro Council Boundary)	52.138 (30.865km sealed – 21.273km unsealed)
Nerriga Road (MR92) (from the Kings Highway, Braidwood to Endrick River, north of Nerriga)	56.109 (49.439km sealed – 6.670km unsealed)
Cooma Street/ Old Cooma Road (MR584) (from Rutledge St, Queanbeyan to 930m South of Burra Road)	16.448 (16.448km sealed – 0km unsealed)
Tarago Road (MR268) (from Molonglo Street Bungendore to Goulburn Mulwaree Council Boundary)	17.825 (17.825km sealed – 0km unsealed)
<b>Total - Regional Roads</b>	<b>249.237km</b>

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

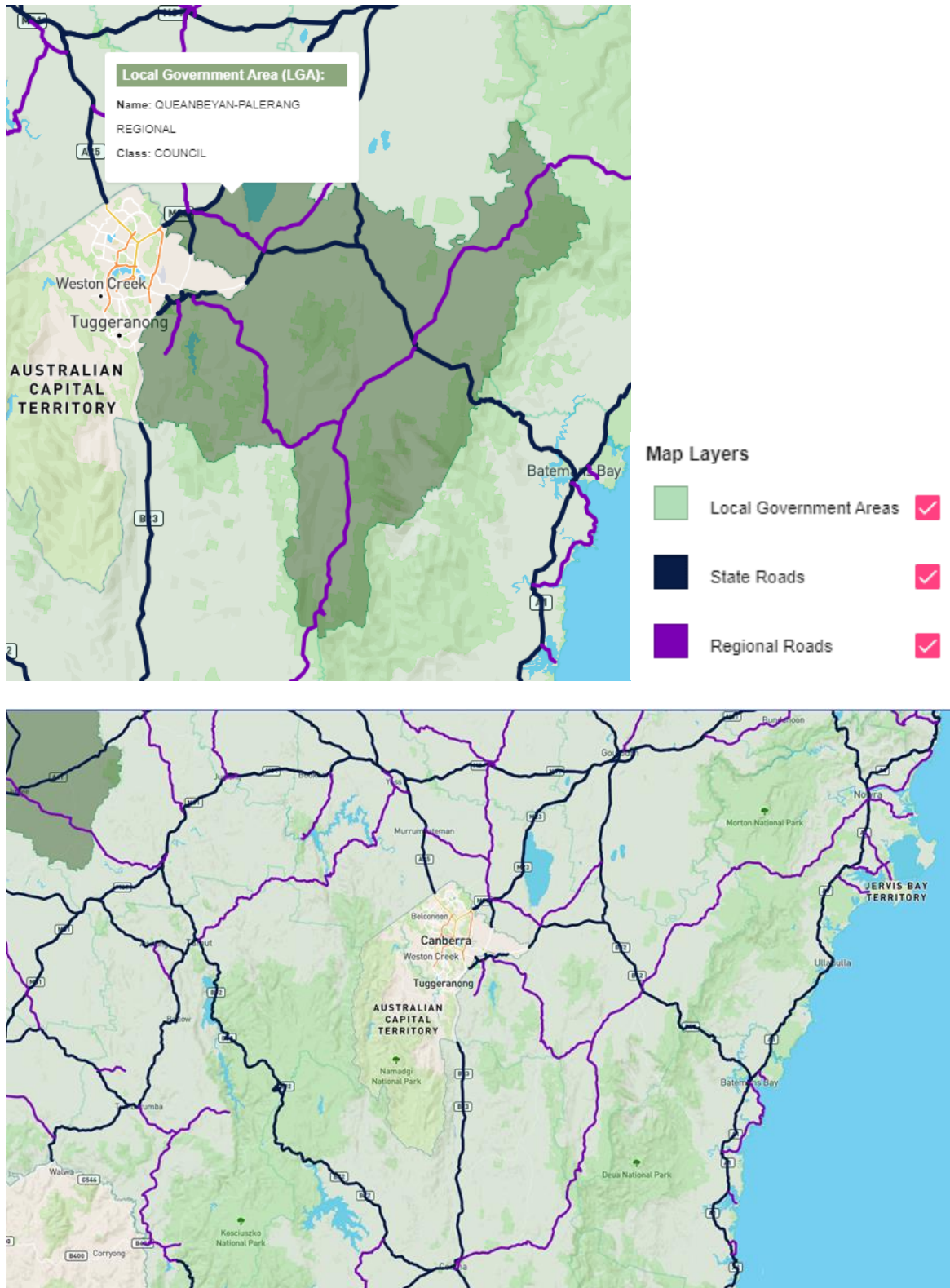
The existing State Roads within the QPRC LGA are:

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



9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)

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



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

### 9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)

section of Goulburn Road within their city limits under an existing RMCC agreement with TfNSW.

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

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

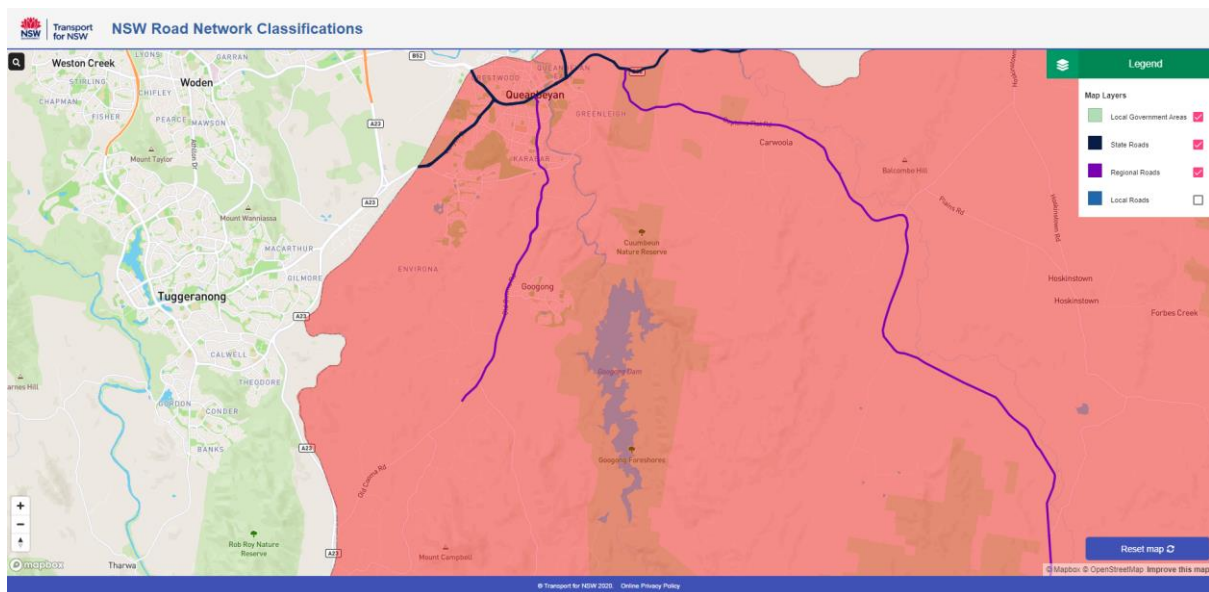
#### Road Reclassification

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

Road Name	Road Length (km)
Old Cooma Road (from the existing regional road end, 0.9km South of Burra Road to the Monaro Highway)	7.807 (7.807km sealed – 0km unsealed)
Araluen Road (from Cooma Road to Eurobodalla Council Boundary)	36.532 (25.012km sealed – 11.520km unsealed)
Oallen Road (from Nerriga Road to Goulburn Mulwaree Council Boundary at the Shoalhaven River)	13.677 (13.677km sealed – 0km unsealed)
Ellerton Drive Extension – Edwin Land Parkway – Tompsitt Drive (from Yass Road Roundabout to Lanyon Drive)	13.673 (13.673km sealed – 0km unsealed)

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

## 9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)



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

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

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

Ellerton Drive, Edwin Land Parkway and Tomsitt Drive are all currently local roads. These critical roads provide an alternative route around the Queanbeyan Central Business District, particularly for the new southern population growth areas. It is also the preferred heavy vehicle route to remove heavy vehicle movements within the Queanbeyan CBD.

### **Implications**

#### **Asset**

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

### 9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)

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

#### **Financial**

Council receives annual funding from TfNSW to assist with the maintenance of regional roads under the Regional Road Block Grant (RRBG) and the Regional Road Repair Program (RRRP). The 2020/21 budget allocation for the RRBG was \$1,718,000. The RRRP provides additional funds to supplement block grants which is generally used for more substantial rehabilitations works. The 2020/21 budget allocation for the RRRP was \$381,000. The RRRP requires a 50% co-contribution from Council towards the funding.

In addition to average annual depreciation expense of \$1.991m, the table below illustrates the three year average financial impact on Council, should existing regional roads transfer – with subsequent annual reduction in depreciation and co-contribution, and subsequent improvements to the Income and Expenditure annual financial statements and ratios:

	2017-18 \$	2018-19 \$	2019-20 \$	Average \$
<b>Schedule 4A - Expenditure on Regional Roads from all Funding Sources</b>				
Block Grant	1,917,000	1,957,000	1,997,000	1,957,000
Repair Grant	617,697	412,303	218,513	416,171
Other (TfNSW) grants	4,576,473	21,583,379	36,322,835	20,827,562
Other Commonwealth Grants (FAG and R2R, any other federal road grants)	2,245,769	-	-	748,590
Other State Grants	-	-	-	-
Developer Contributions	-	3,250	474,025	159,092
Other own source income	1,406,030	756,394	1,047,280	1,069,901
Other	-	-	-	-
<b>Total Annual Expenditure</b>	<b>10,762,969</b>	<b>24,712,326</b>	<b>40,059,653</b>	<b>25,178,316</b>

Should those roads be transferred, a \$2-3m annual expense is relieved from Council's budget. Should the proposed reclassification of Ellerton Drive / Edwin Land Parkway / Tompsitt Drive (from Yass Road Roundabout to Lanyon Drive) be supported by the Panel and Government, a further annual reduction in depreciation and own source expenses of \$1,068,649 should be realised.

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

While it may migrate from a grant funded system to a contract-based approach to manage regional roads, the quantum of funds to maintain and upgrade regional roads remains a concern. The Panel has sought council estimates to bring regional roads to Condition 2, and advise upgrade estimates in the submissions. It is understood three quarters of regional councils have a RMCC with TfNSW, and are best placed to expand the body of work to include regional and state roads on behalf of TfNSW, and best placed to advise on renewal and upgrade estimates for regional roads.

