



Ordinary Meeting of Council

AGENDA

13 April 2022

Commencing at 5.30pm

**Queanbeyan Council Chambers
253 Crawford Street
Queanbeyan**

Despite the easing of COVID restrictions, it should be noted that there is a limited number of public gallery seats available in the Chambers. Presentations can be made in writing or via Zoom. A live stream of the meeting can be viewed at:

<http://webcast.qprc.nsw.gov.au/>

Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Queanbeyan-Palerang Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

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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1 OPENING

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 23 March 2022

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

8 NOTICES OF MOTIONS OF RESCISSION

9 REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

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

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

- Item 9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore
Attachment 1 DA.2021.1609 - 4.15 Assessment Report Matters for Consideration - 260 Lot Subdivision - 174 Tarago Road, Bungendore (Under Separate Cover)
Attachment 2 DA.2021.1069 - Plans and Statement of Environmental Effects - - 260 Lot Subdivision - 174 Tarago Road, Bungendore (Under Separate Cover)
Attachment 3 DA.2021.1609 - Draft Conditions of Consent - 260 Lot Subdivision - 174 Tarago Road, Bungendore (Under Separate Cover)
- Item 9.2 New Procedure for Proponent Initiated Planning Proposals
Attachment 1 Process Diagram - Proponent Initiated Planning Proposals (Under Separate Cover)
Attachment 2 Types of Planning Proposals (Under Separate Cover)
- Item 9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220
Attachment 1 Scoping Proposal (Under Separate Cover)
- Item 9.5 Proposal to Install a Sculpture at Aprasia Park Googong
Attachment 1 Molonglo Conservation Group - Request to install Sculpture (Under Separate Cover)
- Item 9.8 IPART Rate Peg for for 2022-23
Attachment 1 OLG Circular 22-07 Guidelines for Additional Special Rate

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

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- Variation Process for 2022-23 (Under Separate Cover)*
- Item 9.9 Adoption of Draft Financial Assistance and Debt Recovery Policies
Attachment 1 Draft Debt Recovery Policy (Under Separate Cover)
Attachment 2 Draft Financial Hardship Policy (Under Separate Cover)
- Item 10.1 Land-Use Planning Projects / Activities - Status Report
Attachment 1 Land-Use Projects/Activities Status Report September 2021 - 1 April 2022 (Under Separate Cover)
- Item 10.3 2022 Minecraft Sustainable Design Competition
Attachment 1 Minecraft Sustainable Design Competition Brief (Under Separate Cover)
Attachment 2 Minecraft Sustainable Design Competition Terms and Conditions (Under Separate Cover)
- Item 10.5 Review of Asset Accounting Policies
Attachment 1 Draft Asset Accounting Policy: Capitalisation (Under Separate Cover)
Attachment 2 Draft Asset Accounting Policy: Revaluation (Under Separate Cover)
Attachment 3 Draft Asset Accounting Policy: Agency Assets (Under Separate Cover)
Attachment 4 Draft Asset Accounting Policy: Definitions (Under Separate Cover)
- Item 10.6 Resolution Action Sheet
Attachment 1 Resolution Action Sheet (Under Separate Cover)
- Item 11.1 Audit, Risk and Improvement Committee Minutes - 16 December 2021
Attachment 1 ARIC Minutes 16 December 2021 (Under Separate Cover)

Closed Attachments

- Item 9.7 Surrender of Current Licence and Agreement to New Licence for Riverbank Cafe, 4 Trinculo Place Queanbeyan
Attachment 1 Licence Agreement with current business owners (Under Separate Cover)
Attachment 2 Draft licence agreement with purchaser (Under Separate Cover)
Attachment 3 Draft Deed of Surrender for current licence (Under Separate Cover)
- Item 16.1 Undetected Leak Application - Strata Bungendore
Attachment 1 Calculation Sheet (Under Separate Cover)
Attachment 2 Application and Plumber's report (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 23 March 2022 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti

Cr Burton

Cr Grundy

Cr Livermore

Cr Preston

Cr Taskovski

Cr Ternouth

Cr Webster (via Zoom)

Cr Willis

Cr Wilson (via Zoom)

Staff:

P Hansen, A/CEO

K Monaghan, Portfolio General Manager Organisational Capability

T Geyer, A/Portfolio General Manager Natural and Built Character

D Tooth, A/Portfolio General Manager Community Connections

Also Present: W Blakey, Clerk of the Meeting

L Ison, Minute Secretary

1. OPENING

The meeting commenced at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

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

There were no apologies.

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Ordinary Meeting of Council held on 9 March 2022

116/22

RESOLVED (Taskovski/Biscotti)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 9 March 2022 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

117/22

RESOLVED (Biscotti/Preston)

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

The resolution was carried unanimously.

Cr Taskovski declared a non-pecuniary interest in Item 9.11: Licence Renewal of Kangaroo Club Carpark (55-59 Richard Avenue), stating he is a club member of the Kangaroo Football Club (rugby).

6. ADJOURNMENT FOR PUBLIC FORUM

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

118/22

RESOLVED (Winchester/Willis)

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 6.04pm.

7. MAYORAL MINUTE

There was no Mayoral Minute in open session.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

PROCEDURAL MOTION

119/22

RESOLVED (Preston/Winchester)

That Item 12.1 be brought forward for consideration at this juncture.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Molonglo Rail Trail

120/22

RESOLVED (Preston/Willis)

That Council:

1. Note the completed Feasibility Study for a rail trail from Bungendore to Captains Flat.
2. Support in principle the study's recommendation to proceed with a rail trail from Bungendore to Captains Flat.
3. Following the satisfactory resolution of the lead contamination issue, receive a further report from the CEO on:
 - Possible funding models to support a Development Plan for the rail trail.
 - Possible strategies to undertake the necessary community and State government consultation to progress the planning and development of the rail trail.

For: Crs Livermore, Preston, Taskovski, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti, Burton, Grundy and Ternouth

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Adoption of QPRC Urban Forest Cooling Strategy

121/22

RESOLVED (Willis/Biscotti)

That Council adopt the Urban Forest Cooling Strategy noting that actions requiring funding will be considered for inclusion in future Operational Plans and Delivery Plans.

The resolution was carried unanimously.

9.2 Review of Committees of Council

122/22

RESOLVED (Willis/Livermore)

That Council:

1. Endorse the proposed Committee Structure for exhibition for community comment for 28 days excluding public holidays.
2. During the exhibition period, hold an online meeting of up to two representatives from each of the village progress associations to discuss the proposed changes in particular to locality committees and alternative approaches.
3. Receive a further report following the exhibition period addressing the comments received.

The resolution was carried unanimously.

- 123/22 **9.3 2022 Election Funding Projects**
RESOLVED (Winchester/Livermore)
That Council endorse the above list of projects to be presented for funding in advance of the 2022 Federal election.

The resolution was carried unanimously.
- 124/22 **9.4 Consultation on Majors Creek and Araluen Greenwaste**
RESOLVED (Biscotti/Webster)
That Council:
 1. Consult with the Majors Creek and Araluen communities on the available options for managing greenwaste as summarised in this report.
 2. Receive a further report on the results of the consultation.
The resolution was carried unanimously.
- 125/22 **9.5 Application for a QPRC Cultural Grant - Queanbeyan Police and Citizens Youth Club (PCYC)**
RESOLVED (Preston/Taskovski)
That Council approve the donation of a \$2,500 QPRC Cultural Grant to Queanbeyan PCYC Inc to assist with costs of a 'Fit Together' cultural program for local Aboriginal youth.

The resolution was carried unanimously.
- 126/22 **9.6 Application for QPRC Cultural Grant - Create Collaborate Collective Inc.**
RESOLVED (Willis/Preston)
That Council approve a Cultural Grant donation of \$3,000 to Create Collaborate Collective Inc to assist with costs for a workshop on conservation of local artist Connee Colleen's sculptures, and with the conservation of three life-sized sculptures of Queanbeyan identities.

The resolution was carried unanimously.

- 127/22 **9.7 Code of Meeting Practice - Post Public-exhibition**
RESOLVED (Willis/Livermore)
That Council:
 1. Note the Submissions received during public exhibition.
 2. Confirm Option 1 as the most appropriate Statement of Ethical Obligations to appear on the cover of all Business Papers.
 3. Review highlighted additions to the revised draft Code of Meeting Practice.
 4. Adopt the revised draft Code of Meeting Practice.

The resolution was carried unanimously.

- 128/22 **9.8 Councillor and Staff Interaction Policy - Post Public-exhibition**
RESOLVED (Grundy/Livermore)
That Council:
 1. Note the five submissions received as a result of public exhibition.
 2. Adopt the Councillor and Staff Interaction Policy in its current form.

The resolution was carried unanimously.

- 129/22 **9.9 Register of Declarations of Pecuniary Interests and Other Matters - Councillors**
RESOLVED (Biscotti/Preston)
That in accordance with s.440AAB of the *Local Government Act 1993*, the register of returns of disclosures of pecuniary interest and other matters by Councillors be tabled.

The resolution was carried unanimously.

- 130/22 **9.10 Investment Report - February 2022**
RESOLVED (Taskovski/Wilson)
That Council:
 1. Note the investment return for February 2022 was -\$632,881.
 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 February 2022.

The resolution was carried unanimously.

Cr Taskovski declared an interest in the following item and left the Chambers at 6.31pm.

9.11 Licence Renewal of Kangaroo Club Carpark (55-59 Richard Avenue)

131/22

RESOLVED (Biscotti/Webster)

That:

1. Council renew the licence agreement with the Queanbeyan Kangaroo Rugby Club of 55-59 Richard Avenue for the purpose of operating a car park for a further five years under the same conditions as the current licence.
2. The draft licence be publicly advertised in accordance with section 47A of the *Local Government Act*.
3. If no objections to the proposal are received, the Chief Executive Officer be authorised to execute the Licence Agreement on behalf of Council.

The resolution was carried unanimously.

Cr Taskovski returned to the Chambers at 6.34pm.

9.12 2021-22 Loan Program

MOVED (Burton/Biscotti)

That Council:

1. Approve the 2nd year loan drawdown of \$26,000,000 for the QCCP from NSW Treasury Corporation.
2. Approve the recommended borrowings for 2021-22 and authorise the Mayor and Chief Executive Officer to enter a new loan agreement with NSW Treasury Corporation for a total loan of \$22,771,000 that includes funding for:
 - i) \$15,000,000 – Regional Sports Complex, stage 1
 - ii) \$1,023,000 – Bungendore Carpark
 - iii) \$5,250,000 – Monaro Street upgrade
 - iv) \$362,000 – Jim Gray Bore
 - v) \$474,000 – Bungendore East Bore
 - vi) \$662,000 – Currandooly Clear Water Delivery Main
3. Note the indicative TCorp interest rate is 3.39% as at March 2022, and note that the fixed interest rate will be set at the time of the loan drawdowns.
4. Request that TCorp provide options to Council for fixing interest rates for future year borrowings including the 3rd year for the QCCP project.

AMENDMENT (Willis/Webster)

That Council:

1. Approve the 2nd year loan drawdown of \$26,000,000 for the QCCP from NSW Treasury Corporation.
2. Approve the recommended borrowings for 2021-22 with the exception of the Monaro Street upgrade and authorise the Mayor and Chief Executive Officer to enter a new loan agreement with NSW Treasury Corporation for a total loan of \$17,521,000 that includes funding for:
 - i) \$15,000,000 – Regional Sports Complex, stage 1
 - ii) \$1,023,000 – Bungendore Carpark
 - iii) \$362,000 – Jim Gray Bore
 - iv) \$474,000 – Bungendore East Bore
 - v) \$662,000 – Currandooly Clear Water Delivery Main
3. Note the indicative TCorp interest rate is 3.39% as at March 2022, and note that the fixed interest rate will be set at the time of the loan drawdowns.
4. Request that TCorp provide options to Council for fixing interest rates for future year borrowings including the 3rd year for the QCCP project.
5. Seek approval from the NSW Government to reassign the Monaro Street upgrade grant to urgent road and bridge works.

The amendment (of Crs Willis and Webster) was PUT and LOST.

For: Crs Webster and Willis

Against: Crs Biscotti, Burton, Grundy, Livermore, Preston,
Taskovski, Ternouth, Wilson and Winchester

The motion (of Crs Burton and Biscotti) was brought forward, PUT and CARRIED.

132/22

RESOLVED (Burton/Biscotti)

That Council:

1. Approve the 2nd year loan drawdown of \$26,000,000 for the QCCP from NSW Treasury Corporation.
2. Approve the recommended borrowings for 2021-22 and authorise the Mayor and Chief Executive Officer to enter a new loan agreement with NSW Treasury Corporation for a total loan of \$22,771,000 that includes funding for:
 - i) \$15,000,000 – Regional Sports Complex, stage 1
 - ii) \$1,023,000 – Bungendore Carpark
 - iii) \$5,250,000 – Monaro Street upgrade
 - iv) \$362,000 – Jim Gray Bore
 - v) \$474,000 – Bungendore East Bore
 - vi) \$662,000 – Currandooly Clear Water Delivery Main
3. Note the indicative TCorp interest rate is 3.39% as at March 2022, and note that the fixed interest rate will be set at the time of the loan drawdowns.
4. Request that TCorp provide options to Council for fixing interest rates for future year borrowings including the 3rd year for the QCCP project.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Tidy Towns Awards

133/22

RESOLVED (Taskovski/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.2 Councillor Workshops

134/22

RESOLVED (Willis/Ternouth)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Section 355 Committee Minutes

135/22

RESOLVED (Willis/Ternouth)

That Council:

1. Note the AGM minutes of Braidwood Showground Reserve Trust s.355 Committee held on 11 November 2021.
2. Note the minutes of Braidwood Showground Reserve Trust s.355 Committee held on 10 June 2021.
3. Note the minutes of Bungendore War Memorial s.355 Committee held on 3 February 2022.
4. Note the minutes of Burra/Cargill Park Reserves s.355 Committee held on 16 February 2022.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Molonglo Rail Trail

This item was dealt with in earlier business.

12.2 Community Meeting Space

136/22

RESOLVED (Willis/Preston)

That Council:

1. Receive a report from staff detailing:
 - a. Available meeting space in Council-owned facilities including:
 - i. Rooms that may become available once Queanbeyan-based staff are consolidated in the new Civic and Cultural precinct, and
 - ii. the date they are expected to become available.
 - b. Criteria for receiving a grant and whether these should be revised in light of increased demand for meeting spaces across the local government area.
 - c. The funding sum set aside for this grant program in 2019-20; 2020-21; 2021-22.
 - d. Whether the grant program was fully expended and where insufficient funds were available to meet all eligible applications.

2. Conduct a workshop to consider the report and how to meet increased demand for affordable community meeting space before:
 - a. Finalising a funding allocation for the QPRC Annual Community Grants Program Category B for 2022-23.
 - b. Identifying changes to the grants program that may be needed to support growing demand for community meeting space, including making more space available and how to do this, and updating the grant criteria.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no delegates' reports.

14. QUESTIONS WITH NOTICE

14.1 Responses to Councillors' Questions

137/22

RESOLVED (Biscotti/Winchester)

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 Winchester advised that there were items on the Agenda that should be dealt with in Closed Session.

Cr Winchester 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

138/22

RESOLVED (Winchester/Taskovski)

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

Item 16.1 Undetected Leak Application - Bungendore

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

Item 16.2 Sale of Lots 11, 12 and 13 DP 574879 at Majors Creek

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

Supplementary Mayoral Minute

Item 16.3 CEO Recruitment

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

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.57pm to discuss the matters listed above.

Item 16.3, being a Mayoral Minute, was brought forward for consideration at this juncture.

With the exception of the Minute Taker, all staff left the Chambers at 6.57pm.

SUPPLEMENTARY MAYORAL MINUTE

16.3 CEO Recruitment

139/22

RESOLVED (From the Chair)

That Council:

1. Receive and note the attached report on Process and Outcome of the recruitment process and interviews conducted for the position of Chief Executive Officer of Queanbeyan-Palerang Regional Council.
2. Offer the preferred candidate, Ms Rebecca Ryan, the position of Chief Executive Officer of Queanbeyan-Palerang Regional Council on a 5-year fixed term performance based contract.
3. Maintain the confidentiality of the documents and considerations in respect of the CEO recruitment process.

The resolution was carried unanimously.

Staff returned to the Chambers at 7.04pm.

16.1 Undetected Leak Application - Bungendore

140/22

RESOLVED (Preston/Taskovski)

That Council write off a total of \$1,576.98 in water usage charges for the property listed in this report.

For: Crs Livermore, Preston, Taskovski, Webster, Willis, Wilson and Winchester

Against: Crs Biscotti, Burton, Grundy and Ternouth

The resolution was carried unanimously.

16.2 Sale of Lots 11, 12 and 13 DP 574879 at Majors Creek

141/22

RESOLVED (Grundy/Burton)

That Council:

1. Proceed with the sale of Lots 11, 12 and 13 DP 574879 at Majors Creek in accordance with Item 1 a. and b. of Palerang Council Resolution 304/2013 dated 5 December subject to:
 - a. Receipt of a soil assessment report indicating that the site is suitable for an onsite effluent waste management system.
 - b. Survey of the property boundaries to identify encroachments.
 - c. Creation of an easement of Lot 13 DP 574879 to maintain and legalise the existing vehicular access to the residence on Lot 3 DP 758636.
2. Offer the property for sale via open sale or public auction.
3. Authorise the CEO to execute sale contracts and finalise the disposal of the subject land.

The resolution was carried unanimously.

142/22

RESOLVED (Preston/Livermore)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.34pm.

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

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

17. CONCLUSION OF THE MEETING

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

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus)

File Reference: DA.2021.1609

Summary

Reason for Referral to Council

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

Proposal:	260 Lot Torrens title subdivision, including associated roads, infrastructure and landscaping (North Elmslea - Stage 2A and Stage 2B).
Applicant/Owner:	Fraish Consulting Pty Ltd/ Elmslea Land Developments Pty Ltd
Subject Property:	Lot 1 DP 798111, No. 174 Tarago Road, Bungendore, NSW.
Zoning and Permissibility:	R2 Low Density Residential under the <i>Palerang Local Environmental Plan 2014</i> .
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Engineering requirements Biodiversity Contamination
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Recommendation

That:

- 1. Development application DA.2021.1609 for a 260 Lot Torrens Title Subdivision for residential purposes, roads, and associated subdivision construction works on Lot 1 DP 798111, No. 174 Tarago Road, Bungendore be granted conditional approval.**
 - 2. All relevant State Government concurrence and integrated referral authorities be forwarded a copy of Council's Notice of Determination.**
-

Background

Planning Proposal

The subject site was rezoned from RU1 Primary Production to R2 Low Density Residential under a Planning Proposal (*Palerang Local Environmental Plan 2014* (Amendment 9)) which was gazetted on the 15 May 2020. The planning proposal included the following amendments to the *Palerang Local Environmental Plan 2014*:

- Amending the minimum lot size from 80ha to 850m².
- Amending the maximum height of buildings from 10m to 8.5m.
- Removal of the lot averaging provision.

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

DA.2020.1469

Development application DA.2020.1469 approved the first stage of this new residential estate and included a 91 lot Torrens title subdivision, roads, and associated subdivision construction works. Construction of this first stage of the subdivision is well underway.

Subject Property

The subject site is legally described as Lot 1 DP 798111 and is commonly known as 174 Tarago Road, Bungendore.

The site is located to the north of the Bungendore village and adjacent to existing residential development in Elmslea Estate.

The proposed development will be Stage 2 of the approved North Elmslea Estate and is located to the eastern side of the 91 lots approved in Stage 1.

The subject site has an undulating topography with flatter areas located to the west of the site. There are no significant trees on the site and it is predominately covered by grasslands which have been modified over time due to historical agricultural use of the land.

The site is currently vacant and has been historically used as grazing land. Infrastructure works are currently being undertaken which are associated with the approved 91 Lot subdivision to the west of the development site. There are no existing structures located on the site and access to the lots is proposed to be taken from five of the approved Stage 1 roads.

Surrounding development is of a similar nature comprising residential development to the south and west (infrastructure works currently being undertaken) of the subject site. Agricultural land is located to the east across the railway line and to the north.



Figure 1 – Locality Plan showing Parent Allotment

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)



Figure 2 – Location of Proposed Subdivision Works

Proposed Development

The application seeks Council approval for the subdivision of land for residential use.

The specific elements of the proposal are as follows:

- 260 Lot subdivision - Stage 2A containing 123 Lots and Stage 2B containing 137 Lots.
- The lots range in size from 850m² to 2075m² as follows.

51 Lots	21%	850m ² < 899m ²
26 Lots	10%	900m ² < 999m ²
134 Lots	52%	1000m ² < 1099m ²
20 Lots	8%	1100m ² < 1199m ²
29 Lots	11%	> 1200m ²

- Subdivision construction works.
- Construction of associated roads.
- Construction of walkways, open space, and landscaping.



Figure 3 - General Arrangement Plan (Prepared by Fraish Consulting)

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

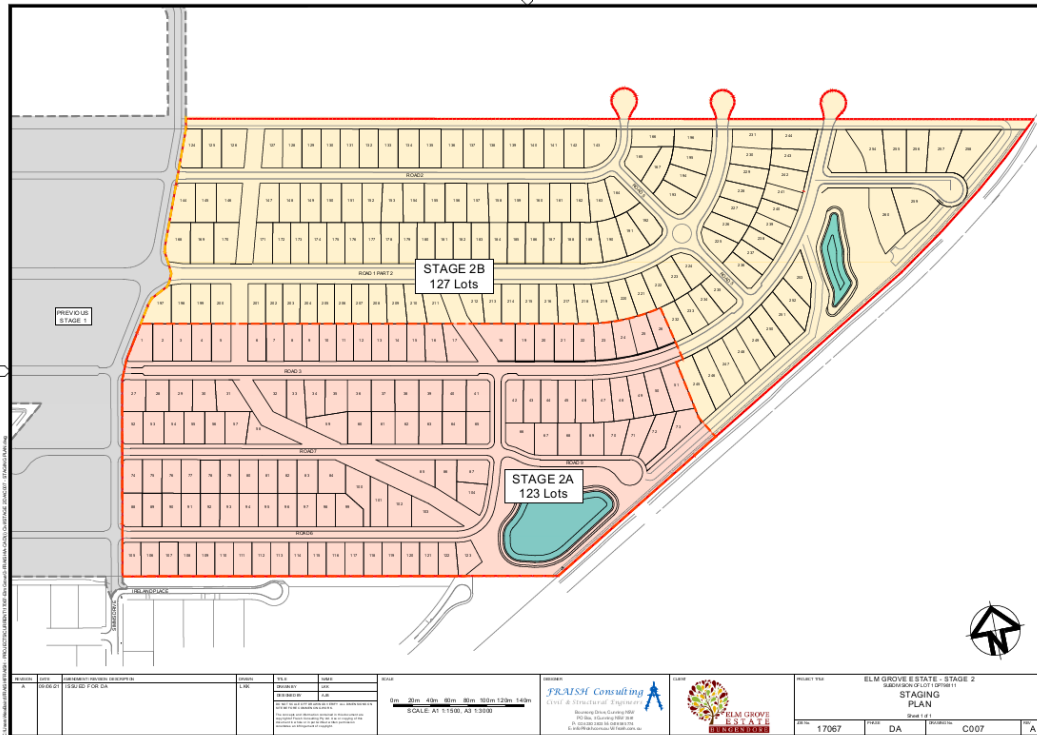


Figure 4 - Staging Plan (Prepared by Fraish Consulting)

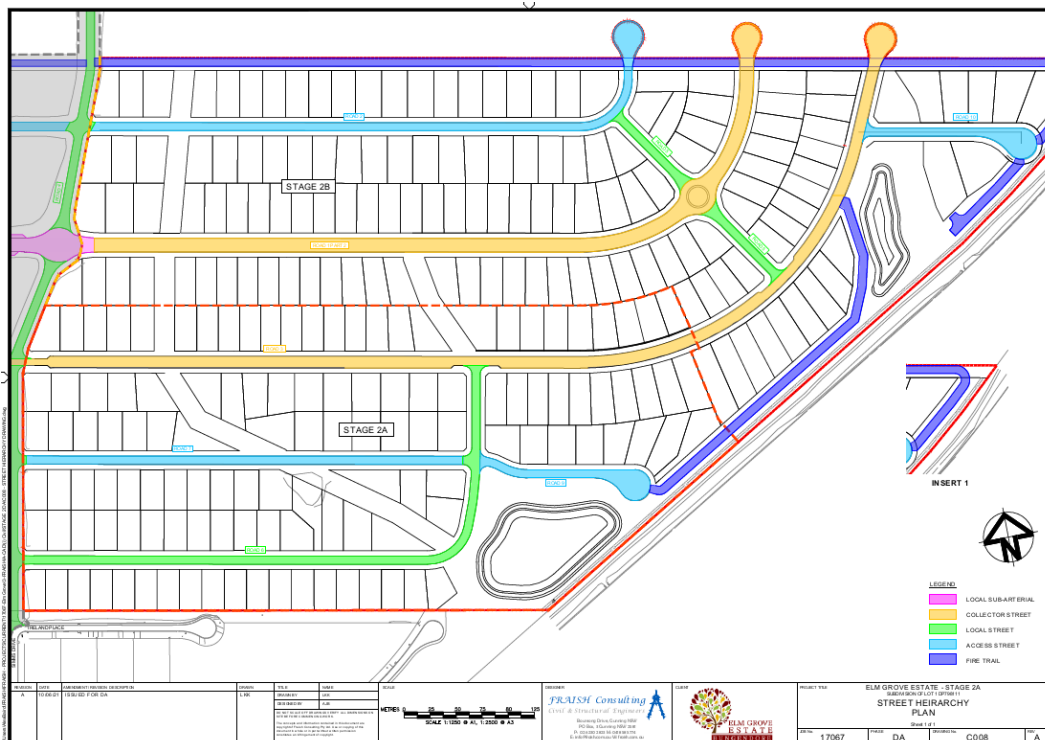


Figure 5 - Street Hierarchy Plan (Prepared by Fraish Consulting)