It should be noted that moving from a grant system to a maintenance contract system (RMCC) carries a risk to Council as maintenance contract systems may be made a more competitive process by TfNSW in the future where Council could be competing against larger private



**9.11 Regional Road Transfer and Road Classification Review (Ref: ; Author: Tegart/Cooke) (Continued)**

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construction companies for work. However, QPRC is one of the few councils accredited with HSEQ quality assurance systems. A grant system provides greater surety that funding will be provided directly to Council, however the value of the grants currently provided for Regional Roads is well below the amount required to properly maintain them.

Should the regional roads be transferred, an RMCC-style overhead charge may apply, to offset technical support costs and assist other roads funding.

***Resources (including staff)***

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

**Conclusion**

Council should make a submission to the Regional Roads Classification Review and Transfer Panel by 24 December 2021. This report will be used to confirm Council's view on which roads it will nominate to transfer to the NSW state government to manage and which local road and regional roads Council would like to submit to be reclassified to regional or state roads.

Nominations for reclassification and transfer are required to address the criteria contained in the Full Round Submission Guidelines – September 2021.

**Attachments**

- |              |   |
|--------------|---|
| Attachment 1 | Full Round Submission Guidelines - September 2021 ( <i>Under Separate Cover</i> ) |
| Attachment 2 | Regional Roads Financial Data ( <i>Under Separate Cover</i> )                     |



9.12 Tender Recommendation - Construction of Reedy Creek Bridge, Contract Number 2021-27 (Ref: ; Author: Cooke/Stewart)

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File Reference: 104161

**Summary**

Tenders were called for the construction services for the replacement of Reedy Creek Bridge, located on Mayfield Road, Larbert. Tenders have been assessed by the Tender Evaluation Committee in accordance with the approved Tender Evaluation Plan and recommends acceptance of tender for Contract 2021-27, in accordance with the attached Tender Evaluation Report.

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**Recommendation**

**That Council accept the tender for bridge construction services and approve budget for these works as follows:**

- 1. RFT 2021-27 for the Construction of Reedy Creek Bridge – accept the tender of Tenderer 3 to the value of \$(insert) including GST.**
  - 2. Approve the reallocation of \$400,000 of capital funding from the Infrastructure Construction vote to complete the project.**
- 

**Background**

Council has identified the need to replace Reedy Creek Bridge due to structural deficiencies. Council procured the design for the new structure which comprises an 'InQuik' modular bridge system, which has been designed to be on a revised alignment, slightly downstream of the existing crossing and at a higher level to provide improved flood immunity.

Council has procured the required "InQuik" components and these are now available for installation by the successful contractor under contract 2021-27. Following construction of the new bridge, council will construct the revised road approaches and decommission the existing structure.

**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*.

***Policy***

The tender process was conducted in accordance with Council's Procurement Policy and that of the NSW Government.

***Environmental***

A review of Environmental Factors has been completed. This review triggered the need for an Aboriginal Heritage Assessment. An AHIP has been lodged and is to be obtained prior to construction commencing.

The Contract requires the successful contractor to obtain a Fisheries Permit for work in the waterway.

**9.12 Tender Recommendation - Construction of Reedy Creek Bridge, Contract Number 2021-27 (Ref: ; Author: Cooke/Stewart) (Continued)**

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***Sustainability***

The new structure will be made from traditional bridge construction materials – mainly concrete and steel.

The new bridge will be constructed approximately 1.5m above the existing crossing which will help to improve access during flood events.

***Asset***

The new asset will provide a durable bridge structure and cater for 2 travel lanes at an improved level. It is expected the new bridge will have a lifespan of over 100 years.

***Financial***

Council was successful in receiving a grant of \$679,470 through Round 4 of the Australian Governments Bridges Renewal Program. Council was required to co-contribute an equal share towards the project. The bridge design has differed from initial estimates to be installed at a higher height to improve flood mitigation, which in turn has increased the overall length of the bridge by approximately one-third. This in addition to the purchase of the bridge componentry, the bridge design contract and unforeseen Aboriginal Heritage Assessment costs, the required budget to complete the bridge construction has exceeded the available grant funding and Council co-contribution amount. An additional \$400,000 is requested to be reallocated from Councils local roads capital infrastructure construction budget to complete the project, which includes the construction of the bridge approaches and associated guardrail installations.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>	<b>Amount</b>
PJ104161	Grant	Bridges Renewal Program – Round 4 Grant funding	\$600,000
PJ100300	Capital	Infrastructure Construction	\$400,000

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***Resources (including staff)***

The construction contract will be managed by Council staff who are experienced in this type of work and conditions of contract.

**Conclusion**

That Council accept the tender of Tenderer 3 for bridge construction services and approve budget for RFT 2021-27 for the Construction of Reedy Creek Bridge.

**Attachments**

- Attachment 1 Tender Recommendation Report - 2021-27, Construction of Reedy Creek Bridge (*Under Separate Cover*) - **CONFIDENTIAL**



9.13 Extension of Contract 08/2014 - Waste & Resource Recovery Collection Services (Ref: ; Author: Cunningham/Belcher)

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File Reference: 34.1

**Summary**

This report recommends the extension of the existing waste collection contract with JJs Waste and Recycling (formerly JJ Richards & Sons Pty Ltd) for a 3-year period.

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**Recommendation**

**That Council extend Contract 08/2014 for Waste and Resource Recovery Collection Services for three (3) years to 27 April 2025.**

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**Background**

JJs Waste and Recycling (formerly JJ Richards & Sons Pty Ltd) holds the kerbside waste collection contract for the former Queanbeyan LGA. The contract was awarded at the Council meeting of 17 December 2014 (Resolution 379/14) and services commenced on 27 April 2015. The Initial Contract Term is seven (7) years and the contract is due to expire on 27 April 2022.

Under contract clause 2.2.4 (Extension of Contract Term), the Council may, at its option, extend the operation of this Contract beyond the Initial Contract Term for a period that is not less than three (3) years and is not more than three (3) years from the expiration of the Initial Contract Term.

The contractor has satisfactorily performed in line with the contract. Assessment of performance has been based upon compliance with contractual conditions and the criteria shown in the table below.

Criterion	Benchmark	Performance
Missed Services	<1 per 1,000 services per collection stream	0.16 per 1,000 residual waste services 0.07 per 1,000 recycling services 0.03 per 1,000 organics services
Early Starts	<1 per 1,000 services per collection stream	<1 per 1,000 services per collection stream
Other Customer Complaints	<1 per 1,000 services per collection stream	<1 per 1,000 services per collection stream

**9.13 Extension of Contract 08/2014 - Waste & Resource Recovery Collection Services  
(Ref: ; Author: Cunningham/Belcher) (Continued)**

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**Implications*****Legal***

The original tender process was conducted in accordance with the tendering requirements of the *Local Government Act 1993*. The contract allows for the extension of this contract as described in this report and the contractor has met relevant performance benchmarks.

***Social / Cultural***

Extension of the contract will continue a critical service to the community.

***Strategic***

Extension of this contract will allow Council time to finalise actions set out in the recently adopted Waste Strategy, including the review of delivery models (i.e. contract v in-house delivery) for kerbside waste collection services. It will also provide time to consider service harmonisation and develop new contractual documents as necessary following this review.

***Financial***

Extension of this contract will not increase domestic waste management charges for ratepayers and is in line with budget provisions.

***Resources (including staff)***

There are no impacts to Council's resources arising from extension of this contract.

***Integrated Plan***

There are no impacts to Council's Integrated Plans arising from extension of this contract.

**Conclusion**

Based on satisfactory contractual performance, it is recommended that Council extend Contract 08/2014 for Waste and Resource Recovery Collection Services for three (3) years to 27 April 2025.

**Attachments**

Nil

9.14 Contract 2021-37 Bungendore Landfill Reinstatement (Ref: ; Author: Cunningham/Belcher)

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File Reference: 1000548

**Summary**

This report summarises the Request For Tender process for the Bungendore Landfill Reinstatement (Contract 2021-37) and contains a recommendation for award of the Tender.

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**Recommendation**

That:

1. Council award Contract 2021-37 Bungendore Landfill Reinstatement to Tenderer 1 for the lump sum amount of \$(insert) (incl GST) subject to negotiation regarding issues related to the interaction of this project with the works underway in relation to the Elm Grove subdivision.
  2. If satisfactory negotiations are not able to be concluded with Tenderer 1, delegate authority to the CEO to accept the Alternate Tender from Tenderer 2 for \$insert (incl GST).
  3. Council authorise the CEO to execute necessary documents.
- 

**Background**

Bungendore Landfill was closed in late 2014 when the Bungendore Resource Recovery Facility opened. A temporary cap was placed over the waste material at the time of closure to prevent windblown litter, vermin and odour issues. The next step is to undertake the reinstatement of the landfill by placing an impermeable capping layer over the material.

The reinstatement is a requirement of the development approval for the Bungendore Resource Recovery Facility. It is also required to improve environmental outcomes in the area and minimise ongoing Council liabilities. Finally, the works are also required to reduce adverse impacts on the subdivision that is currently under construction on the adjacent land.

There is no possible alternative to the proposed works and 'do nothing' would result in significant negative and ongoing environmental and community impacts.

Council received seven (7) submissions for the Request for Tender. Following assessment, Tenderer 2 provided a slightly cheaper overall project based on an alternative tender, however, the timeframe for this alternative tender was significantly longer than that proposed by Tenderer 1. Both the alternative submission from Tenderer 2 and the submission from Tenderer 1 are considered to offer value for money, with Tenderer 1 preferred due to the shorter construction timeframe.

There are minor contractual issues to be resolved with Tenderer 1 that have no impact on project finances. In consideration of the pending caretaker period, staff have included a recommendation that authorises staff to negotiate with Tenderer 2 if these issues are unable to be resolved with Tenderer 1.

Further details of the Request for Tender process are contained in the confidential attachments to this report.

**9.14 Contract 2021-37 Bungendore Landfill Reinstatement (Ref: ; Author: Cunningham/Belcher) (Continued)**

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**Implications**

***Legal***

The Request for Tender process has been undertaken in accordance with the *Local Government Act 1993* and associated regulations and guidelines.

***Environmental***

Reinstatement of the landfill will significantly reduce potential environmental impacts from the buried waste. The reinstatement will provide an impermeable barrier to prevent water entering the waste and producing leachate. Preventing leachate generation also reduces greenhouse gas emissions and potential leachate interaction with groundwater sources.

In addition, a residential development is under construction immediately adjacent to the landfill. Reinstatement of the landfill will prevent odour and wind-blown litter issues for this development.

Short term environmental impacts during construction will be managed in accordance with the adopted Review of Environmental Factors.

The works will involve the removal of a substantial number of trees on the periphery of the landfill site. These trees need to be removed to ensure that an impermeable capping layer can be created. All trees are non-native and many are at the end of their life. Following completion of the works, Council will engage a separate Contractor to plant and establish screening trees around the boundary. A landscape design is currently under development.