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

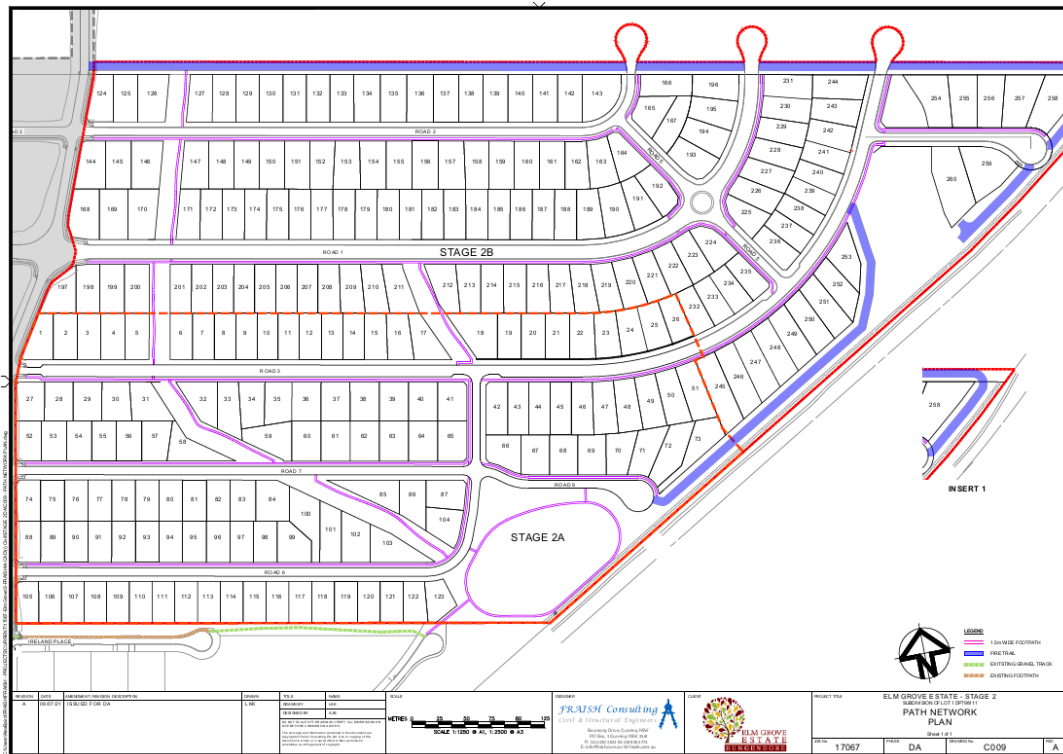


Figure 6 - Path Network Plan (Prepared by Fraish Consulting)

Planning Requirements

Assessment of the application has been undertaken in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act (EPAA) 1979*, as amended. The matters that are of relevance under Section 4.15(1) are summarised in the attached *Section 4.15 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 No.55 – Remediation of Land*
2. *State Environmental Planning Policy (Infrastructure) 2007*
3. *Palerang Local Environmental Plan 2014 (PLEP 2014)*
4. *Palerang Development Control Plan 2015 (PDCP 2015)*

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

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

Integrated Development

The following integrated development approvals were required as part of this development.

Act	Provision	Approval	Consent Authority
Rural Fires Act 1997	s100B	Authorisation under Section 100B in respect of bushfire safety of subdivision of land that could lawfully be used for residential purposes or development of land for special fire protection purposes.	NSW Rural Fire Service
National Parks and Wildlife Act 1974	s90	Grant of Aboriginal Heritage Impact Permit (AHIP).	Heritage NSW – Department of Premier and Cabinet

General Terms of Approval (GTAs) were issued by each applicable agency listed in the table above. GTAs are provided within appendices of the attached Section 4.15 Assessment Report. GTAs will also form conditions of consent, if the development is approved.

External Referrals

In addition to the above, the proposal was also referred to the following external agencies.

- Essential Energy
- Transport for NSW (including John Holland Rail)
- DPIE - Environment, Energy and Science (BCD)
- NSW Police (Crime Prevention Officer)

Comments from each agency have been provided in the attached Section 4.15 Assessment Report.

State Environmental Planning Policy (Infrastructure) 2007

The application was referred to Essential Energy in accordance with Section 45 of the *State Environmental Planning Policy (Infrastructure) 2007*. A response was received on 10 December 2021 providing comments that “*Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.*” In addition, Essential Energy have provided general comments which will be placed on the development consent as advisory notes.

The application was also referred to Transport for NSW (TfNSW) in accordance with Clause 85 of the *State Environmental Planning Policy (Infrastructure) 2007* as the proposed development is located within proximity to the Sydney to Canberra Railway Line. Comments from TfNSW were received advising that “*TfNSW does not believe the proposed development will have a significant impact on the state road and rail network. On this basis, TfNSW does not object to the DA subject to the requirements outlined in Attachment 1 being included in the conditions of any development consent issued. Advisory notes have been provided regarding roads and rail for this DA and have been included in Attachment 2 and Attachment 3.*”

One of the recommendations provided by TfNSW was that Council is required to ensure that appropriate measures for noise mitigation are taken to ensure that future residents are not subjected to rail noise or vibration due to the current rail operation.

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

The submitted rail noise assessment provided detail that due to the distance from the rail line to the proposed lots and the measured levels that the “*..internal criteria specific acoustic controls would not be required for the design of future dwellings at the development to control rail noise intrusion.*” As Transport for NSW require consideration of future residents and the development proposing allotments that will be adjacent to the existing railway line; the consent will contain a condition that the 88B instrument is to include that all dwellings adjacent to the rail line are required to meet Australian Standards for acoustic performance. This requirement is consistent with other residential subdivisions approved along the Bungendore rail corridor.

State Environmental Planning Policy No.55 – Remediation of Land

Referral was made to Council’s Environmental Health Team for comments in relation to potential contamination of the site as it has previously been used for agricultural use and is adjacent to the railway line.

The Team advised that the current contamination report for the site (Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI)) must be adhered to and that the DSI had identified the rail corridor as a historical contamination source of lead. The DSI contamination report indicated four soil sample were taken along the boundary of the rail corridor and found very low levels of lead that were well under the health investigation levels.

TfNSW has noted in their response to Council that elevated levels of lead in soil in various areas next to and in the rail corridors have been found in Bungendore and that continuing investigations including additional soil testing in the rail corridor are being undertaken. However, the only unsatisfactory areas identified to date are around the area of the railway station and the Lake George Men’s shed/rail loading area (a significant distance from the subject site). TfNSW could not determine at this stage if the subject site is impacted by the elevated levels of lead and provided a recommendation that the applicant contact TfNSW to discuss potential impacts. An advisory note will be included in any consent recommending that the applicant maintain contact with Transport for NSW so that they are kept apprised of any information that might result from further studies being undertaken.

To ensure that any unknown areas of contamination are identified and remediated in the future, the consent will contain conditions relating to unexpected find protocols and the provision of a validation report confirming the suitability of site.

Council’s Environmental Health Team provided further comment that although the report was completed prior to the knowledge of potential lead contamination in the rail corridor the report is acceptable given that the DSI includes sample sites near the corridor that were tested for lead and show acceptable levels.

Further, there is no evidence to suggest that any further studies are required. Council can therefore be satisfied that, subject to the recommendations of the DSI report being implemented, the land is suitable of the proposed residential development on the site and that Council’s obligations under SEPP 55 can be satisfied.

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

State Environmental Planning Policy - Koala Habitat Protection 2020

The development will not require the removal of any significant vegetation and is located on a site with predominantly grasslands vegetation. It is unlikely that the site contains Koala habitat.

Furthermore, the submitted Flora and Fauna Report prepared by Lesryk Environmental Pty Ltd assessed requirements under SEPP 44 and the report stated that “*The subject site is a cleared, essentially isolated (by urban infrastructure and developments) exotic grassland. Within this site, no eucalypts are present. Considering the nature of the subject site, this environment would not be occupied or traversed by Koalas. Within the proximate surrounding area, no woodland habitat suitable for occupation by Koalas is present.*”.

(a) Compliance with LEP

Palerang Local Environmental Plan 2014 Zoning and Permissibility

Zoning and Permissibility

The development site where the proposed lots are to be located is Zoned R2 Low Density Residential zone under *Palerang Local Environmental Plan 2014* (Figure 8 below).

Development for the purposes of subdivision such as is proposed is permissible within the zone with consent under Clause 2.6 of the PLEP 2014.



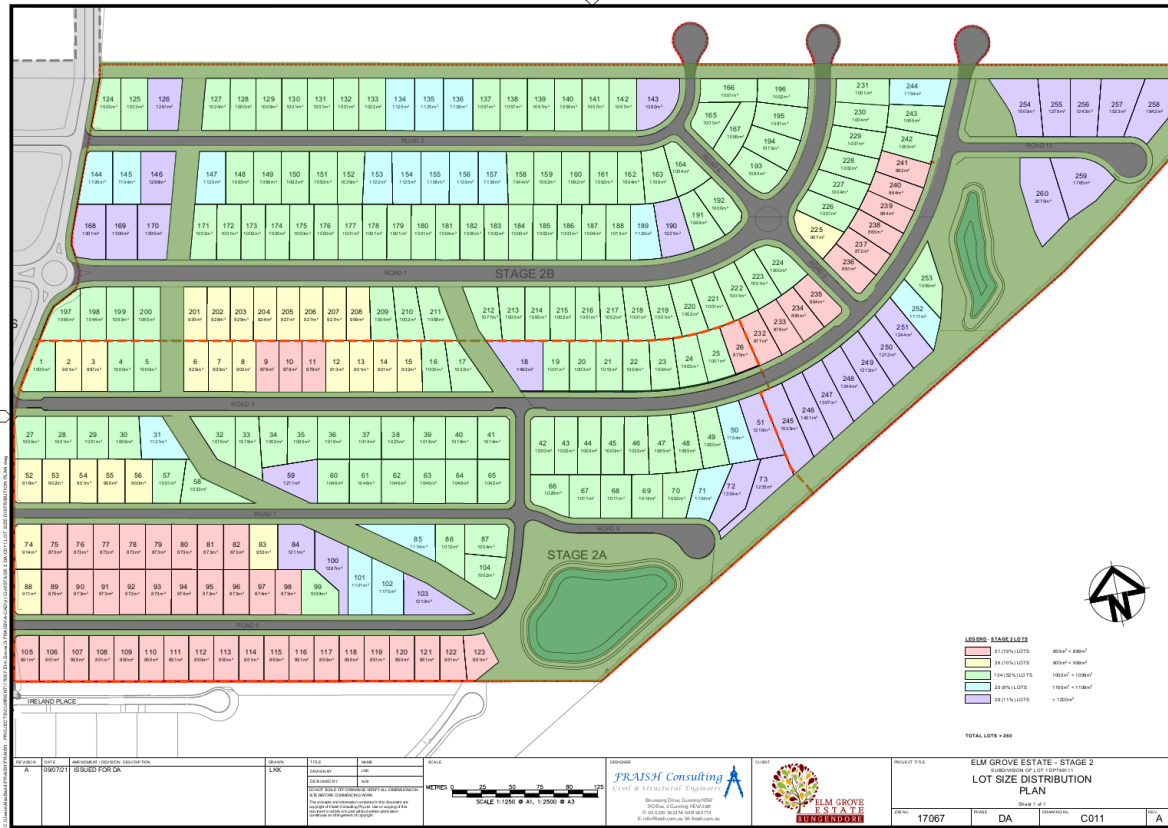
Figure 7 - Land zoning map (Intramaps)

The proposal is considered to be consistent with the objectives of the Low Density Residential Zone because the development is of a residential type, provides lots for housing needs of the community, allows for services and facilities to be delivered to future residents and the development complements the scale, density and form of the existing development in the area.