***Strategic***

The project is identified in the QPRC Waste Strategy and funded in the budget. The proposed works are consistent with the works considered in the QPRC Waste Strategy.

***Financial***

Project 100548 provides \$1.8m (ex GST) for these works. To cover the difference, it is recommended that additional funding be drawn from the existing waste reserves.

The QPRC Waste Strategy included \$3,000,000 for the completion of this project. As such, the increased cost will have no negative impact on existing waste charges.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>		<b>Amount</b>
100548	Capital	Existing Budget	\$	1,800,000
	Capital	Waste Reserves	\$	360,000

***Resources (including staff)***

Award of this Tender will have limited impact on existing resources.

**9.14 Contract 2021-37 Bungendore Landfill Reinstatement (Ref: ; Author:  
Cunningham/Belcher) (Continued)**

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***Integrated Plan***

The project is identified in the QPRC 2021-22 Operational Plan.

**Conclusion**

The reinstatement of Bungendore Landfill is identified in the 2021-22 QPRC Operational Plan, the QPRC Waste Strategy and the Development Application for the Bungendore Resource Recovery Facility. In addition, reinstatement will have a positive impact on the surrounding environment and protect groundwater sources from leachate penetration.

**Attachments**

- Attachment 1    2021-37 Bungendore Landfill Rehabilitation Tender Evaluation Report  
(Under Separate Cover) - **CONFIDENTIAL**



9.15 Update to Services NSW for Business Agreement (Ref: ; Author:  
Richards/Darcy)

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File Reference: 11.1.1-07

**Summary**

QPRC currently has an agreement in place with Service NSW regarding business support services. Service NSW has recently revised and renewed the Agreement document for use by all NSW councils and is seeking QPRC's formal approval.

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**Recommendation**

**That Council:**

- 1. Delegate authority to the CEO to enter into an agreement with Service NSW.**
  - 2. Authorise the execution of any necessary documents under the Common Seal of Council.**
- 

**Background**

Council currently has an agreement with Service NSW to promote and provide access to NSW Government information and services to better assist business owners and to support the local economy.

This agreement was initiated as part QPRC participation in the *Small Business Friendly Council* project and the *Easy to Do Business* program. These and other services have since merged into the new name of *Service NSW For Business* program.

The assistance provided by Council to individuals and businesses in accessing these services has been valuable, particularly during these challenging times.

*Service NSW for Business* provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access other support.

The services provided to business owners include:

- Business Concierges offering over-the-phone, email and face-to-face support and case management.
- An online Business Profile to make it faster and easier for business owners to transact with NSW Government.
- Guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support and information.
- Online business information hubs including 'how-to' guides to help business owners understand key tasks and the support available when starting and running a business in NSW.

A new partnership agreement has been developed by Service NSW to provide consistency across all councils, reflect the broader focus of Service NSW for Business and provide the opportunity for QPRC to engage with all services offered by Service NSW now and into the future. The agreement includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage and security of personal information.

**9.15 Update to Services NSW for Business Agreement (Ref: ; Author: Richards/Darcy)  
(Continued)**

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The intention of the partnership agreement is to build awareness of specialist advice services available to assist Council staff to better direct enquiries and provide applicants with the skills, information and research prior to lodging any applications.

**Implications*****Legal***

Council would still undertake all assessments as per appropriate legislation.

***Economic***

Supporting this initiative signals to the local business community and potential business investors that QPRC is supportive of small business and is actively trying to reduce the costs associated with small business start-up.

***Financial***

There is no cost to QPRC for participating in the program. Support material, training and advice is provided by Service NSW for Business also at no cost. Implementation of the program should lead to reduced processing times and costs in applications to Council.

***Integrated Plan***

Participating in this agreement is consistent with the following goals in the Community Strategic Plan:

Strategic Pillar 2 - A prosperous Queanbeyan-Palerang

2.1: A diverse, resilient and smart economy that creates choice and job opportunities'

Strategic Pillar 5 – A Well Governed Queanbeyan-Palerang

5.1.2: Our Council is efficient, innovative and actively seeking partnerships to deliver outcomes to the community

5.1.3: Our Council has in place systems to provide quality services to its customers

**Conclusion**

Service NSW has developed a revised Agreement for use by all Councils as part of the *Service NSW for Business* program. This paper is seeking the formal approval of Council to continue participation and update QPRC's existing agreement.

**Attachments**

Attachment 1 Partnership Agreement (*Under Separate Cover*) - **CONFIDENTIAL**



9.16 Application for QPRC Cultural Grant - Two Fires Festival (Ref: ; Author: Richards/Mirowski)

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**File Reference:** CULTURAL DEVELOPMENT 1.1.3

**Summary**

On 28 September 2021, Two Fires Festival of Arts and Activism Inc submitted an online application for funding under Council's Cultural Grants Program. The application is for a \$3,000 donation towards the costs of the Two Fires Festival in Braidwood.

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**Recommendation**

**That:**

- 1. Council approve a donation of \$3,000 towards the costs of staging the Two Fires Festival in Braidwood in late February 2022.**
  - 2. The release of the donation be made conditional on the provision of an appropriate COVID SAFE Plan for the event.**
- 

**Background**

The Two Fires Festival is a community event in Braidwood celebrating 200 years of white settlement of the Braidwood area, and 60,000 years of custodianship by the Yuin Aboriginal nation. It encourages reconciliation, cross-cultural engagement, and awareness of Braidwood's history. The biennial Festival began in 2005. It has been generally popular and well-attended. The 2021 festival was cancelled due to the impact of bushfires and COVID.

The 2022 Festival program includes a Welcome to Country ceremony and traditional Aboriginal dancing, informal yarning sessions, performances by preschools and primary schools, a Gum Leaf Orchestra, story-telling, an evening dinner, a concert at the Braidwood National Theatre, and scones with jam and cream cooked by the CWA. Performers will include Elder Uncle Max, and musicians Noel Butler, Richard Green and Michael Simic.

The diverse community groups and business who will be involved with the Festival include the Historical Society, schools, the Lions Club, the CWA, the Old Anglican Hall Committee, Sustainable Braidwood, Cedar Lodge and Snow Lion, and Braidwood Community Bank. Ryrie Park has been booked for the Festival, with the National Theatre also booked for the weekend in case rain necessitates events to be held indoors.

The funding application (at **Attachment A**) has been assessed by QPRC's Arts and Culture, and Grants staff as meeting the eligibility criteria for a Cultural Grant. The assessment is at **Attachment B**. The organisation is a not-for-profit organisation located in our LGA. Attached financial documents provide evidence of the need for financial assistance to stage the event.

The project meets the eligibility criteria for QPRC Cultural Grants. It aligns with the aim of the program which is to improve the LGA community's opportunities for involvement in art and cultural activities. The event will also employ a professional artist; demonstrate a potential economic benefit to the area through increased visitation; attract matching funding from other sources; and work in partnership with other community groups. Finally it will engage the broader QPRC community, and demonstrate educational components. Within scheme guidelines, the project is eligible for a donation of \$3,000.

9.16 Application for QPRC Cultural Grant - Two Fires Festival (Ref: ; Author: Richards/Mirowski) (Continued)

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### Implications

#### **Legal**

The online application clearly states that a COVID SAFE Plan for the event must be attached. The applicant provides written advice that the event will comply with all COVID requirements of State and Federal Governments, but a plan was not attached. QPRC funding towards the event is not recommended in the absence of a COVID SAFE Plan.

#### **Policy**

QPRC Cultural Grants are administered in line with Council's Donations Policy 2020 (for donations under s.356 of the *Local Government Act 1993*). Under the Policy, Council commits to provide 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'. It also aligns with the aspiration 'we respect the Indigenous relationship with the land we live on'.

#### **Social / Cultural**

This project would provide the social and cultural benefits of increased community cohesion, education and awareness of local history and a catalyst for cross-cultural relationship-building, cultural exchange and reconciliation.

#### **Financial**

The Cultural Grants financial allocation for 2021/22 is \$25,000. One 2021/22 Cultural Grant of \$1,500 has been approved by Council, leaving \$23,500 yet to be allocated this financial year.

Program Code	Expense Type	Funding source		Amount
3020-5070	Grants and Donations	QPRC Cultural Grants 2021/22	\$	3,000

### Attachments

- Attachment 1 Cultural Grant application Two Fires Festival (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Assessment of Two Fires Festival Application (*Under Separate Cover*) - **CONFIDENTIAL**

9.17 QPRC Cultural Grants Application - Heritage Community Singing in Queanbeyan Park (Ref: ; Author: Richards/Mirowski)

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**File Reference:** CULTURAL DEVELOPMENT 1.1.3

**Summary**

On 29 September 2021, Dr Georgie Pike-Rowney submitted an online application for funding under Council's Cultural Grants Program. The application seeks a \$1,000 donation towards costs for event management and marketing for a community 'Singing in the Park' event at Queanbeyan Park.

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**Recommendation**

**That Council approve a donation of \$1,000 towards costs for staging a community Singing in the Park event at Queanbeyan Park in April or May 2022**

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**Background**

The application (at **Attachment 1**) seeks funding to assist with costs for a participatory community singing event in Queanbeyan Park, to be held to coincide with the Australian Government's National Heritage Festival in April/May 2022. The event will focus on audience singing participation, led by Dr Pike-Rowney, with piano keyboard accompaniment from Musician and Educator Dr Susan West. The event idea was inspired by Dr Pike-Rowney's recent fellowship at the National Library of Australia, exploring community singing in inter-war Australia (1918-1939).

The event will include heritage songs 'The Queanbeyan Song' (1938) and 'William Farrer's Piano' (c1890). Written song lyric sheets will be provided to attendees. This event will be held in partnership with the Queanbeyan and District Historical Museum Society and will culminate with a walk-through tour of Queanbeyan Museum, to view heritage items which include William Farrer's piano. The event will be well advertised throughout the LGA, including to schools and aged-care facilities. Preparatory sessions will be advertised and offered to local groups, including singing groups.

The funding application has been assessed as meeting the eligibility criteria for a QPRC Cultural Grant of \$1,000 **Attachment 2**. Dr Pike-Rowney is a resident of the Queanbeyan-Palerang LGA, and the maximum funding amount allowed for individuals is \$1,000.

The project aligns with the aim of the QPRC Cultural Grants Program and meets the following selection criteria: it employs a professional artist; attracts matching funding from another source; works in partnership with other community groups in the LGA; is a festival which will engage the broader Queanbeyan-Palerang community; advances the cultural or creative experiences of the Queanbeyan-Palerang community, and includes educational components that will advance the creative skills and knowledge of the community.

Support materials provided with the application include resumes and information about the Music Engagement Program (MEP) on which this event is based. A Letter of Support from wife of Australia's Governor General has been received.