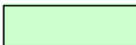


9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

Minimum Lot Size

The minimum lot size relevant to the subject land is 850m². Pursuant to clause 4.1 of the PLEP 2014. All proposed lots meet/exceed the minimum lot size requirements.



LEGEND - STAGE 2 LOTS

	51 (19%) LOTS	850m ² < 899m ²
	26 (10%) LOTS	900m ² < 999m ²
	134 (52%) LOTS	1000m ² < 1099m ²
	20 (8%) LOTS	1100m ² < 1199m ²
	29 (11%) LOTS	> 1200m ²

TOTAL LOTS = 260

Figure 8 - Lot Size Distribution Plan and legend (Prepared by Fraish Consulting)

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

(b) Compliance with DCP

Palerang Development Control Plan 2015

The proposed development is generally consistent with the requirements of the PDCP 2015. The applicable sections of the PDCP 2015 have been assessed in detail within the attached Section 4.15 Assessment Report. These include the relevant sections and controls of Part B – General Provisions and Part C – Development Specific Provisions (C1 Subdivision).

(c) Other Matters

i. Development Engineer's Comments

Council's Development Engineer has provided comments on the following items:

- Water
- Sewer
- Storm Water
- Erosion and Sediment Control
- Roads and Traffic
- Footpaths
- Utilities

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. Detailed comments from the Development Engineer have been provided in the attached Section 4.15 assessment report.

ii. Strategic Town Planner

Council's Strategic Town Planner offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

iii. Environmental Health Comments

Council's Environmental Health Team offered no objections to the proposal, subject to the imposition of recommended conditions of consent and overall is satisfied with stage 2 from an environment and health standpoint. Detailed comments from the Environmental Health Officer have been provided in the attached Section 4.15 assessment report.

iv. Urban Landscapes Department Comments

Council's Service Manager of Urban Landscapes offered no objections to the proposal subject to the requirement that a landscape plan is submitted detailing planting schedules and materials for all public land, street trees, parks, ponds, outdoor gym and barbecue areas. A condition will be applied to the consent to ensure that a detailed landscaping is submitted

v. LIS Comments

Council's LIS team offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

Financial Implications

Section 64 and Section 7.11 Contribution charges are applicable to the proposed development.

Section 64 contributions apply to this 260 Lot Torrens subdivision. As the land parcel was rezoned RU1 Primary Production to R2 Low Density Residential, a credit is not applicable in this instance. The water and sewer headworks contributions for 260 ETs on a Greenfield site are calculated as follows;

- Bungendore (Greenfield) Water Headworks (\$19,715 x 260) = \$5,125,900,
- Bungendore (Greenfield) Sewer Headworks (\$11,144 x 260) = \$2,897,440.

Section 7.11 contributions apply to this 91 Lot Torrens subdivision. As the land parcel is rezoned RU1 Primary Production to R2 Low Density Residential, a credit is not applicable in this instance. The following contributions for 260 new lots on a Greenfield site are calculated as follows;

- *Yarrowlumla Plan No.1 – Bungendore Public Services and Amenities = \$907,660
- *Palerang Plan No.7 – Bungendore Recreation Facilities = \$830,440
- Bungendore Plan No.8 – Bungendore Pathway Network = \$342,680
- Bungendore Plan No.9 – Bungendore Street Upgrading = \$945,620
- Bungendore Plan No.11 – Car Parking Facilities (Residential) = \$174,200

*Note - These Plans were replaced with the Bungendore Community and Recreation Facilities Plan 2022 on February 2022. However, the Plan in place at the time the DA was lodged applies rather than the Plan in place at the time of determination. As the DA was lodged prior to February 2022 the former plans apply.

Engagement

The application was notified and advertised in accordance with the Community Engagement and Participation Plan from 18 November 2021 to 17 December 2021. No submissions were received during the notification period.




Conclusion

The submitted proposal for a 260 Lot Torrens Title Subdivision for residential purposes, associated roads, and subdivision construction works on Lot 1 DP 798111, No.174 Tarago Road, Bungendore is integrated development and is supported by a Statement of Environmental Effects (SEE). The proposal was notified to adjoining owner/occupiers and advertised and no submissions were received during the notification period.

The proposal has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of the Palerang Local Environmental Plan 2014 and Palerang Development Control Plan 2015 and generally satisfies the requirements and achieves the objectives of these instruments and is recommended for approval.

9.1 Development Application - DA.2021.1609 - 260 Lot Subdivision, Roads & Associated Subdivision Construction Works - North Elmslea - Stage 2A and 2B - 174 Tarago Road, Bungendore (Ref: ; Author: Thompson/McManus) (Continued)

Attachments

- Attachment 1  DA.2021.1609 - 4.15 Assessment Report Matters for Consideration - 260 Lot Subdivision - 174 Tarago Road, Bungendore (*Under Separate Cover*)
- Attachment 2  DA.2021.1069 - Plans and Statement of Environmental Effects - - 260 Lot Subdivision - 174 Tarago Road, Bungendore (*Under Separate Cover*)
- Attachment 3  DA.2021.1609 - Draft Conditions of Consent - 260 Lot Subdivision - 174 Tarago Road, Bungendore (*Under Separate Cover*)

9.2 New Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Thompson/Carswell)

File Reference: 26.1.98-07

Summary

The purpose of this report is to outline a proposed procedure for proponent initiated (rezoning requests) planning proposals. This has been prompted by the submission of five scoping proposals since the beginning of this year, with some of these likely to proceed to planning proposal stage. If supported by Council, staff will have the basis to provide existing and future proponents with consistent advice and a standardised approach to lodging planning proposals.

Recommendation

That Council:

1. **Receive and note this report.**
 2. **Adopt the procedure as outlined in this report for proponent initiated planning proposals, including the requirement to submit a scoping proposal as a pre-condition to formally lodging a planning proposal.**
-

Background

Proponent initiated planning proposals are those where the documentation, studies and application for the planning proposal are prepared by the proponent for a rezoning that they wish to pursue. The alternate form is a Council initiated planning proposal, where Council pursues the rezoning proposal in order to meet its strategic planning aims for the community. The preparation of the comprehensive LEP is a typical example of the latter. This report focuses on the procedure for processing proponent initiated planning proposals, as the process for Council initiated planning proposals is already well documented.

Proponent initiated planning proposals are being strongly encouraged by the Government as part of its planning reforms, and procedures for them are outlined in both the latest Local Environmental Plan Making Guideline December 2021 (the Guidelines) (Attachment 1) and associated material. Council has recently received advice from the Department of Planning and Environment (Department) which has confirmed the scoping and planning proposal process in Attachment 1. In the documentation the Department states:

I can confirm that the attached flowchart (Attachment 1) is consistent with the Department's new LEP Making Guideline (dated December 2021). As you have indicated in your email, the Guideline acknowledges that although the pre-lodgement process is not a legislative requirement, the Department highly recommends this process be undertaken prior to a planning proposal being lodged with Council.

I can also confirm that the pre-lodgement process, including the submission of any scoping proposal/s, needs to occur outside of the Planning Portal. For proponent-initiated planning proposals, a scoping proposal should be submitted directly to Council for consideration. Although there is no formal requirement to do so, a scoping proposal could form part of the supporting information uploaded to the Planning Portal at the time a planning proposal is submitted to the Department for Gateway determination.

9.2 New Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Thompson/Carswell) (Continued)

Scoping Proposals and Terminology

As shown in Attachment 1 the Guidelines strongly recommend this step as part of the pre-lodgement stage of the process and the Department has developed a template for this.

A scoping proposal is a simplified version of a planning proposal which:

...should provide sufficient information so that the planning proposal can be easily understood at a conceptual level, including an understanding of potential impacts and addresses key matters that need to be addressed. The information contained within the scoping proposal will be used by relevant authorities and government agencies, council and the Department (as required) to identify key issues, or matters that need to be addressed during the preparation of the planning proposal as well as the need for supporting technical studies.

It provides a means of obtaining key feedback early in the process for proponents and/or Planning Proposal Authorities (PPA's which are usually councils) before proceeding too far through the process.

The Guidelines identify the purpose of the pre-lodgement stage as being to:

- *provide early feedback to proponents and councils, in particular about the strategic and site-specific merits of a proposal.*
- *understand the expectations for what justification and key supporting studies are required to support a planning proposal.*
- *facilitate early consultation with key authorities and government agencies to understand and resolve agency issues earlier in the process, which is expected to facilitate a quicker consultation during exhibition.*
- *identify infrastructure needs and determine what form of infrastructure funding may be needed to support the proposal.*
- *resolve planning issues upfront to enable a streamlined LEP making process.*

Notwithstanding the recommendations in the Guidelines above the proponent still has the option of not undertaking a scoping proposal and lodging a planning proposal directly on the NSW Planning Portal. However, if this path is taken the advantages to smoothing out the process outlined in the dot points above will be by-passed, possibly resulting in the proponent expending substantial costs and time for a proposal that may not be supported or requires some special consideration before it is formally lodged.

As such Council staff will strongly encourage proponents to follow the scoping proposal process to ensure that any issues are identified early in the process.

The Guidelines also introduce new terminology including some used in Attachment 2. These include:

Planning Proposal Authority (PPA) - Council is generally the PPA for all planning proposals unless otherwise determined by the Minister. The PPA is the body responsible for governance, content and quality of information contained within a planning proposal. It should manage the proposal as it progresses through the LEP making process.

Local Plan-Making Authority (LPMA) - The LPMA is the body responsible for governance, content and quality of information contained within a planning proposal. It should manage the proposal as it progresses through the LEP making process. The LMPA undertakes the statutory functions in making the LEP. The LPMA is typically the Council or the Department.

The Department - The Department of Planning, Industry and the Environment assesses and guides planning proposals through the LEP making process. This includes active management of the planning proposal through the LEP making process, issue resolution, and finalising the LEP (if the Minister is the LPMA).

9.2 New Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Thompson/Carswell) (Continued)

The Proposed Procedure

The proposed procedure is as follows:

1. The proponent drafts a scoping proposal in accordance with the Department of Environment and Planning's Scoping Proposal Template (referred to in the Guidelines) and forwards it to Council (including any background studies, etc) for the Land-Use Planning team to review.
2. Council organises a meeting with the proponent in the first instance to discuss the merits and any changes or additional information that may be needed to be included in the scoping proposal.
3. When both parties have agreed to the content of the scoping proposal or where no further changes can be agreed to, staff will prepare a report to Council seeking a determination on whether the planning proposal should proceed. Prior to the preparation of the report to Council there will be a scoping proposal fee charged in accordance with current fees and charges for the report to Council.
4. Provided Council supports the scoping proposal, it can proceed to be formally lodged on the NSW Planning Portal. When the proposal is lodged on the Planning Portal, Council will also require a fee for the appropriate category that planning proposal falls within in accordance with the current fees and charges.
5. Once the fees have been paid, Council will organise a formal Pre-lodgement Meeting with the proponent and relevant Council staff and agencies. After the meeting Council will formally write to the proponent confirming any additional information, the category of the planning proposal and any other matters to be included in the planning proposal.
6. A formal Planning Proposal is then prepared by Council and formally lodged on the Planning Portal seeking a Gateway determination from DPE. Council will seek input and assistance from the proponent to inform the preparation of the Planning Proposal at this time.
7. Once a Gateway determination is issued Council will undertake public exhibition etc and report back to Council.
8. If endorsed by Council, Council will then finalise the plan (LEP) with Parliamentary Counsel's Office and the Department of Planning and Environment for notification (gazettal).

Preparation of the Planning Proposal

The Guidelines identify four types of planning proposals depending on the local environmental plan (LEP) that will result. These are basic, standard, complex and principal (Attachment 2) and it would be expected that most proponent-initiated planning proposals would fall within the standard category. In some cases, depending on what is being sought it may be agreeable for the proponent to prepare the draft planning proposal and for Council to adopt it (with any modifications as required) as Council's planning proposal.

Implications***Legal***

Planning proposals are governed by Division 3.4 Environmental Planning Instruments – LEPs of the *Environmental Planning and Assessment Act 1979*. This, with the relevant clauses from the *Environmental Planning and Assessment Regulation 2021*, set out the procedures for planning proposals to become local environmental plans.

9.2 New Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Thompson/Carswell) (Continued)

Policy

If the procedures outlined in this report are supported by Council they will, in effect, become Council's policy regarding proponent initiated scoping and planning proposals. They will also require some changes to the terminology used in the planning proposal page of the next Council Fees and Charges document.

Strategic

To be supported a proponent initiated scoping proposal (and subsequent planning proposal) will need to be consistent with the applicable Council structure plans or strategy as well as the relevant planning priority and its relevant actions of Council's adopted *Local Strategic Planning Statement*.