**Implications**

***Legal***

An appropriate COVID Safe Plan is in place for this outdoor event (attached to the application). A QR check-in code will be in place, and an event 'helper' will ensure attendees have checked in. Physical distancing of 1.5m will be encouraged and congestion will be discouraged. The

### 9.17 QPRC Cultural Grants Application - Heritage Community Singing in Queanbeyan Park (Ref: ; Author: Richards/Mirowski) (Continued)

organisers have undertaken to adhere to all COVID-19 health regulations in place at the time of the event. Museum staff will ensure ventilation and open windows for the Museum walk-through tour activity.

#### **Policy**

QPRC Cultural Grants are administered in line with Council's 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*.

This project aligns well with Strategic Pillar 1 – Community, which is 'we build on and strengthen our community cultural life and heritage'. It aligns with the Service Objective of 'Develop the cultural capacity of the community through the availability and participation in arts, performances and cultural gatherings, events and exhibitions in the Queanbeyan-Palerang region.

#### **Social / Cultural**

This project will provide strong social and cultural benefits to the community and increase community well-being. It will provide benefits through active community engagement and participation, inclusion, increased awareness of Queanbeyan's shared social heritage and history, and increase community cohesion, social connection and fellowship, and mental wellbeing; an important goal after the COVID lockdowns. The project will also raise awareness and interest in community singing as an ongoing and enjoyable community activity, with possibilities for more events.

#### **Financial**

The Cultural Grants allocation for 2021/22 is \$25,000. One donation of \$1,500 from the allocation has been approved and released, leaving \$23,500 available for allocation. One other application is before Council and, if approved, this will leave \$20,500 in the current budget.

Program Code	Expense Type	Funding source		Amount
3020-5070	Grants and Donations	QPRC Cultural Grants 2021/22	\$	1,000

#### **Attachments**

- Attachment 1 Application Singing in the Park (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Assessment Singing in the Park (*Under Separate Cover*) - **CONFIDENTIAL**

9.18 Proposed Lease - 257 Crawford St Queanbeyan (Ref: ; Author: Tegart/Tegart)

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File Reference: P155824 & 52.4.1-128

**Summary**

Council has been negotiating with Regional NSW (DRNSW) and Property NSW the terms of a proposed lease by DRNSW of Levels 4 and 5 of the new Queanbeyan Civic and Cultural Precinct (QCCP) under construction at 257 Crawford Street.

Independent market valuations have been arranged to guide the lease payments.

A heads of agreement (HoA), to inform an agreement for lease (AfL) has been drafted and presented for council endorsement. A copy is attached for councillors.

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**Recommendation**

**That Council:**

- 1. Endorse the terms of the heads of agreement as attached.**
- 2. Authorise the CEO to execute an agreement for lease with Property NSW in the terms outlined in the HoA.**

---

**Background**

Further to workshops and an independent business case prepared in 2020, councillors agreed to construct additional levels in QCCP to enable commercial office lease and ongoing positive revenue streams. The lettable spaces comprise ~620m<sup>2</sup> on each of Levels 3-5, and ground floor space for a smart hub and café. Basement parking may be included in any of the leases.

The overall commercial leases are expected to become cash positive (ie rent return is greater than debt service costs for those levels) by 2030.

**Implications**

***Legal***

The HoA covering Levels 4-5 with Property NSW is non-binding until DRNSW endorse and Council executes an AfL. The actual leased nett floor area (NFA) is subject to survey after construction. The term of the lease is 10+5+5yrs, with rent commencing 2 weeks after practical completion of the building, upon which the leased levels are occupied for fitout by the lessee. Normal commercial terms are included, such as:

- Annual index of rent
- Market review at the options (ie 10yr and 15yr)
- Lessee covers metered utilities and cleaning
- Share of outgoings of the base building (which may also include cleaning by agreement)
- A lease incentive of 25% (which normally covers cost of fitout by lessee)
- Secure access to building in business hours, and after hours 7 days a week

**9.18 Proposed Lease - 257 Crawford St Queanbeyan (Ref: ; Author: Tegart/Tegart)  
(Continued)**

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- Concierge space and signage

There are a number of minor matters to be clarified in HoA including:

- Definitions (practical completion v occupation certificate)
- Upon vacancy, the area is to be returned to warm shell by lessee
- Air conditioning arrangements
- Access to digital antenna system
- Concierge desk

**Asset**

QCCP has been designed to meet A-grade office standard, including green star and Nabers efficiency ratings. Demolition and construction has commenced in July under terms of contract awarded to Adco. Practical completion is expected at the end of 2022, to enable fitout and occupation by March 2023.

The commercial lease proposes to occupy Levels 4 and 5, and 18 carspaces, with potential to expand into Level 3 on similar terms.

**Financial**

Independent market valuations for commercial A-grade office in regional NSW have been arranged to guide the lease payments. The financial terms in the HoA enable the rent and share of outgoings to exceed the annual cost of debt servicing within 10 years, returning over \$1.5m revenues over the ensuing years of the lease. A schedule of estimated and audited actual annual outgoings is to be prepared to apportion the actual outgoings levied to the lessee.

The lease incentive (25% gross) at \$1.5m that funds the lessee fitout can be covered through the property reserve and replenished through property sale proceeds, noting the fitout then remains with the lessor (Council).

**Resources (including staff)**

Until the QCCP is occupied and normalised operations are known, a building manager may then be engaged (likely through redeployment/redesign) to support building sustainability, bookings and maintenance.

**Conclusion**

Following valuations and negotiations, a heads of agreement has been prepared for Council and DRNSW to endorse, to then enable the preparation and execution of an agreement for lease for Levels 4-5 of QCCP at 257 Crawford Street. Once the HoA is endorsed by Council and DRNSW, it is proposed the CEO be delegated authority to execute the lease.

**Attachments**

- |              |   |
|--------------|---|
| Attachment 1 | QCCP Heads of Agreement ( <i>Under Separate Cover</i> ) - <b>CONFIDENTIAL</b>   |
| Attachment 2 | Commercial Lease Revenues ( <i>Under Separate Cover</i> ) - <b>CONFIDENTIAL</b> |

## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.19 Queanbeyan District Preschools Assoc - 27 Alanbar St Karabar - Waratah Preschool Queanbeyan Licence Agreement Renewal (Ref: ; Author: Knight/Carey)**

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**File Reference:** ECM 52.4.1-194

**Summary**

The term of the Licence Agreement between Council and the Queanbeyan District Preschool Association for 27 Alanbar Street Queanbeyan, known as 'Waratah Preschool', expired on 30 September 2021 and is due for renewal.

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**Recommendation**

**That Council support renewal of a Licence Agreement for the Waratah Preschool site at 27 Alanbar Street, Karabar on the following terms:**

- 1. Five-year term commencing 1 October 2021 and ending on 30 September 2026.**
  - 2. A licence fee equivalent to the minimum statutory rental for a Crown Land licence be payable - currently \$516 p/a.**
  - 3. The Chief Executive Officer be authorised to execute the Licence Agreement on behalf of the Council.**
- 

**Background**

In October 2006, Council entered into a 10-year lease with the Queanbeyan District Preschool Association (QDPA) for the property at 27 Alanbar Street Karabar, known as Waratah Preschool. The site is highlighted in red on the plan attached.

Prior to renewing the Lease in 2016, the QDPA indicated its preference for a Licence Agreement for the site, similar to the arrangement QDPA has with Council for the Harris Park Preschool site. Council approved the request for a Licence Agreement at the time and the licence document was subsequently signed.

The term of the Licence Agreement has expired and the QDPA has notified Council of its desire to renew on similar terms for a further 5-year period commencing 01 October 2021.

**9.19 Queanbeyan District Preschools Assoc - 27 Alanbar St Karabar - Waratah Preschool Licence Agreement Renewal (Ref: ; Author: Knight/Carey) (Continued)**

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Above: Aerial image (IntraMaps) of 27 Alanbar St Karabar, showing Waratah Preschool outlined in red.

### **Implications**

#### ***Legal***

A Licence Agreement is a legally secure document between the property owner and the Licensee. It differs from a lease in that it is not registered on the title and is usually for a term of 5 years or less. If a Licence Agreement exists for a property and the property is sold, the onus is on the owner (in this case, the Council) to notify a prospective purchaser that the property is subject to a Licence Agreement. Any Licence Agreement would then need to be re-negotiated between the new owner and the Licensee after settlement as a Licence Agreement does not automatically transfer to a new owner on settlement.

Registering a lease incurs legal costs and registration fees (for the tenant). The only costs that are likely with a Licence Agreement are legal costs, if the Licensee obtains legal advice on the matter.

#### ***Asset***

The property is an asset of the Council and will remain as such.

#### ***Social / Cultural***

Waratah Preschool services the South Queanbeyan area and supports critical early childhood education to the Queanbeyan community.



**9.19 Queanbeyan District Preschools Assoc - 27 Alanbar St Karabar - Waratah  
Preschool Queanbeyan Licence Agreement Renewal (Ref: ; Author:  
Knight/Carey) (Continued)**

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***Engagement***

The land is zoned “operational”, therefore there is no requirement for the proposal to be publicly advertised.

***Financial***

Consistent with the previous Licence Agreement, the annual fee under the new Licence Agreement will be equivalent to the licence fee paid by it for the Harris Park Preschool site. That amount is \$516 plus GST, which is the minimum statutory rental for a Crown Land Licence.

**Conclusion**

It is appropriate for the QDPA to have continued use of the site and Council should support continuation of the Licence Agreement.

**Attachments**

Nil



**9.20 St John Ambulance - Licence Agreement Proposal - 20-22 Kendall Avenue North, Crestwood (Ref: ; Author: Knight/Carey)**

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**File Reference:** ECM 52.4.1-195

**Summary**

Council staff have been negotiating with St John Ambulance Australia (NSW) for St John Ambulance to occupy a Council owned property at 20-22 Kendall Avenue North, Crestwood (West Queanbeyan) under a Licence Agreement. If the proposal is approved by Council, it will support community needs and will be beneficial to Council in that a vacant Council building will be utilised for critical emergency training and storage purposes.

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**Recommendation**

**That Council enter into a Licence Agreement with St John Ambulance Australia (NSW) to occupy the premises at 20-22 Kendall Avenue North Crestwood, on the following terms:**

- 1. An initial term of 1 year commencing 30 October 2021, followed by two options to renew, each option for a further period of 2 years, with the first period then each option to include the potential sale of the property by Council, at its discretion.**
  - 2. Purpose - Storage of St John Ambulance first aid training equipment, store/park one vehicle trailer, one van and one 4wd sprinter ambulance and conduct regular training for St John Ambulance volunteers and cadets.**
  - 3. Fee - \$1.00 p/a (if and when demanded).**
  - 4. Special Conditions – At no cost to Council, St John Ambulance will update all First Aid Kits within Council offices and depots in Queanbeyan and Bungendore and provide Emergency Health Support at five Council public events throughout the year.**
- 

**Background**

St John Ambulance has been searching for additional premises in Queanbeyan to conduct regular training, to store first aid equipment and to park several vehicles. The St John Ambulance Queanbeyan Division does not have a permanent space and currently meets at the Queanbeyan TAFE, however they are unable to store any training equipment at that location.