Engagement

Nil currently. However as indicated in Attachment 1, initial consultation with the Department and other agencies is expected at scoping proposal stage and a Gateway determination will stipulate the minimum period of community engagement. There also will a need to comply with Council's community engagement and participation plan.

If adopted, it is intended to place this procedure on Council's web site.

Financial

At this stage costs include the preparation of this report. However, once the procedures are applied then proponents will be charged fees in accordance with the fees and charges applicable at the time of lodgement.

Resources (including staff)

At this stage the preparation of this report has involved two staff on a part time basis.



Integrated Plan

If adopted this procedure will apply to proponent-initiated planning proposals. These are part of Land-Use Planning which is one of the service areas of the Strategic Pillar of the Character Portfolio as identified in the Operational Plan 2021-22.

Conclusion

This procedure provides a consistent approach to proponent initiated scoping and planning proposals. Since the beginning of this year Council has received five of these and is likely to receive more as the Government is encouraging them. As such the procedure is likely to become more important and it is recommended that Council adopt it.

Attachments

- | | |
|---|--|
| Attachment 1
 | Process Diagram - Proponent Initiated Planning Proposals (<i>Under Separate Cover</i>) |
| Attachment 2
 | Types of Planning Proposals (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220 (Ref: ; Author: Thompson/Lodder)

File Reference: PJT00061

Summary

The purpose of this report is to provide Council with advice in respect of a scoping proposal that has been submitted for land at South Jerrabomberra. The scoping proposal seeks to rezone of a small parcel of rural zoned land in South Jerrabomberra for residential development.

Recommendation

That Council agree to the submitted scoping proposal to rezone Part Lot 189 DP 1272220 currently zoned 1(a) Rural under *Queanbeyan Local Environmental Plan 1998* to be rezoned as the R2 Low Density Residential zone under *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012*, being progressed to planning proposal stage to allow for the further consideration of the rezoning.

Background

Council has received a scoping proposal seeking to rezone a 3,000m² parcel of land at South Jerrabomberra from 1(a) Rural under the *Queanbeyan Local Environmental Plan 1998* to R2 Low Density Residential under the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012*. The scoping proposal is provided at Attachment 1. If supported by Council this will result in a planning proposal being lodged and the formal gateway, exhibition and assessment process being undertaken. If the planning proposal is supported following these steps it would rezone this area through an amendment to *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* or *Queanbeyan-Palerang Local Environmental Plan 2022* (if the latter is notified (gazetted) in time).

The subject land is located on the eastern edge of the South Tralee residential subdivision adjoining the area known as 'Environa'. The specific location of the land is shown in Figure 1 below. This scoping proposal has been prepared by the developers of the land, the Village Building Company (VBC).

9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220 (Ref: ; Author: Thompson/Lodder) (Continued)

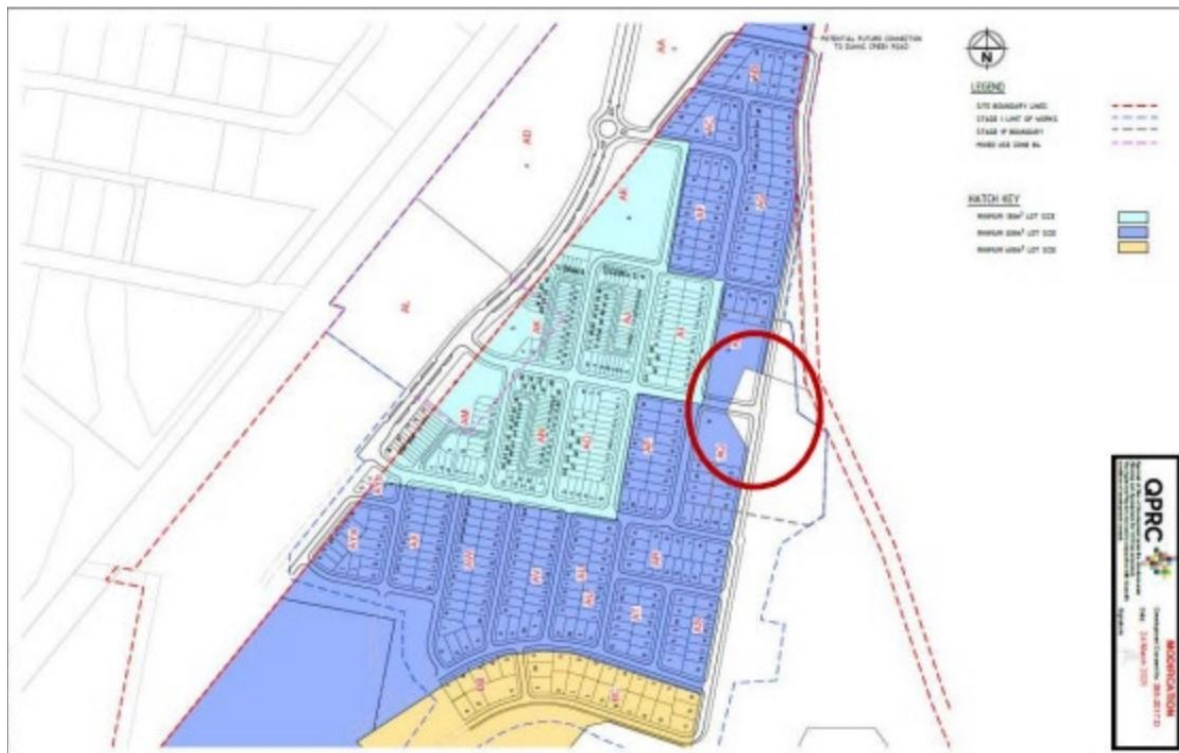


Figure 1 – Subject Land - Part Lot 189 DP 1272220)

The site is adjacent to, but not currently within, the existing Urban Release Area (URA) as shown on the Urban Release Area Map of *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012*. The subject land was not included in the *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012* when made as it was in separate ownership at the time and therefore it remains zoned 1(a) Rural under *Queanbeyan Local Environmental Plan 1998*. The subject land is now proposed to be used for residential purposes and will be a relatively minor extension to the existing urban zoning.

The proponents have argued the rezoning of the land will allow for a more efficient urban form, particularly in respect of the proposed road arrangements. This has some merit.

The subject land is within the boundaries of the South Jerrabomberra Structure Plan 2013. The proposal is consistent with Council's long-term vision for the area and has no impact on any specific strategic planning controls.

It may be necessary for suitable studies to be prepared to justify the proposed rezoning or for existing studies to be updated. The proponents have submitted a series of documents including the historical environmental studies prepared to support the original rezoning of the South Tralee area. These documents are extensive and file sizes are considerable. If Councillors wish to review these documents they will therefore be made available through the Councillor Connect website. These studies contain information in respect of biodiversity, contamination and archaeology.

If the scoping proposal were to proceed in this instance, consultation with relevant government authorities will be undertaken to confirm the suitability of these studies. This would include the Department of Planning & Environment, Environmental Protection Authority and Heritage Office (in respect of aboriginal cultural heritage).

9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220 (Ref: ; Author: Thompson/Lodder) (Continued)

Implications***Legal***

The Scoping Proposal is required to be progressed consistent with the requirements of the NSW *Environmental Planning & Assessment Act, 1979*.

In New South Wales, the respective planning proposal categories are:

- **Basic** – relates to minor Local Environmental Plan (LEP) amendments generally for administrative, housekeeping, and minor matters of local significance
- **Standard** – relates to site-specific LEP amendments seeking a change in planning controls that are consistent with the existing strategic planning framework and reclassification proposals
- **Complex** – relates more extensive LEP amendments that may also not be wholly consistent with the existing strategic planning framework and/or are types of LEP amendments not defined as Basic or Standard types of proposals
- **Principal LEP** – these comprise comprehensive LEP amendments progressed by council and/or a proposal that seeks to implement multiple housekeeping amendments.

If Council agrees to progress this scoping proposal, it will be a Basic Planning Proposal and incur a fee of \$6,312 (the current fee) to be paid by the applicant.

Policy

This Scoping Proposal is consistent with the South Jerrabomberra Structure Plan 2013 and Council's long-term vision for South Jerrabomberra.

Environmental

It will be necessary for the proponents to address any relevant environmental constraints. As noted, there are a number of documents provided by the proponents to support this scoping proposal.

These documents support the view that the proposed change in land use is not likely to significantly affect the risks to the region's ecology or biodiversity. However, the validity of this conclusion will be tested during agency consultations if this rezoning submission proceeds to a planning proposal.

Asset

The rezoning will make efficient use of existing and imminent infrastructure and services in the nearby low-density residential land that is adjacent to the subject land.

Social / Cultural

There are no risks for the local community or culture, only increased capacity for the supply of housing for South Tralee.

Economic

If the rezoning of the subject land is achieved, there will be a small increase in housing stock, increased building activity and employment during construction and small increase to the population base in Tralee.

9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220 (Ref: ; Author: Thompson/Lodder) (Continued)

Strategic

This scoping proposal is consistent with two of the Planning Priorities within the QPRC Local Strategic Planning Statement 2020 as set out below.

Planning Priority 3 – We will continue the ongoing revitalisation of the Queanbeyan CBD, suburban centres and rural villages. This is relevant to desired outcomes of using any opportunity to increase density and utilise the infill of existing areas.

Planning Priority 8 – We ensure the future planning for the region is well coordinated and provides for its sustainable management. This is relevant to desired outcome of an appropriate supply of well-located housing stock to meet the needs of the population and providing diversity of housing for the region.

NSW State Policies - The NSW State Government has a number of policies that are relevant.

State Environmental Planning Policy (Housing) 2021.

The principles of the 2021 NSW State Housing Policy are as follows—

- (a) enabling the development of diverse housing types, including purpose-built rental housing,
- (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,
- (c) ensuring new housing development provides residents with a reasonable level of amenity,
- (d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,
- (e) minimising adverse climate and environmental impacts of new housing development,
- (f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,
- (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,
- (h) mitigating the loss of existing affordable rental housing.

State Environmental Planning Policies are required to be addressed as part of a planning proposal. It is considered that this scoping proposal is consistent with the Housing SEPP. The advice from VBC is that the land “will become part of the urban land that it adjoins and will then be subject to a further subdivision to create house blocks similar to the development that has been approved in the location.”

NSW Ministerial Directions - Under section 9.1 of the NSW *Environmental Planning and Assessment Act 1979* there are specific directions issued by the Planning Minister that must be considered in assessing any planning proposal. The following three directions are relevant to this proposal:

1. Residential Zones Direction 6.1

This direction has the objectives of encouraging housing for existing and future needs; using existing infrastructure efficiently; and minimising the impact of housing on the environment and resource lands. The assessment considers that this scoping proposal is consistent with this direction.

9.3 Scoping Proposal South Jerrabomberra Urban Release Area Part Lot 189 DP 1272220 (Ref: ; Author: Thompson/Lodder) (Continued)

2. Rural Zones Direction 9.1

This direction has the objective of protecting the agricultural production value of the land. The assessment considers that this scoping proposal is inconsistent with this direction. However, the Direction does provide allowance for proposals that are of minor significance. The area of the subject land is 0.5 hectares and has no agricultural production value.

3. Rural Lands Direction 9.2

This direction has six objectives including two objectives relevant to this matter:

- to protect the agricultural production value of the land
- to minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses.

The assessment considers that this scoping proposal is inconsistent with the first objective, however the subject land is 0.5 hectares and as such has no agricultural production value. The proposal is consistent with the second objective.

Engagement

This scoping proposal and any subsequent planning proposal will require consultation with the community, councillors, government agencies and council staff. A formal public exhibition period will be stipulated in the Gateway determination and if the planning proposal is confirmed to be a Basic Planning Proposal a 10-working day (maximum) will be required.

Financial

If approved by Council, VBC have agreed to the cost a planning proposal in accordance with Council's current fees. This is \$6,312 plus \$158 per hour after 40 hours.

Resources (including staff)

Any approved planning proposal would require the part time of two town planners in Land-Use Planning that will be offset by payment of fees by VBC.

Conclusion

The scoping proposal submitted by the proponents for the rezoning of Part Lot 189 DP 1272220 is considered to have sufficient strategic merit for it to be tested as a formal planning proposal. It will be necessary to demonstrate the studies prepared to support the proposed rezoning are suitable and this will be further tested through consultation with relevant government agencies. From a strategic planning perspective there are no issues that should prevent the proposal from being further considered.

Accordingly, it is recommended that Council agree to the submitted scoping proposal being progressed to rezone Part Lot 189 DP 1272220 currently zoned 1(a) Rural under *Queanbeyan Local Environmental Plan 1998* to be rezoned as the R2 Low Density Residential zone under *Queanbeyan Local Environmental Plan (South Jerrabomberra) 2012*.