The St John Ambulance Queanbeyan Division has approximately 60 volunteers, including 25 cadets aged between 11 – 18, who participate in the cadet program, learning vital first aid skills and building strong community and leadership skills. St John Ambulance is an entirely self-funded charity and the only community based first aid provider in the region.

A Council owned building at 20-22 Kendall Avenue North, Crestwood (refer plan below) that was previously used as Council's Emergency Operations Centre (EOC) is currently vacant. The premises is located next to Queanbeyan's Waste Minimisation Centre in West Queanbeyan and is considered to be a good fit for St John Ambulance as a storage and training facility. The proposal would see a vacant Council building occupied and would assist St John Ambulance with their need for a more permanent location in Queanbeyan.

**9.20 St John Ambulance - Licence Agreement Proposal - 20-22 Kendall Avenue North, Crestwood (Ref: ; Author: Knight/Carey) (Continued)**

The land is zoned IN1 – General Industry under the Queanbeyan LEP 2012 and the intended use by St John Ambulance complies with current zoning.

It is proposed that an initial term of 1 year would provide St John Ambulance with sufficient opportunity to use the premises and decide its suitability. If the premises is considered suitable, a renewal of the Licence Agreement could be initiated via the renewal options in the Licence Agreement, each for further 2 year periods. If the premises were considered unsuitable by St John Ambulance, the Licence Agreement would simply not be renewed.



Outlined in yellow above is the area and building proposed under the Licence Agreement. Below is a picture of the building itself.



**9.20 St John Ambulance - Licence Agreement Proposal - 20-22 Kendall Avenue North, Crestwood (Ref: ; Author: Knight/Carey) (Continued)**

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**Implications*****Legal***

The Licence Agreement would be binding on St John Ambulance. In addition to the standard Licence conditions included in the Licence template, the following conditions would be added:

- Term – an initial term of 1 year commencing on 30 October 2021
- Renewal - two options to renew, each for further periods of 2 years (2 x 2)
- At each option, an opportunity for Council to consider sale of the property
- Purpose - Storage of St John Ambulance first aid training equipment, store/park one vehicle trailer, one van and one 4wd sprinter ambulance and conduct regular training for St John Ambulance volunteers and cadets
- Annual Fee - \$1.00 p/a (*if and when demanded*)
- Special Conditions – At no cost to Council, St John Ambulance will update all First Aid Kits within Council offices and depots in Queanbeyan and Bungendore and provide Emergency Health Support at five Council public events throughout the year
- In the event of a local emergency situation arising in which the Council requires an Emergency Operations Centre and is unable to access any other suitable premises, St John Ambulance will permit the Council to occupy the Premises for the duration of the emergency status.

***Environmental***

The uses proposed by St John Ambulance are compliant with zoning parameters therefore no Development Application is required.

***Asset***

The property is an asset of the Council and will remain as such.

However, with the EOC related to the RFS building in Council's Queanbeyan Dept, the Kendall Ave property could be considered for sale or lease.

***Social / Cultural***

The St John Ambulance Queanbeyan Division has approximately 60 volunteers, including 25 cadets aged between 11 – 18, who participate in the cadet program, learning vital first-aid skills and building strong community and leadership skills. The volunteers contributed over 1500 volunteer hours this year alone across the wider QPRC region. The importance of the work St John Ambulance provides to our region is invaluable.

***Engagement***

Classified as Council Operational land, there is no requirement to publicly advertise the proposal. Council may wish to publish its availability for sale in the Operational Plan.

**9.20 St John Ambulance - Licence Agreement Proposal - 20-22 Kendall Avenue North, Crestwood (Ref: ; Author: Knight/Carey) (Continued)**

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***Financial***

The proposal is financially beneficial to Council, noting that the current budgeted cost allocated to upgrade Council First Aid Kits annually is \$15,000 and the amount donated to St John Ambulance by Council to provide Emergency Health Support per Council public event is \$450. This equates to approximately \$17,250 over a 12 month period in first aid support, which will now be provided at no fee in exchange for use of the premises at 20-22 Kendall Avenue.

**Conclusion**

Council support for the proposal is sought, noting that the arrangement is beneficial to both parties and supports the invaluable work of St John Ambulance throughout our region.

**Attachments**

Nil

9.21 Audit, Risk & Improvement Committee Charter and Tenure of Members  
(Author: Tozer/Cakalic)

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File Reference: EMC 45.3.1

**Summary**

**Audit, Risk and Improvement Committee Charter:**

The mandate for the establishment of the Audit, Risk and Improvement Committee (ARIC) is derived from Part 428A of the *Local Government Act (NSW)*, as amended by the *Local Government Amendment (Governance and Planning) Act 2016 (NSW)*.

The purpose and responsibilities of the Committee is set out in the ARIC Charter. The Charter is required to be reviewed on an annual basis. The attached revised Charter has been reviewed by the ARIC members. The main changes include:

- Addition of clause 5.3 and 5.4 regarding confidentiality
- Changes to section 7 Terms of Appointment clause 7.2 and the addition of clauses 7.3 and 7.4.
- Changes to clause 9.5 regarding the declaration of Conflicts of Interest
- Addition of clause 13 regarding the resignation and dismissal of members

**Tenure of members:**

There are three independent members of the ARIC as previously appointed by resolution of Council on 24 July 2019.

- Mr Andrew Cox (Chair)
- Ms Carolyn Rosetta-Walsh
- Mr Max Shanahan

The membership term for Ms Rosetta-Walsh and Max Shanahan have expired, whilst Mr Cox's membership is due to expire next year. An extension of their membership term is recommended.

It should be noted that Mr Shanahan and Mr Cox's terms will not be extended at the conclusion of their expiry period (being 30 June 2022 and 30 June 2023 respectively) as they have been long standing members of the QPRC ARIC since 2016. Prior to this they were members of the QCC Audit Committee. It is considered best practice to ensure the rotation and introduction of new members. The expiry of their membership will allow Council to introduce new members to sit on the Committee.

9.21 Audit, Risk & Improvement Committee Charter and Tenure of Members (Author: Tozer/Cakalic) (Continued)

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**Recommendation**

That Council agree to:

1. Adopt the revised Audit, Risk and Improvement Committee Charter.
  2. Reappoint Carolyn Rosetta-Walsh for four years with the option to extend this appointment for a further two years.
  3. Extend Max Shanahan's membership until 30 June 2022, after which time an expression of interest will be sought to appoint a new member.
  4. Extend Mr Andrew Cox's membership until 30 June 2023, after which time an expression of interest will be sought to appoint a new member.
- 

**Attachments**

Attachment 1      Revised ARIC Charter (*Under Separate Cover*)



Attachment 2      Current ARIC Charter (*Under Separate Cover*)





9.22 Request for Donation for Rates Relief (Ref: ; Author: Monaghan/Robinson)

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File Reference: 52.5.2-01

**Summary**

Council has received an application for financial assistance from Kano Jujutsu Institute Limited.

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**Recommendation**

**That Council consider the application under Category C (e) of the QPRC Donations policy for 55% rate relief in the amount of \$2,004.20.**

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**Background**

Council adopted its Donations Policy on 28 October 2020 to provide financial assistance to the community with funding for activities and programs that align with Council's strategic objectives. The Policy provides objective criteria to assess applications in accordance with four funding categories.

A donation application under Category C of the Donations Policy has been received from Kano Jujutsu Institute Limited. Category C allows Council to make annual donations to rebate Council rates.

Kano Jujutsu Institute Limited owns and runs a martial arts training hall on the property at 36 Atkinson Street, Queanbeyan East. Although the organisation charges training fees to junior and senior members, it relies on the goodwill of its members for maintenance and upkeep. The property is rated as Business Ordinary and is not exempt from Ordinary Rates. Kano Jujutsu Institute Limited is not listed under Schedule 1 of the QPRC Donations policy for annual rates donations. Kano Jujutsu is registered as a non-profit company with ASIC.

Council resolved to grant a one-off 50% rebate on the General Rates on the property in the 2018/19, 2019/20 financial years and 55% in the 2020/21 financial year. The total value of the Ordinary Business Rates in the current 2021/22 financial year is \$3,644.00.

**Implications**

***Policy***

The relevant section of the QPRC Donation Policy state that:

***2.6.3 Category 'C' Funding – rates, fees and annual charges***

***(e) Council may at its discretion consider upon application a one-off rates rebate for sporting, recreational and other community organisations that are able to demonstrate registered not-***

**9.22 Request for Donation for Rates Relief (Ref: ; Author: Monaghan/Robinson)  
(Continued)**

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*for-profit status with the Australian Charities and Not-for-Profit Commission and/or a legal entity registered with ASIC and has not-for-profit in its organisational objectives.*



***Financial***

The application includes a self-assessment against the criteria included in schedule 1 of the Council's donation policy, and as a result has requested a donation of 55% of the general rate, being \$2,004.20.

**Conclusion**

Kano Jujutsu Institute Limited meets the policy requirements and Council should consider the request for a one-off general rates rebate.

**Attachments**

- |  |  |
|--|--|
| Attachment 1   | Donation Application ( <i>Under Separate Cover</i> )                           |
|  Attachment 2 | Not for Profit Company Status - Company Search ( <i>Under Separate Cover</i> ) |
|               |  |

9.23 Investment Report - September 2021 (Ref: ; Author: Monaghan/Drayton)

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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 September 2021.

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**Recommendation**

**That Council:**

1. Note the investment return for September 2021 was **-\$396,395**.
  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 September 2021.
- 

**Background**

***Cash and Cash Equivalent Investments***

A list of Council's cash and investments held on 30 September 2021 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 2.52%, outperforming the benchmark Bank Bill Index by 2.48%.

On 30 September 2021, the principal amount invested was \$198,510,087 and the 2021/22 financial year to date return was \$734,293 which is 18.4% of Council's 2021/22 budgeted return.

***Market Update***

At its October 2021 policy meeting, the Reserve Bank (RBA) board left the cash rate unchanged at 0.10%. There was no deviation from their stance that the cash rate will not increase until inflation is within the 2 to 3% target range; a condition that may not be met before 2024.

Of the total \$198.5 million investment portfolio, Council holds \$28.7 million in TCorpIM long- and medium-term funds. Both funds gave back some of their solid 2021/22 financial year returns booking **-\$354,506** and **-\$145,477** respectively in September 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.

**9.23 Investment Report - September 2021 (Ref: ; Author: Monaghan/Drayton)  
(Continued)**

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**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 2021, and Council's Investment Policy.

Certified by Kate Monaghan, Responsible Accounting Officer, 15/10/2021.

***Policy***

The Investment Policy was adopted by Council on 28 July 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.

**Conclusion**

On 30 September 2021, the 2021/22 Financial Year investment return amounted to \$734,293. 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 - September 2021 (*Under Separate Cover*)



**9.24 Register of Declarations of Pecuniary Interests and Other Matters -  
Councillors and Designated Persons (Ref: ; Author: Tozer/Flint)**

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**File Reference:** 52.7.3

**Summary**

All councillors and designated staff are required under Section 440AAB of the *Local Government Act 1993* to lodge by 30 September each year, an annual return for disclosures of their pecuniary interests and other matters. The register of annual returns is required to be tabled at the first Council meeting held after 30 September.

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**Recommendation**

**That in accordance with s.440AAB of the *Local Government Act 1993*, the register of annual returns of disclosures of pecuniary interest and other matters by councillors and designated staff for the period ending 30 June 2021, be tabled.**

---

**Background**

Councillors and designated staff are required to submit their annual returns for the period 1 July 2020 to 30 June 2021 by 30 September 2021. For those staff who have not been employed by Council for the full year, their return period will be from their date of commencement to 30 June 2021.

The information in the declaration may be updated or corrected at any time by submitting a fresh return.

The register of returns for councillors and designated staff is now tabled in accordance with s.440AAB of the *Local Government Act 1993*. It is available for inspection by the public free of charge at Council's administration offices by appointment during business hours.

**Implications**

***Legal***

To comply with s.440AAB of the *Local Government Act 1993*.

**Conclusion**

The register of annual returns by designated staff for their disclosures of pecuniary interests and other matters for the period 1 July 2020 to 30 June 2021 is required to be tabled in accordance with s.440AAB of the *Local Government Act 1993*.

**Attachments**

Nil



9.25 Delegation to Chief Executive Officer (Ref: ; Author: Knight/Ferguson)

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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.

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**Recommendation**

**That, in accordance with s.377(1) of the *Local Government Act 1993 (NSW)*, for the period commencing on Saturday, 4 December 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 December 2021, had been delegated to the Mayor.**

---

**Background**

As a non-popularly elected mayor, the QPRC Mayor's term of office ceases as at the day of the local government general election to be held on Saturday, 4 December 2021. The declaration of the poll by the NSW Electoral Commission is not expected until 24 December, with the first meeting to elect the Mayor, Deputy and delegates is to be held within three weeks of the poll, and currently scheduled for 12 January 2022.

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 during which there is no body politic in place.

The following schedule is from the NSWEC's website:

Saturday, 4 December 2021	Election Day 8am – 6pm Close of capped expenditure period 6pm End of regulated period for electoral material
Friday, 17 December 2021	6pm Return of completed postal vote certificates
Monday, 20 December 2021	Conduct of distribution of preferences
Tuesday, 21 December 2021	Conduct of distribution of preferences Progressive declaration of results
Wednesday, 22 December 2021	Conduct of distribution of preferences Progressive declaration of results
Thursday, 23 December 2021	Progressive declaration of results

The role of the mayor is set out in s.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 s.226 of the Act to the CEO for the period 4 December 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 December 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 under s377(1) immediately before the Mayor ceased to hold office on 4 December 2021.

**9.25 Delegation to Chief Executive Officer (Ref: ; Author: Knight/Ferguson)  
(Continued)**

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The list of delegated functions is at **Attachment 1**.

**Implications*****Legal***

S377(1) enables a council to, by resolution, delegate to the general manager any of the functions of the council under this or any other Act, other than the items listed a-u. This also permits the authorisation of expenditure and income in accord with the adopted budget, including in emergencies (for later endorsement of the elected body).

In accordance with:

1. S234(5) of the Act, regarding the cessation of the mayor's term of office.
2. S377 of the Act, enabling the governing body to give delegations to the CEO and the Mayor.
3. S380 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 December 2021 until the election of the new Mayor of QPRC will ensure that Council can continue to function effectively during that period of time. This may be even more critical given any potential COVID-19 restrictions or natural disaster emergency occurring during the period.

**Attachments**

Attachment 1      Delegations to the Mayor (*Under Separate Cover*)





10.1 Summary of Road Renewal and Maintenance Activities - Quarter 1 2021/22  
(Ref: ; Author: Tegart/Cooke)

File Reference: 31.1.98-02

**Report**

Maintenance Grading of Unsealed Roads

The monthly grading schedule and unsealed road maintenance grading policy is published on the website:

<https://www.qprc.nsw.gov.au/Services/Roads-and-Footpaths?BestBetMatch=grading%20schedule%7C#section-2>

The following table shows the maintenance grading works completed by Council and contractors in Quarter 1 between 1 July 2021 and 30 September 2021:

Road Name	Completion Date	Length Graded (km)
Burrows Lane	14/09/2021	1.28
Mulloon Fire Trail	13/09/2021	11.77
Turallo Terrace	10/09/2021	0.17
Saleyard Lane	09/09/2021	0.51
Mount Elrington Road	09/09/2021	3.1
Hawthorne Lane	06/09/2021	1.27
Farrington Road	03/09/2021	12.38
Peters Street	03/09/2021	0.22
King Street	02/09/2021	0.17
Millpost Lane	01/09/2021	2.92
Mathews Lane	26/08/2021	3.13
Cawthornes Lane	26/08/2021	0.18
Hoskinstown Road	20/08/2021	4.83
Donnelly Lane	20/08/2021	0.67
Izzards Lane	20/08/2021	1.51
Tudor Valley Road	19/08/2021	9.54
Shinglehouse Road	17/08/2021	0.46
Schofield Road	16/08/2021	0.7
Charleys Forest Road	12/08/2021	13.51
Northanger Road	12/08/2021	0.1
Emu Flat Lane	12/08/2021	0.08
Morrison Road	11/08/2021	0.07
Rossi Road	09/08/2021	6.16
Hazeldell Road	09/08/2021	5.16
Cooma Road	06/08/2021	21.27
Wirreandra Road	06/08/2021	4.01
Clare Lane	02/08/2021	0.9
Hoskinstown Road	30/07/2021	4.44
Stoney Ridge Road	30/07/2021	1.21
Forest Lane	30/07/2021	0.77
The Forest Road	29/07/2021	1.34
Myrtle Grove Road	29/07/2021	1.75
Half Moon Road	28/07/2021	4.1
Forbes Creek Road	27/07/2021	8.16
Barnet Drive	27/07/2021	3.09

**10.1 Summary of Road Renewal and Maintenance Activities - Quarter 1 2021/22 (Ref: ; Author: Tegart/Cooke) (Continued)**

Bede Road	27/07/2021	0.54
Wallaces Gap Road	23/07/2021	5.03
Boro Road	23/07/2021	11.55
Manar – Mulloon Road	23/07/2021	14.33
Captains Flat Road	19/07/2021	13.84
Wallaces Gap Road	19/07/2021	6.37
Mount Fairy Road	19/07/2021	7.28
Harolds Cross Road	14/07/2021	7.01
Duckfield Road	09/07/2021	5.97
Neringla Road	08/07/2021	3.49
Steepers Lane	08/07/2021	1.14
Neringla Road	08/07/2021	2.54
Stewarts Crossing Road	07/07/2021	8.48
Dolomite Drive	07/07/2021	1.19
Ingledow Road	06/07/2021	4.55
Mayfield Cross Road	05/07/2021	1.34
Reservoir Lane	05/07/2021	1.42
Mayfield Road	02/07/2021	18.63
Sandholes Road	02/07/2021	3.07
Winter Road	02/07/2021	1.51

**Gravel Re-sheeting**

The following list is the completed gravel re-sheeting works during the first quarter of 2021/22 (July 2021 to September 2021) as per funding from the Disaster Recovery Funding Arrangement.

<b>Road Name</b>	<b>Completion Date</b>	<b>Length Re-sheeted (km)</b>
Hoskinstown Road (section 1)	17/09/2021	4.80
Quists Road	27/08/2021	1.50
Cawthornes Lane	26/08/2021	2.00
Izzards Lane	20/08/2021	1.50
Wallaces Gap Road	18/08/2021	2.50
Harolds Cross Road	29/07/2021	5.00
Captains Flat Road	19/07/2021	15.00

**Recommendation**

**That the report be received for information.**

**Attachments**

Nil

10.2 Graffiti Wall - Bungendore Skate Park (Ref: ; Author: Richards/Hansen)

---

File Reference: 2.8.1 Community Arts

## Report

### Summary

The Graffiti Wall at the Bungendore Skate Park has now been in place for over two years. The trial project was proposed at the 19 December 2018 Council meeting by Councillor Mark Schweikert and was accepted by Council.

### Background

The proposal included construction of a concrete graffiti wall which would be a component of the small skate park already in place in Bungendore.

The wall was constructed by QPRC in 2019. Once completed, the QPRC Community Youth team delivered a Youth Art Project on site, led by a known graffiti artist from the ACT. Local young people were invited to participate and learn graffiti skills and gain knowledge about the artform. A sign was erected on the site to outline acceptable use behaviours for graffiti on the wall. Usage of the wall continues, but interest is limited mainly to 'tagging' rather than 'graffiti art'.



Free wall for graffiti artists – less visible to the public

Young people from Bungendore regularly use the skate park and adjacent recreation areas and occasionally contribute small pieces of graffiti to the free wall. Parks staff currently monitor any graffiti and other art works. Any offensive graffiti is removed.

In its original resolution, Council requested a review to determine the success of the Graffiti wall in Bungendore and to determine whether other walls should be provided across the LGA. This has been problematic due to interruptions of Covid-19.

In general terms, however, the wall continues to provide a 'free art' space for local youth but is not highly utilised. Graffiti does not appear to be an identified problem in Bungendore, and

**10.2 Graffiti Wall - Bungendore Skate Park (Ref: ; Author: Richards/Hansen)  
(Continued)**

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there have been no registered complaints about the Bungendore Graffiti wall. The QPRC Community and Culture teams believe that the wall serves the intended purpose, although

they are unable to qualify any impact on graffiti in the community. The project has been accepted by the community as an integral part of the Bungendore Skate Park, and there appears to be a useful alignment with the other activities in the park.



Bungendore Skate Park Graffiti Wall – visible to public and local residents

A more comprehensive review could be undertaken through *Your Voice* and other Council communication channels, now that parks have been re-opened, if this was viewed as desirable.