Attachments

Attachment 1 Scoping Proposal (*Under Separate Cover*)



9.4 Proposed World Environment Day Activities 2022 (Ref: ; Author:
Thompson/Abbott)

File Reference: 25.1.1

Summary

World Environment Day is Sunday 5 June 2022. This day is significant as it is the largest event supporting the environment on the international calendar. The international theme is #OnlyOneEarth which is captured in the promotional prose below.

The human mind knows no boundaries. But our planet does.

There is #OnlyOneEarth and protecting it is a global challenge and responsibility.

We have less than ten years to make real change, so we need to scale up our action for the planet.

We have the solutions, knowledge and technology to limit climate change and avoid ecological collapse.

#OnlyOneEarth.

This year staff would like to host two main events.

Firstly, the promotion of a Minecraft Competition with entries combined for a community viewing with applicants and schools on Friday 3 June 2022. A separate report is provided with more detail on this initiative.

Secondly, the opening of Mount Jerrabomberra on World Environment Day, Sunday 5 June 2022. The Mountain will be open to walkers who can visit stalls from community groups and participate in a workshop on the NatureMapr App. It is also suggested that a bus be hired to take less active community members up to the summit so that they are able to participate.

Recommendation

That Council:

- 1. Endorse the “Community Open Day” on Mount Jerrabomberra on World Environment Day, Sunday 5 June 2022, 10am until 2pm.**
 - 2. Replace the entrance sign to Mount Jerrabomberra.**
 - 3. Work with Woden Constructions to replace the commemorative plaque and enhance the landscaping around the stone and plaque at the top of the Mountain.**
-

Background

World Environment Day has always been a special community environmental activity day in the local area. It is an opportunity for Council to work with schools and the community to embrace the natural features and nature within the environment in which we live.

The plan to open up Mount Jerrabomberra was an action from the Mount Jerrabomberra Site Specific Plan of Management adopted in July 2021. Increased accessibility and engagement to promote the Mountain as an attractive setting for appropriate nature-based passive recreation and educational activities was a recommended action.

9.4 Proposed World Environment Day Activities 2022 (Ref: ; Author: Thompson/Abbott) (Continued)

It is proposed that a marquee and series of stalls will be setup at a suitable location on the Mountain. This will be the base location for community information displays by various community groups invited to participate including: Queanbeyan Landcare, Jerrabomberra Residents Association, Molonglo Conservation Group, Ngambri Local Aboriginal Land Council, Canberra Orchid Society, National Parks & Wildlife, NSW RFS and Wildcare.

A coffee van could be available at the marquee area to encourage the community to stop and chat with the representatives of each organisation.

Landcare and Wildcare will be invited to lead a guided walk with a demonstration on use of the NatureMapr App, which is an innovative, regionally focused citizen science platform to identify flora and fauna.

Although access will be primarily by pedestrian means, it is also planned to hire a 12 seater bus to ferry less mobile people up to the summit and return on a rotating link. No other private vehicles will be provided access during the opening.

It is timely that Woden Constructions have recently contacted Council in regard to replacing the existing commemorative plaque at the summit of the Mountain with a new one. Woden Constructions were the owner of the land making up the majority of the Mountain and dedicated the land to the community in 2003, as a gift to be conserved as a significant example of the city's natural heritage. The old plaque has been damaged by vandals over the years and they would like to see it replaced to reflect Woden's legacy. No change to the wording is required and there will be no cost to Council. Woden's would also like to enhance the landscaping around the stone plaque and have offered to contribute to the cost of this enhancement. This should be completed for the open day.

Implications***Legal***

Given that some of the sites suitable to locate the marquee are on private land Council will need to ensure that the appropriate liability insurance is in place. If a site under Council ownership is selected the appropriate insurance is already in place.

Environmental

There are a number of benefits in encouraging the community to explore the natural environment and providing education on how to monitor its status, including:

- Increased knowledge and interest in the Mountain's natural environment
- Gained or improved scientific skills in monitoring and researching

- Improved confidence in identification of species found on the Mountain; and

- Promoting actions and activity in getting out and connecting with the environment.

Social / Cultural

The Mountain is used by many residents for passive recreation, as a social meeting place and an enjoyable hike which can improve fitness and reduce stress levels. Being able to access walking trails has been essential to maintaining mental and physical health, particularly during COVID.

The Open Day is opportunity to grow the Reserve as a space for multicultural and disability inclusion. Collaboration with local organisations could improve access inclusion through activities on the day.

Staff will invite a range of community groups to be involved in the day.

9.4 Proposed World Environment Day Activities 2022 (Ref: ; Author: Thompson/Abbott) (Continued)

Engagement

A new Mount Jerrabomberra entrance sign is to be erected for the Open Day which will have more information on the Mountain. The signage will include a depiction of the recommended walking trail showing its estimated length of 3.6 - 3.9km (depending on the loop followed), its estimated duration (85 minutes) and providing information on suitable ages and fitness levels. Generally, the walking trails are classed as Grade 3 - some bushwalking experience recommended, some short steep hill sections, a rough surface and many steps.

Council will collaborate with the Ngambri LALC to develop some wording on the entrance signage, recognising the Aboriginal cultural history and significance of the Mountain.

Advisory signs on activities carried out in the reserve, such as keeping dogs on a leash and no trail bikes, will also be incorporated in the sign.

Advertising of the day will be by social media, specific invitations to groups and temporary signs erected at the gate the week prior to the event.

Financial

Current budget is available for signage and the event expenses in the Operational Plan.

Program Code	Expense Type	Funding source	Amount
25.1.1	Signage	General ledger	\$ 1000
25.1.1	Bus Hire	PJ 100507	\$ 140
25.1.1	Coffee Van	PJ 100507	\$ 500
25.1.1	Staff time	PJ100507	\$ 1000
23.6.1	New bin enclosure	PJ 100498	\$ 1000

Resources (including staff)

It is estimated that at least 4 staff will be involved on the day.

Conclusion

Opening of the Mountain for one special day, will support the community values for the area, encouraging active recreation and be a positive collaborative community celebration of World Environment Day 2022.

Councillors are most welcome to attend.

Attachments

Nil

9.5 Proposal to Install a Sculpture at Aprasia Park Googong (Ref: ; Author: Thompson/Abbott)

File Reference: 25.1.1

Summary

Council has been approached by the Molonglo Conservation Group (MCG) for approval to install a sculpture of an *Aprasia parapulchella* – Pink Tailed Worm Lizard (PTWL), at Aprasia Park, Googong. A copy of MCG's letter detailing the proposal and its location is provided in Attachment 1 for information.

MCG have been encouraged to apply for the funding for this sculpture under the 2022 Icon Water Community Support program.

As part of the ongoing management of the Aprasia conservation area, Council is committed to supporting public education and community engagement programs to educate residents and visitors to the Googong Township of the biodiversity values of the PTWL Conservation Area. This addition to the park would bring some curiosity and interest to the cause of this threatened species in the area.

Recommendation

That Council authorise installation of an Aprasia Sculpture at Aprasia Park Googong.

Background

The PTWL is listed as 'vulnerable' under Commonwealth and State legislation and a large population of this species has been identified as occurring within eastern Googong.

In 2010 Googong Township (now PEET) engaged Biosis Research to prepare an assessment of the impacts of the Googong Township upon an area of known PTWL (*Aprasia parapulchella*) habitat occurring at Googong. It is a species which requires a habitat of native grassland, grassy woodland with a moderate to high scatter of rocks. They live below the rocks for thermoregulation and feed on ant larvae and eggs.

As part of the subdivision approval, the developers were required to fence off 54ha of habitat as a conservation zone encompassing much of the eastern buffer of the site separating residential development for the Googong foreshore. A Protection and Management Plan was then developed through consultation with experts and the community to conserve the species. The Plan includes actions for education and community awareness of the species.

MCG have been working on the Aprasia Project since 2019. It is a 6-year project, which is jointly funded by the developer and the NSW Government Saving Our Species Fund. A key objective of the project is to build community support for habitat conservation through engagement with the residents of Googong Township and with landholders in the area around Googong-Burra.

In order to assist the community to understand the importance of the species MCG are seeking funding to erect a steel sculpture approximately 3m long in Aprasia Park. While there will be no cost to Council the sculpture will be located on a Council reserve and as such MCG are seeking Council's permission to erect the sculpture at the Park.

9.5 Proposal to Install a Sculpture at Aprasia Park Googong (Ref: ; Author: Thompson/Abbott) (Continued)

Implications***Environmental***

The management approach of the PTWL Protection and Management Plan is based on the following threats to the conservation of the species, in order of priority:

1. Trail bikes – the use of trail bikes within the PTWL Conservation Area is likely to disturb key habitat features, such as small surface rocks.
2. Four-wheel-drive vehicles – similar to trail bikes, four-wheel-drive vehicles may disturb habitat features. However, due to the steep topography throughout much of the PTWL Conservation Area movement within the PTWL Conservation Area by such vehicles is limited.
3. Unleashed/feral dogs and cats – these animals may excavate under and around habitat rocks and directly predate on PTWL individuals, however, the likelihood of this occurring is considered to be low.
4. Pedestrians – while the likelihood of people walking through areas of PTWL habitat is high, the level of impact upon the species, which may result from human foot traffic and other pedestrian access impacts is considered to be very low.
5. Bush rock removal – while bush rock removal is recognised as a key threatening process to PTWL, the boundary fencing would prevent unauthorised vehicular access to the PTWL Conservation Area.

Education and awareness are key to limiting these threats on the species.

Engagement

MCG have already developed detailed information pamphlets, workshops and school programs to increase community awareness of the Aprasia parapulella.

Financial

The sculpture would be at no cost to Council.


Resources (including staff)

Minor staff resources to coordinate installation of the structure.

Conclusion

This is a good environmental initiative for Googong and the Aprasia conservation program.

Attachments

Attachment 1  Molonglo Conservation Group - Request to install Sculpture (*Under Separate Cover*)

9.6 Crawford-Rutledge Street Redevelopment Memorandum of Understanding
(Ref: ; Author: Tooth/Damo)

File Reference: 100265.07

Summary

At the October 2021 meeting, Council resolved (resolution 353/21) to authorise the CEO to progress and execute contracts for the sale of the Crawford-Rutledge Street properties, which resulted in Lot 31 DP 771673 and proposed Lot 2 being part of the subdivision of Lots 1, 2 & 5 DP 1179998, Lots 1 & 2 DP 748338 and Lot 18 DP 548244 being sold to Village No 21 Pty Limited ACN 607 916 978 (V21).

The proposed redevelopment of the abovementioned lots seeks to amend elements of the approved design of the Queanbeyan Civic and Cultural Precinct (QCCP). The proposed changes include impacts to:

- electricity network,
- gas supply to QCCP,
- sewer reticulation,
- location of QCCP bike store,
- treatment and interpretation of well at 10 Rutledge Street,
- access to basement and Lowe Car Park.

The proposed changes will have cost, planning and program implications for the QCCP project.

V21 and Council staff consider that the agreement and implementation of a Memorandum of Understand (MOU) is the best way to progress the proposed changes, including costs to QCCP resultant from the V21 redevelopment of the Crawford-Rutledge Street properties on the abovementioned lots.

The intent of the MOU is to ensure additional costs incurred by QPRC resulting from design changes to accommodate the redevelopment proposed on the Crawford-Rutledge Street properties will be reimbursed by V21.

Recommendation

That Council authorise the Acting CEO to negotiate and enter into an MOU with Village No 21 Pty Limited ACN 607 916 978 to detail the proposed changes and costs reimbursable to Council from the changes proposed by V21 to the Queanbeyan Civic and Cultural Precinct.

9.6 Crawford-Rutledge Street Redevelopment Memorandum of Understanding (Ref: ; Author: Tooth/Damo) (Continued)

Background

The concept sketches prepared by V21 propose a number of alterations to the approved design of the Queanbeyan Civic and Cultural Precinct.

These include:

- moving the approved basement access ramp to the QCCP underground car park toward Rutledge Street
- Removing the at grade access to the Lowe Car Park
- Introducing a new narrower lane closer to Crawford Street

The proposed design changes will trigger a number of amendments to the approved QCCP design. These include:

1. Electricity network

- V21 acknowledge in order to maintain program on QCCP project that there will be abortive works for Electrical design and installation
- QPRC will aim to re-route electrical conduits the extent possible within the existing approved electrical design to be it is outside the footprint of the new ramp.
- QPRC will aim to re-route electrical conduits the extent possible within the existing approved electrical design to be avoid the well
- New electrical route will need to avoid the Crawford-Rutledge Street properties basement

2. Gas supply

- Gas main and meter assembly to QCCP are currently designed to be serviced from Rutledge Street and the meter assembly located at the QCCP bike store. It is proposed the gas to be relocated to feed QCCP from Crawford Street and gas meter relocated to a position yet to be determined.