Similar projects across the LGA would need to be considered on a case by case basis dependent on community needs.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Nil

**10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract Number 2021-36 (Ref: ; Author: Monaghan/Bray)**

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File Reference: 43.7.1-06

**Summary**

Council engaged Regional Procurement to establish a panel and contracts for Trade Services and Minor works for a period of 3 years commencing 1 November 2021 with an option to extend the contract for two additional periods of 12 months each. Council tailored the tender proposal and documentation to ensure local suppliers were easily able to complete and respond to the tender documents.

The Panel Tender requested each submitter to outline a fixed hourly rate for each category that was submitting. The contract terms and associated rates will be fixed (allowing an increase for CPI) for the term of the contract being 3 years with two 1 year options.

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**Recommendation**

**That:**

- Council award RFT 2021-36 Trade Services and Minor Works Panel Contract to the tenderers in the works categories provided in the table:**

Tenderer ID	Categories Awarded: Minor Works
1	Water/Wastewater Telemetry Systems
2	Concreters
6	Roadside Spraying & Slashing
7	Industrial Electrician, Fire Equipment Services and Maintenance, Mechanical Services (HVAC) and Building Management System Operator (BMS)
8	Automatic Door – Service and Repairs and Cranes – Service, Inspection & Maintenance
10	Project Managers/Consultants
12	Mechanical Services (HVAC)
13	Roadside Spraying & Slashing
14	Service Locators
19	Roadside Spraying & Slashing
21	Roadside Spraying & Slashing
22	Building Management System Operator (BMS)
23	Mechanical Services (HVAC)
24	Building Management System Operator (BMS)
27	Survey and Design Services
28	Industrial Electrician and Mechanical Services (HVAC)
31	Electronic Security Services
32	Mechanical Services (HVAC)
33	Mechanical Services (HVAC) and Environmental Consultants
34	Water/Wastewater Mechanical & Hydraulic Engineering Services
35	Laboratory Testing – Geotechnical & Water/Wastewater, Project Managers/Consultants and Survey and Design Services
36	Automatic Door – Service and Repairs
37	Laboratory Testing – Geotechnical & Water/Wastewater
38	Asbestos Assessor/Consultancy Services and Environmental Consultants
39	Environmental Consultants
41	Concreters and Water/Wastewater Mechanical & Hydraulic Engineering Services
44	Roadside Spraying & Slashing

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### 10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract Number 2021-36 (Ref: ; Author: Monaghan/Bray) (Continued)

45	Automatic Door – Service and Repairs
46	Generator – Service, Inspection & Maintenance
48	Concreters
50	Fire Equipment Services and Maintenance and Mechanical Services (HVAC)
52	Water/Wastewater Mechanical & Hydraulic Engineering Services, Project Managers/Consultants, Survey and Design Services and Structural Engineers
53	Concreters, Building Management System Operator (BMS) and Project Managers/Consultants
54	Survey and Design Services
56	Asbestos Assessor/Consultancy Services
57	Industrial Electrician
60	Building Management System Operator (BMS)
61	Project Managers/Consultants and Environmental Consultants
64	Industrial Electrician
66	Environmental Consultants
67	Architectural Services
69	Sullage Services, Sullage Services, Service Locators, Vehicle & Plant Mechanics, Height Safety Systems and Aquatic Centre Services
71	Automatic Door – Service and Repairs
72	Electronic Security Services
73	Mechanical Services (HVAC)
74	Water/Wastewater Telemetry Systems
76	Asbestos Assessor/Consultancy Services, Architectural Services, Environmental Consultants and Structural Engineers
77	Fire Equipment Services and Maintenance
79	Service Locators and Survey and Design Services
80	Concreters, Tiling Services, Height Safety Systems, Project Managers/Consultants and Architectural Services
81	Structural Engineers
82	Mechanical Services (HVAC)
83	Sullage Services
85	Survey and Design Services
87	Solar System Installer
88	Concreters
92	Solar System Installer
93	Project Managers/Consultants, Survey and Design Services, Architectural Services, Environmental Consultants and Structural Engineers
96	Water/Wastewater Telemetry Systems
98	Project Managers/Consultants and Structural Engineers
101	Industrial Electrician
102	Project Managers/Consultants
103	Project Managers/Consultants and Survey and Design Services
104	Concreters
106	Survey and Design Services
108	Concreters
109	Electronic Security Services
Tenderer ID	Categories Awarded: Trade Services
3	Glazing (Tinting removal only)
4	Plumbing/Drainage/Gas Fitter
5	Asbestos Removal
6	Vegetation Contractors

**10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract  
Number 2021-36 (Ref: ; Author: Monaghan/Bray) (Continued)**

8	Electrician
11	Electrician
13	Vegetation Contractors
17	Painting
19	Vegetation Contractors
20	Asbestos Removal
21	Fencing and Vegetation Contractors
24	Electrician
26	Sign Writing
28	Electrician
29	Locksmiths
30	Electrician
42	Electrician
43	Pest Control
44	Vegetation Contractors
47	Carpentry/Joinery and Builder
50	Electrician
51	Builder
57	Electrician
58	Roof & Gutter Cleaner and Vegetation Contractors
62	Sheet Metal Roofing and Roof & Gutter Cleaner
64	Electrician
68	Fencing
70	Plumbing/Drainage/Gas Fitter
75	Painting
78	Flooring (Vinyl, Carpet, etc.
80	Electrician, Plumbing/Drainage/Gas Fitter, Carpentry/Joinery, Fencing, Painting, Steel Fabricators, Sheet Metal Roofing, Glazing, Flooring (Vinyl, Carpet, etc., Asbestos Removal, Roof & Gutter Cleaner, Builder and Vegetation Contractors
82	Electrician
83	Vegetation Contractors
84	Data Cabling - Reviewed
86	Vegetation Contractors
90	Electrician
91	Plumbing/Drainage/Gas Fitter
94	Glazing
97	Fencing
99	Steel Fabricators
100	Carpentry/Joinery, Painting, Asbestos Removal and Builder
101	Electrician
104	Carpentry/Joinery and Sheet Metal Roofing
105	Plumbing/Drainage/Gas Fitter
107	Electrician, Plumbing/Drainage/Gas Fitter, Carpentry/Joinery, Painting and Vegetation Contractors
108	Vegetation Contractors

- 2. A provision be allowed for 2 x 12 month extensions based on satisfactory supplier performance, which may take this contract to 31 October 2026.**

**10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract  
Number 2021-36 (Ref: ; Author: Monaghan/Bray) (Continued)**

---

**Background**

The purpose of the RFT was to establish a panel of pre-qualified, approved trade services contractors under the following categories:

- Industrial Electrician
- Concreters
- Fire Equipment Services and Maintenance
- Auto Electrical Services
- Sullage Services
- Laboratory Testing – Geotechnical & Water/Wastewater
- Automatic Door – Service and Repair
- Roadside Spraying & Slashing
- Electronic Security Services
- Water/Wastewater Mechanical & Hydraulic Engineering Services
- Generator – Service, Inspection & Maintenance
- Asbestos Assessor/Consultancy Services
- Cranes – Service, Inspection & Maintenance
- Water/Wastewater Telemetry Systems
- Service Locators
- Vehicle & Plant Mechanics
- Tiling Services
- Height Safety Systems
- Mechanical Services (HVAC)
- Security Services
- Removalist
- Building Management System Operator (BMS)
- Project Managers/Consultants
- Survey and Design Services
- Architectural Services
- Environmental Consultants
- Structural Engineers
- Aquatic Centre Services
- Solar System Installers
- Electrician
- Plumbing/Drainage/Gas Fitter



### 10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract Number 2021-36 (Ref: ; Author: Monaghan/Bray) (Continued)

- Data Cabling
- Locksmiths
- Carpentry/Joinery
- Fencing
- Painting
- Steel Fabricators
- Sheet Metal Roofing
- Glazing
- Flooring (Vinyl, Carpet, etc.)
- Asbestos Removal
- Sign Writing
- Pest Control
- Roof & Gutter Cleaner
- Builder
- Vegetation Contractor

One hundred & eighty three (183) tender documents were downloaded from the Tenderlink Portal. Tenders closed at 10.00am on 7 September 2021.

One Hundred & Nine (109) tenders in total were received and all tenders were assessed against the evaluation criteria that were weighted according to their importance as perceived by the Evaluation Panel.

Criteria	%
Price Score	50
Previous Experience	20
Quality Assurance & Risk Management	20
Local Content	10
<b>Total</b>	<b>100</b>

All tenderers were noted as active on the ASIC website.

All tenderer insurance records were checked against Tender requirements and potential non-conformities were noted in the Evaluation Matrix for the consideration of the panel.

All tenders were deemed conforming to the Tender requirements

#### **Implications**

##### ***Legal***

The Trade Services and Minor works Panel RFT was issued in accordance with:

- Section 55 of the *Local Government Act 1993*.
- Part 7 of the *Local Government (General) Regulation 2005*

**10.3 Tender Recommendation - Trade Services and Minor Works Panel Contract  
Number 2021-36 (Ref: ; Author: Monaghan/Bray) (Continued)**

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It is intended that Council will engage each of the successful tenderers for a fixed term of 3 years with the option of extensions for two 1 year periods.

***Policy***

The Trade Services and Minor works Panel RFT was issued in accordance with the QPRC Procurement Policy



***Economic***

As per the Procurement Policy, each tenderer was requested to provide information on delivering Local Economic Benefit to the Council area. During evaluations the Local Economic Benefit criteria applied a weighting of 10%.

**Conclusion**

The tenderers demonstrating best value have been recommended to be awarded the contract as the panel source suppliers for the period 1 November 2021 to 31 October 2024 with the provision for 2 x 12 month extensions based on satisfactory supplier performance.

**Attachments**

- |  |   |
|--|---|
| Attachment 1   | Tender Submissions listing ( <i>Under Separate Cover</i> )                    |
|  Attachment 2 | Regional Procurement Tender Evaluation Report ( <i>Under Separate Cover</i> ) |
|               |   |

11.1 Local Traffic Committee Meeting Minutes - 13 October 2021 (Ref: ; Author: Cooke/Stewart)

---

File Reference: 31.4.1

**Summary:**

The Local Traffic Committee has submitted the minutes and recommendations of its meeting held on 13 October 2021 for Council's information and consideration.

---

**Recommendation**


That Council:

1. Note the minutes of Local Traffic Committee held on 13 October 2021.
2. Adopt recommendations LTC 44/2021 to LTC 48/2021 from the meeting held on 13 October 2021.

LTC 44/2021:	Under the <i>Road Transport Act 2013</i> , approve the design for the Bus Stop on Ashby Drive, Bungendore.
LTC 45/2021:	Under the <i>Road Transport Act 2013</i> , approve the design for Timed Parking restrictions and loading zone in Bonarba Link, Googong.
LTC 46/2021:	Under the <i>Road Transport Act 2013</i> , approve the updated design for the Braidwood School Zone.
LTC 47/2021:	Under the <i>Road Transport Act 2013</i> , approve the design for the Collett and Antill Street Intersection, Queanbeyan.
LTC 48/2021:	Under the <i>Road Transport Act 2013</i> , approve the revised design for the Gorman Drive School Zone as per the design.

---

**Attachments**

Attachment 1  Local Traffic Committee Meeting Minutes - 13 October 2021 (*Under Separate Cover*)



11.2 Audit, Risk and Improvement Committee - Minutes 16 June 2021 (Ref: ;  
Author: Knight/Cakalic)

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File Reference: ECM 45.3.1

**Summary**

This report provides the minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 16 June 2021, as confirmed by the ARIC at its meeting of 16 September 2021.

The objective of the ARIC, as stated in its charter, is to provide independent assurance and assistance to Council in relation to governance, risk management, compliance, and control practices.

The following provides a summary of the reports received by the ARIC at its meeting of 16 June 2021:

- Senior management presentation provided by the Portfolio General Manager Natural and Built Character
- Verbal update on external audit activities by the Audit Office of NSW
- Internal audit activity report by O'Connor Marsden
- Final Internal Audit Report Disaster Recovery
- Final Internal Audit Report Procurement (Tendering)
- Report by the Financial Statements Sub-Committee
- Update on financial matters provided by the CFO
- Review of ARIC actions arising and status of external and internal audit recommendations
- Report on delegations and authorities
- Governance report on policy harmonisation
- Report on major projects and business initiatives
- Disaster recovery project update
- Digital Essential Eight Update
- ICT report
- Update on risk management
- External reports of interest

The ARIC's consideration of and resolution on the above matters are outlined in the attached minutes.


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**Recommendation**

**That Council note the minutes of the Audit, Risk and Improvement Committee held on 16 June 2021.**

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**Attachments**

Attachment 1  Audit, Risk and Improvement Committee Minutes - 16 June 2021 (*Under Separate Cover*)



11.3 Bungendore Town Centre and Environs Committee Meeting Minutes (Ref: ;  
Author: Richards/Duncan)

---

File Reference: 52.3.3

**Summary**

The Bungendore Town Centre and Environs Committee has submitted for Council's information the minutes of its meetings held on 20 September 2021 and 26 August 2021.





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**Recommendation**

**That Council:**

- 1. Note the meeting minutes of the Bungendore Town Centre and Environs Committee held on 20 September 2021.**
  - 2. Note the meeting minutes of the Bungendore Town Centre and Environs Committee held on 26 August 2021.**
- 

**Attachments**

- Attachment 1  BTCEC Ellendon St Arts Link Proposal - 20 September 2021 (*Under Separate Cover*)
- Attachment 2  BTCEC Minutes - 20 September 2021 (*Under Separate Cover*)
- Attachment 3  BTCEC Minutes - 26 August 2021 (*Under Separate Cover*)
- 





11.4 Bungendore War Memorial s355 Committee Meeting Minutes (Ref: ; Author: Richards/Duncan)

---

File Reference: 52.3.3

**Summary**

The Bungendore War Memorial Committee has submitted for Council's information the Minutes of its meeting held on 1 July 2021, the Annual Report for 2021 and the Annual General Meeting Minutes held on 6 August 2020.




---

**Recommendation**

That Council:

1. Note the minutes of the Bungendore War Memorial Committee held on 1 July 2021
  2. Note the minutes of the Bungendore War Memorial Committee Annual General Meeting held on 6 August 2020
  3. Note the 2021 Annual Report of the Bungendore War Memorial Committee.
- 

**Attachments**

- |  |   |
|--|---|
| Attachment 1   | BWMC Minutes - 1 July 2021 ( <i>Under Separate Cover</i> )                          |
|  Attachment 2 | BWMC Annual General Meeting Minutes - 6 August 2020 ( <i>Under Separate Cover</i> ) |
|  Attachment 3 | BWMC 2021 Annual Report ( <i>Under Separate Cover</i> )                             |
|               |   |



11.5 Carwoola/Stoney Creek Area s355 Committee Meeting Minutes (Ref: ; Author: Richards/Duncan)

---

File Reference: 52.3.3

**Summary**

The Carwoola/Stoney Creek Area s.355 Committee has submitted for Council's information the minutes of its meetings held on 27 February 2021, February 2020 and 27 June 2019.




---

**Recommendation**

That Council:

1. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held on 27 February 2021.
  2. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held in February 2020.
  3. Note the minutes of the Carwoola/Stoney Creek Area s.355 Committee held on 27 June 2019.
- 

**Attachments**

- |   |   |
|---|---|
| Attachment 1<br> | Carwoola - Stoney Creek s355 Meeting Minutes - 27 February 2021<br>(Under Separate Cover) |
| Attachment 2<br> | Carwoola - Stoney Creek s355 Meeting Minutes - February 2020 (Under Separate Cover)       |
| Attachment 3<br> | Carwoola - Stoney Creek s355 Meeting Minutes - 27 June 2019 (Under Separate Cover)        |



12.1 Annual Report on Road Closures in LGA (Ref: ; Author: Marshall/Marshall)

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**File Reference:** Motions for 27 October 2021 meeting

**Notice**

Councillor Peter Marshall will move the following motion:

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**Motion**

**That Council:**

- 1. Receive a report annually on road closures due to flooding.**
  - 2. Receive a report on options for real-time reporting on road closures due to flooding, other incidents and events, and planned roadworks.**
- 

**Background**

At the time of writing, the low-level bridge at Briars-Sharrow Road has been flooded in recent days, as has the low-level Turalla Creek crossing in Bungendore. Other roads no doubt have also been affected in recent rain events.

To enable Council to make the best decisions when planning road upgrades, Council and the public need reliable information on the extent of road closures.

This Motion seeks to create a report, proposed to be produced annually, which documents road closures and will enable historical data to be accessed in the future. The report would document which roads were closed on what dates, and for what duration. This could be linked with the most recent traffic counts for those roads to gauge the impact of the closure.

Sources of data for the report will need to be explored, as some crossings are remote, although these probably also generally tend to be the least used. Council may wish to consider remote sensor technology for some roads/crossings. The river gauge on the Molonglo River at Carwoola, for example, which is reported in real-time on the internet, already gives a good indication of when the river crossing at Briars-Sharrow Road is flooded (when the gauge shows more than 1m, there is water over the road to the depth of the river height in excess of 1m).

Secondly, when roads are closed due to flooding, or other natural disasters or events, or even roadworks, reliable information can be difficult for the public to access. They often resort to social media or word of mouth, which may be unreliable and may increase risk-taking behaviour. EG: When a driver arrives at a flooded crossing and chooses to proceed rather than turn around.

The Live Traffic app and QPRC website does not seem to cover local roads. An app and/or website with up-to-date information could reduce risk-taking behaviour. This may be something for development in conjunction with other CRJO Councils.

**12.1 Annual Report on Road Closures in LGA (Ref: ; Author: Marshall/Marshall)  
(Continued)**

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**Staff Comment**

QPRC has worked with Resilience NSW to establish the online Disaster Dashboard, which publishes natural disaster (flood, fire, storm) information, subsequent road closures, utility failures etc - <https://queanbeyanpalerang.disasterdashboards.com/dashboard/overview>

The dashboard website relies largely on automated data uploads. Flooding data would require further gauges and other equipment to be installed. Live Traffic does appear on the dashboard. Resourcing would be required to manually keep records of and report on road closures (beyond the quarterly reports of roads maintenance completed and the monthly advance notice of planned maintenance on the website). Data capable of collection via onsite sensors, is preferable.

**Attachments**

Nil

13.1 Delegates Report (Ref: ; Author: Tegart/Ison)

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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.

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**Recommendation**

**That the report be received for information.**

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<b>Cr Mark Schweikert</b>		
<b>No</b>	<b>Meeting/Function/Event Attended</b>	<b>Summary of Key Points</b>
1	Woodlawn Bio-Reactor Community Liaison Meeting - 9 September 2021	<ul style="list-style-type: none"><li>• In the year to date (9 Sept) Woodlawn has accepted 83,221 tonnes of waste locally and 369,832 tonnes from Sydney. Black Summer Bushfire waste is petering off and stands at 1,240 tonnes.</li><li>• YTD energy production was 36,410 MWH. Methane extraction is operating well and equivalent to taking 67,000 cars off the road monthly.</li><li>• Odour complaints have risen and stand at 300 (YTD). Odour is linked to the wet weather being experienced this year. Veolia has placed more mulch over the pile (another 3,500m<sup>3</sup>) as this is a proven method to reduce odour by acting as a filter. Odour is reported to be reduced by 60%. The last 'odour event' was in 2015-16.</li><li>• EPA and Veolia have placed H<sub>2</sub>S sensors in multiple locations to monitor odour. Two in Tarago and three on site.</li><li>• FOGO trials are being held in Jan 22 with three Sydney councils participating. Plan is to eventually handle over 50,000 tonnes P.A.</li><li>• Road has experienced an increase in truck movements due to increase in waste. 16 from the North and 14 from the South.</li><li>• COVID lockdowns have produced a 20% increase in household waste.</li><li>• Concern was expressed (again) by Veolia and particularly the Tarago community reps and the Goulburn-Mulwara Councillor rep at the slow pace of roadworks by QPRC on the Tarago Rd.</li></ul>

## 13.1 Delegates Report (Ref: ; Author: Tegart/Ison) (Continued)

		<ul style="list-style-type: none"> <li>Plans for the waste to energy recovery plant are progressing as a state significant development. Social media chatter from opponents has been more active and targeted at Bungendore residents through the use of emotionally charged inaccurate reporting of the so-called effects on air quality and town water usage from the new plant (25kms away as the crow flies).</li> </ul>
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Cr Pete Harrison		
No	Meeting/Function/Event Attended	Summary of Key Points
1	Dargues Reef Community Consultative Committee (DRCCC) meeting – 18 October 2021	See attached Cr Harrison's report and attachment.

**Attachments**

- Attachment 1  Cr Harrison - DRCCC Delegates Report (*Under Separate Cover*)
- Attachment 2  Cr Harrison - Attachment: 211018 Report to DRCCC No 41 (*Under Separate Cover*)



14.1 Responses to Councillors' Questions (Ref: ; Author: Tegart/Flint)

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File reference: 27 October 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.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Attachment 1 Responses to Councillors Questions (*Under Separate Cover*)



Attachment 2 Responses to Councilors Questions with Confidential Information (*Under Separate Cover*) - **CONFIDENTIAL**

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

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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 Country Womens Association NSW - Carpark at rear of 152 Wallace Street, Braidwood - Renewal of Licence Agreement with QPRC**

*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 Bungendore Property**

*Item 16.2 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Crawford-Rutledge Properties - Expression of Interest**

*Item 16.3 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*