3. Well interpretation

- Well to be made safe during construction of QCCP with final design and interpretation to be delivered by the Crawford-Rutledge St Redevelopment.
- No further work, other than make safe, to well to be completed prior to handover of site to V21.

4. Bike Store

- The V21 concept design proposes to move the bike store intended to service QCCP away from approved design location. The alternate location is yet to be agreed. Access shall be available at all times to the bike store for QCCP occupants. Noting the bike store currently factors in the Green Star rating for

9.6 Crawford-Rutledge Street Redevelopment Memorandum of Understanding (Ref: ; Author: Tooth/Damo) (Continued)

QCCP and a delay in completing the bike store may impact achievement of the rating.

5. Sewer reticulation

- V21 proposes to re-route the existing sewer network to remove the upper catchment load from traversing the Crawford-Rutledge St Redevelopment site. This proposal is currently being reviewed by Council Utilities team. There are also some minor amendments to the sewer network that affect 4 Rutledge Street / Lot 1 SP 12593 at temporarily 6 Rutledge Street / Lot 31 DP771673.

6. Laneway to Lowe Car Park

- V21 propose to relocate the one-way lane off Rutledge Street to the Lowe Car Park currently included in the QCCP design further East. This will introduce a second lane off Rutledge Street. V21 propose that precedence be given to pedestrians with vehicular access allowed after hours, e.g. 10:00pm to 6:00am for service vehicles.
- An easement or right of carriageway will need to be created to maintain public access Lowe Car Park.

7. QCCP Basement Access

- V21 propose a redesign of the already approved ramp to QCCP basement. The redesign involves shifting the ramp toward Rutledge street to allow a four-way intersection to be incorporated in the basement of the Crawford-Rutledge St Redevelopment. V21 also propose that the new basement ramp be constructed with two levels to permit access to two basement levels.
- QCCP currently includes an element of smart parking to inform drivers of the availability of parking spaces in the QCCP basement car park. It is intended that this functionality be maintained in the changes pursuant to the Crawford-Rutledge St Redevelopment
- QCCP currently includes a number of electric vehicle charge points. It is intended that this functionality be maintained in the changes pursuant to the Crawford-Rutledge St Redevelopment
- As the basement ramp will be located within the Crawford-Rutledge St Redevelopment a 24 hr Right of Carriageway or other mechanism to maintain public access to the QCCP car park will need to be created.
- Access to the newly constructed QCCP basement car park will need to be maintained during construction of the Crawford-Rutledge St Redevelopment for public, staff and tenants.

8. Planning

- Planning advice received to Council staff indicate that the proposed changes to ramp and lane location will require an amended planning approval. The nature of the changes are of a significant magnitude that they will need to be assessed by the Southern Regional Planning Panel. Seeking planning

9.6 Crawford-Rutledge Street Redevelopment Memorandum of Understanding (Ref: ; Author: Tooth/Damo) (Continued)

approval from SRPP will place the QCCP project under time pressure for constructing the basement ramp in time for completion of the project.

9. Costs impacts

The work described above is likely to involve design and construction costs to Council. The MoU is intended to implement an agreement between V21 and Council for the reimbursement of costs incurred by Council broadly summarised as:

- Design / consultant costs
- Double ramps to basement
- Public lane relocation
- Electricity network
- Bike store relocation
- Gas supply and meter
- Well heritage interpretation
- Planning application and construction program implications
- Preparation of Easements and Right of Ways
- Sewer reticulation redesign
- Construction costs
- Increased complexity of basement ramp
- Increased length of electricity network
- Alternate location for Gas supply
- Alternate location for Bike Store
- Alterations to existing Sewer reticulation

Implications***Legal***

Staff will engage legal advice in the creation of the MOU to ensure that Council's interests are represented.

Policy

Noting that the V21 proposal intends to deliver a cinema complex that has long been aspirational desire of both our Community and the Council, support of this project at no cost to Council is seen align with strategic Council direction.

9.6 Crawford-Rutledge Street Redevelopment Memorandum of Understanding (Ref: ; Author: Tooth/Damo) (Continued)

Environmental

Whilst the NSW Office of Heritage has not identified the well to be a significant item both the Council and V21 proposal intend to preserve, protect and champion Well that has been uncovered during the construction project.

Sustainability

The proposed changes will not impact the sustainability of the project nor the 5 Star Greenstar rating targeted by the Project.

Asset

This proposal includes selling the existing at grade connection (laneway) to the at grade carpark next to the Q.

Economic

The V21 proposal also includes the construction of residential units within Queanbeyan CBD. The Economic development plan for Queanbeyan and associated Masterplans intend to increase the number of people living and working in the Queanbeyan CBD with the intent of activating the area.

Strategic

These changes align with the direction of both the CBD masterplan & spatial masterplan that identifies this area as the Civic and Cultural Precinct.

Engagement

The QCCP project has a public profile and is constantly updating its community messaging through regular updates. Any proposed changes to the Development Application for the QCCP project would be exhibited as required.

Financial

Any proposed changes to the QCCP project will come at no or minimal cost to Council.

Resources (including staff)

The Projects existing allocated resources will manage the proposed changes.

Attachments

Nil

9.7 Surrender of Current Licence and Agreement to New Licence for Riverbank Cafe, 4 Trinculo Place Queanbeyan (Ref: ; Author: Monaghan/Turland)

File Reference: 52.1.1-59

Summary

The Riverbank of Queanbeyan café operates on the Council community land within Ray Morton Park, Queanbeyan East. Council licences the premises for the purposes of operating a café and kiosk. In February 2022, the current owners informed QPRC of their intention to sell the business.

Council approval is now sought to surrender the existing agreement with the current owners and to enter into a new licence agreement with the purchaser.

Recommendation

That Council:

1. Authorise the Acting CEO to surrender the existing licence with the current business owners of the Riverbank Café.
2. Enter into a new agreement on similar terms with the new owner of the Riverbank Cafe for five years with an option to extend for an additional five years.
3. Publicly exhibit the proposal to enter into the licence agreement in accordance with section 47 of the *Local Government Act*.
4. If no objections to the proposal are received, authorise the Acting CEO to execute and sign the new licence agreement on behalf of Council.

Background

In 2010, the Council developed a café within Ray Morton Park, partly to attract more visitors to the area. In 2011, Council entered into a licence agreement with the current tenants, Richter House Pty Ltd. This agreement was renewed in 2018 and amended to include an additional 5-year extension option in 2019.

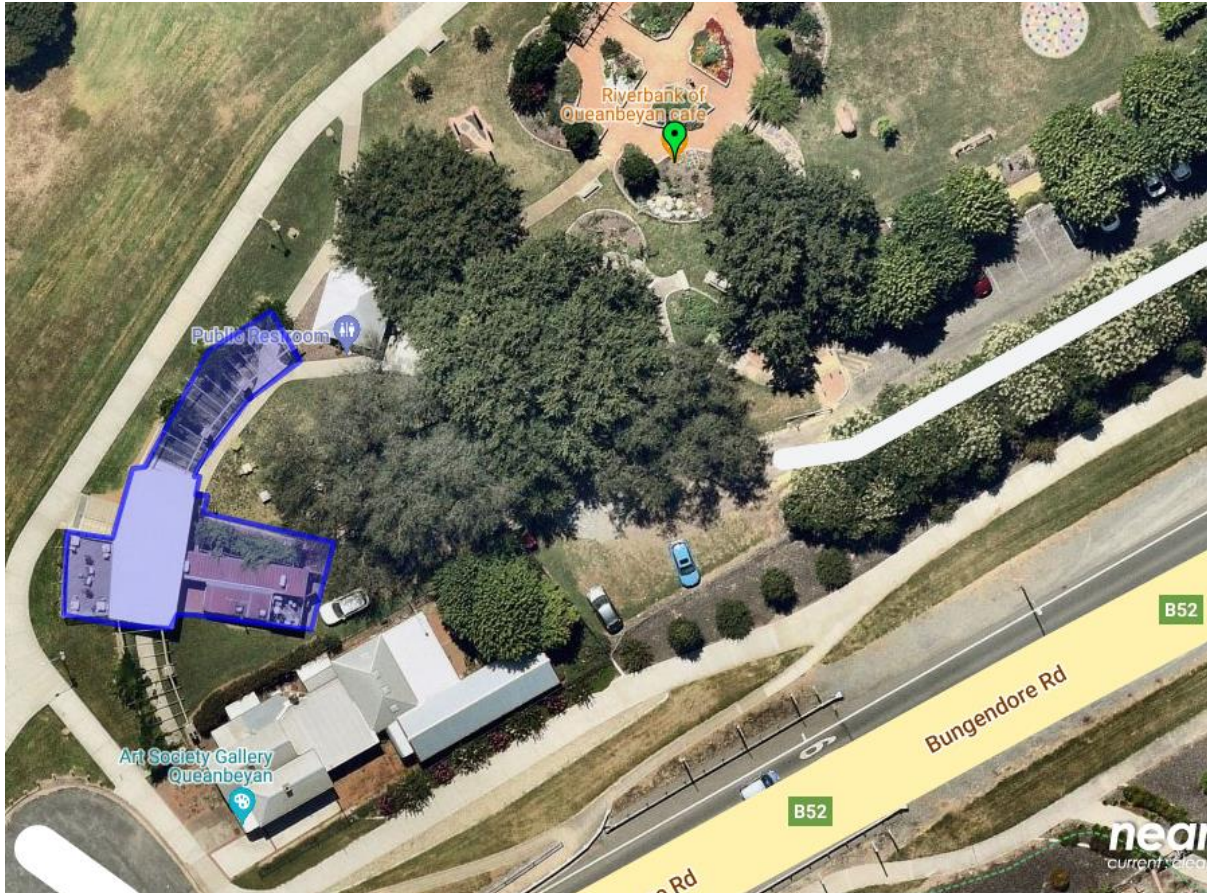
Council has now received a request to reassign the existing licence to the new owners. However, the agreement needs several amendments to bring it up to date. The existing agreement also contains provisions that apply specifically to the current owners. None of these amendments change any of the core provisions of the agreement.

Even so, the law firm acting for the Council has advised that surrendering the existing agreement and entering into a new one would be “neater” and more straightforward. This also offers a benefit to the tenant as it means they are able to take advantage of the full duration of the licence.

The attached draft agreements are still being finalised and may be subject to minor changes before execution.

9.7 Surrender of Current Licence and Agreement to New Licence for Riverbank Cafe, 4 Trinculo Place Queanbeyan (Ref: ; Author: Monaghan/Turland) (Continued)**Implications****Asset**

The following image provides a visual indication of the proposed licence area.

**Legal**

As this is on Council owned Community land, this means that the licence will need to be given public notice pursuant to section 47 of the Local Government Act. This will also dictate how QPRC manages any objections to using the land for this purpose.

Engagement

Working with small, independently owned local businesses is a positive way to support community engagement. The new purchasers have also outlined plans to invest in *activating* the area by continuing to develop the facility and draw visitors to the local park.

Financial

The licence fee is set at market rate and is a source of income for the Council. The current fee is set at \$11,084.68 per annum (plus GST) paid over monthly instalments. CPI adjustments are also set to be made each year.

Conclusion

There are no obvious reasons that Council should not support this proposal.

9.7 Surrender of Current Licence and Agreement to New Licence for Riverbank Cafe,
4 Trinculo Place Queanbeyan (Ref: ; Author: Monaghan/Turland) (Continued)

Attachments

- Attachment 1 Licence Agreement with current business owners (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 2 Draft licence agreement with purchaser (*Under Separate Cover*) - **CONFIDENTIAL**
- Attachment 3 Draft Deed of Surrender for current licence (*Under Separate Cover*) - **CONFIDENTIAL**

9.8 IPART Rate Peg for 2022-23 (Ref: ; Author: Monaghan/Robinson)

File Reference: 43.2.1-21

Summary

The Office of Local Government and IPART have recognised that due to the delayed release of the 2022-23 rate peg and the historically low rate (of 0.7%) compared with cpi, councils should be allowed an opportunity to apply for a standard 2.5% increase. This would help NSW councils to at least achieve the general rate income budgeted within councils' long term financial plans.

In order to apply for the 2.5% rate peg Councils are required to complete and submit the 2022-23 Additional Special Variation (ASV) application form that has been created by IPART for the purpose.

The ASV is for councils that can demonstrate the need for a special variation to meet the obligations they set for 2022-23 in their 2021-22 Integrated Planning and Reporting (IP&R) documentation.

Separately, IPART has also agreed to undertake a broader review of its rate peg methodology, including the Local Government Cost Index, with outcomes from the review expected to shape rate peg determinations in future years.

Recommendation

That Council:

- 1. Apply to the Minister for Local Government, through her delegate the Independent Pricing and Regulatory Tribunal, to vary its general rate income by a permanent special variation for 2022/23 of 2.5 per cent, as allowed under section 508(2) of the *Local Government Act 1993*.**
- 2. Note that a 2.5 per cent rate variation will generate a total of approximately \$1 million in additional rate income each year.**
- 3. Note the special variation is required for QPRC to fund its service obligations set for 2022/23, and in future years within its adopted Integrated Planning and Reporting documents.**
- 4. Has considered that the impact on ratepayers and the community, if the special variation is approved in 2022/23 and for future years, is reasonable.**

Background

The Minister for Local Government has the power to specify a percentage by which councils' can vary their general rate income each year, known as the 'rate peg'. The rate peg is intended to allow councils' general rate revenue to increase in line with its cost of operations, while controlling the increase to the ratepayer. The process of determination has been delegated to IPART, who calculate the rate peg using a formula based largely on the Local Government Cost Index (price movements over the past year), and generally publish it in September to enable council's to develop their financial plans for the following financial year.

9.8 IPART Rate Peg for 2022-23 (Ref: ; Author: Monaghan/Robinson) (Continued)

In late 2021, IPART announced Council's rate peg of 0.7%. Council's 2021-22 Long Term Financial Plan (LTFP) had assumed a rate peg of 2.5% + a population factor of 1.9%. Due to the historically low rate peg announced by IPART, Council will not have sufficient funds to meet its obligations as identified in the 2021-22 LTFP when they fall due in 2022-23 and beyond.

Implications***Legal***

The Local Government Act 1993 allows for the Minister to vary the rate peg for individual councils, to achieve either a temporary or permanent increase to rates to fund the needs of the local government area and this is known as a 'special variation'.

Social / Cultural

The proposal will benefit the community by enabling QPRC to continue to deliver services and infrastructure as outlined in its Operational Plan. This process is not intended to address the Council's requirement for a Special Variation above 2.5% to achieve long term financial sustainability which should be addressed through the standard special variation process.

Over the last two decades the rate peg has averaged 2.9 per cent and the average of the last five years is 2.5 per cent. QPRC prepared its 2021/22 Long Term Financial Plan on the assumption of a 2.5 per cent rate increase, plus a population factor of 1.9%, as had been anticipated based on IPART announcements and reviews.

The 2.5% impact on rates has been factored into Council's Revenue Policy and Operational Plan that will be adopted for public exhibition at the April Council meeting.

QPRC, as always, will continue to provide assistance to ratepayers in financial hardship through payment arrangements, retaining the ability to waive interest charges for compliance with the agreement.

Strategic

As general rates are an underlying source of funding for all operations, the implications of not gaining approval for the ASV will impact QPRC's ability to deliver the community outcomes identified in its Integrated Planning and Reporting documents.

Engagement

To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for an ASV meets the requirements.

Council's previous Long Term Financial Plans and Resourcing Strategies have been out for consultation, within these documents the assumption of a rate peg of 2.5% + 1.9% population factor was included in the calculations to be applied for the 22-23 financial year.

IPART will additionally publish all council applications from 29 April to enable community consultation for a minimum period of three weeks, before notifying councils of its decision by 21 June.

9.8 IPART Rate Peg for 2022-23 (Ref: ; Author: Monaghan/Robinson) (Continued)

Financial


If council does not apply for this ASV the lost revenue will compound over time and amount to over \$4.1 million by the 6th year. Council's LTFP assumes the base rate peg growth (excluding the additional population peg) to be 2.5% per year as shown below.

Cost of Below Rate Peg Increases							
	2020-21	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28
Expected Rate Peg Increase							
General Revenue	40,473,000	41,484,825	42,521,946	43,584,994	44,674,619	45,791,485	46,936,272
Expected Rate Peg Increase %	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Expected Rate Peg Increase \$	1,011,825	1,037,121	1,063,049	1,089,625	1,116,865	1,144,787	1,173,407
Actual Rate Peg Increase							
General Revenue	40,473,000	41,282,460	41,571,437	41,862,437	42,155,474	42,450,563	42,747,717
Expected Rate Peg Increase %	2.00%	0.70%	0.70%	0.70%	0.70%	0.70%	0.70%
Expected Rate Peg Increase \$	809,460	288,977	291,000	293,037	295,088	297,154	299,234
Lost Revenue	-	202,365	950,508	1,722,557	2,519,145	3,340,922	4,188,555

Conclusion

This report recommends that Council apply to the Independent Pricing and Regulatory Tribunal (IPART), for a special rate variation of 2.5 per cent for 2022/23, to help achieve the general rate income budgeted within the 2021/22 Long Term Financial Plan.

Attachments

Attachment 1  OLG Circular 22-07 Guidelines for Additional Special Rate Variation Process for 2022-23 (*Under Separate Cover*)

**9.9 Adoption of Draft Financial Assistance and Debt Recovery Policies (Ref: ;
Author: Monaghan/Robinson)**

File Reference: 52.5.4

Summary

At its meeting of 23 February 2022, Council resolved to place the Draft Financial Assistance and Debt Recovery Policies on public exhibition. There were no submissions made during the exhibition period.

Recommendation

That Council adopt the Draft Financial Assistance and Debt Recovery Policies as provided in Attachments 1 and 2.

Background

Council deferred debt recovery actions during the initial Covid impact, and extended the terms of the upgraded financial assistance policy to ratepayers suffering from the effects of drought, bushfire and Covid seeking to enter arrangements to pay, without the penalty of interest charges. The decision to pause all legal action was in compliance with legislative amendments passed by NSW Parliament in May 2020 as part of the COVID-19 support package provided by Government.

The 'Financial Assistance Policy – Drought, Bushfire, COVID-19' was adopted and continues to be offered to ratepayers who require extra financial assistance, to allow up to 2 years interest free repayment arrangements. Rates staff continue to use this policy to provide payment arrangement options to assist ratepayers with debt management in difficult times. This report recommends that the provisions of the policy be incorporated into one consolidated, ongoing Hardship and Financial Assistance Policy.

It is recommended that Council continue to provide hardship assistance that maximises the opportunity for staff to work with ratepayers, to allow flexible payment options and longer term repayment periods where required.

Some policy content changes have been recommended within the revised draft policies, and policy documents have been restructured and streamlined. Proposed policy changes include:

1. Increased delegations for Council Officers to write-off high water usage charges associated with an undetectable leak.

In accordance with the current Council's Financial Hardship Assistance Policy, Council may waive water usage charges associated with the leak, up to a value of \$1,000. However, it has been Council's practice to consider higher amounts at a Council meeting and resolve to waive the charges up to 1,000kl. The revised draft policy proposes to remove the requirement to report to Council, allowing the CEO (and subdelegated officers) to write off up to 1,000kl if the policy conditions are met.

2. Remove maximum value for the write-off of interest charges

The current Hardship Policy provides delegated authority to the CEO (and subdelegated officers) to write off interest up to \$200. The revised policy proposes to remove the

9.9 Adoption of Draft Financial Assistance and Debt Recovery Policies (Ref: ; Author: Monaghan/Robinson) (Continued)

maximum write-off value, and instead provides conditions to assist Council officers to make an appropriate assessment.

3. Allow escalation of unresolved claims to be considered by Council

The proposed policies aim to improve the options available to Council officers to work with ratepayers and make hardship assessments quickly and fairly in accordance with a standard set of conditions. Under this policy, only hardship claims that cannot be resolved would be escalated to the Council on an exception basis, after a review process.

Implications***Legal***

The Local Government Act provides the legal framework for how councils set and levy rates and charges each year and recover debt from overdue rates and charges, including for waiving or reducing rates in cases of hardship.

Several sections of the *Local Government Act 1993 (the Act)*, apply:

- sections 356, 564, 566, 567, 568, 570, 575, 577, 582, 585, 595 to 601, 610

Several sections of the *Local Government (General) Regulation 2021* apply:

- sections 130, 131, 133, 144 and 213

Provisions of the *NSW Privacy and Personal Information Protection Act 1998* and the *Valuation of Land Act 1916* are to be observed.

Additionally, the OLG and NSW Department of Justice have published mandatory Debt Management and Hardship Guidelines.

Engagement

The draft policies were placed on public exhibition, being advertised on Council's YourVoice website, and open for community comment for the period from 28 February to 28 March 2022. No submissions were received.

Financial

Timely collection of rates and charges will secure Council's cash flow. Some minor loss in income may result if interest charges or rates are waived under the provision of the Hardship and Financial Assistance Policy.

Conclusion

It is recommended that Council continue to provide a strong hardship assistance policy that maximises the opportunity for staff to work with ratepayers, to allow flexible payment options and long repayment periods where required.

Attachments

Attachment 1 Draft Debt Recovery Policy (*Under Separate Cover*)



Attachment 2 Draft Financial Hardship Policy (*Under Separate Cover*)



10.1 Land-Use Planning Projects / Activities - Status Report (Ref: ; Author: Thompson/Carswell)

File Reference: 26.1.7-02

Report

Attached is a report which updates progress on the programs, projects and activities of the Land-Use Planning Branch for the period 8 September 2021 to 1 April 2022. It is the latest in a series of regular reports with the last one being considered at the Planning and Strategy Committee Meeting of 8 September 2021 (Item No. 9.1).

Key matters outlined in the attached status report include:

- Queanbeyan-Palerang Local Environmental Plan 2020
- Development Control Plans
- Planning Proposals
- Amendments to PLEP
- Review of land zoned E4 (C4) Environmental/Conservation Living
- Local Planning Agreements
- Local Strategic Planning Statement
- Local Infrastructure Contributions Plans
- Plans of Management
- Crown Land
- Spatial/Land Information Systems
- Queanbeyan-Palerang Heritage
- Braidwood Heritage Centre Funding Agreement
- Main Street Improvement Fund
- Section 10.7 certificates.

These topics generally align with the program areas administered by the Branch and include:

- 26.1.1 Planning Instruments (LEP/DCP)
- 26.1.2 Planning Proposals
- 26.1.3 Planning Strategies and Policies
- 26.2.1 Plans of Management (PoM)
- 26.2.2 Crown Land
- 26.4.1 Land Information Systems (LIS)
- 26.4.2 Geographical Information System (GIS) – data layer management
- 26.5.1 Queanbeyan-Palerang's Heritage
- 26.6.1 Certificates
- 26.7.1 Native Title.

Most of the above program areas have a statutory basis which either require them to be undertaken or require some output from them.

This report includes notations where projects relate to actions specifically identified in the Local Strategic Planning Statement which is one of the primary drivers of actions for the Branch.

10.1 Land-Use Planning Projects / Activities - Status Report (Ref: ; Author: Thompson/Carswell) (Continued)

Projects considered to be a priority this calendar year are also identified. These include:

- Drafting an Affordable Housing Strategy. This will give effect to Council's resolution of 9 March 2022 (Minute No. 105/22).
- Drafting a housekeeping local environmental plan. This will deal with policy matters arising from the *Queanbeyan-Palerang Local Environmental Plan 2022* which couldn't be dealt with as the latter was basically an administrative combination of all of the principal Local Environmental Plans applicable to the Queanbeyan-Palerang Local Government Area
- Continuation of the program of review and updating Council's local infrastructure contribution plans also called section 94 and 94A plans. Currently there are 19 contribution plans applying to the local government area with the next review focusing on the four local road contributions plans which apply.
- Progressing a planning proposal for the new Abbeyfield site on that part of the Majara Street to be closed north of Turallo Terrace. Once notified this will enable Abbeyfield to lodge a development application for seniors housing for seniors on low incomes.
- Drafting a discussion paper for the Braidwood Structure Plan. Amongst other things this will consider and identify suitable land options in Braidwood to accommodate additional growth including residential housing.
- Processing 10.7 certificates. These are required for the conveyancing process in NSW.
- Rural addressing and street naming which continues.

However, it also needs to be noted that the timing of some of the above projects/activities could be impacted by the Government's new policy of actively encouraging proponents to lodge proponent initiated planning proposals through the NSW Planning Portal. Once lodged staff are required to review and take certain other actions within specified times as outlined in the Government's newly released LEP Guidelines. At this stage Council has 5 proponent initiated scoping proposals which are likely to result in planning proposals lodged through the Portal.

Recommendation

That the report be received for information.

Attachments

Attachment 1  Land-Use Projects/Activities Status Report September 2021 - 1 April 2022 (*Under Separate Cover*)

10.2 Biannual Biosecurity Weeds Report (Ref: ; Author: Thompson/Holloway)

File Reference: 24.3

Report

This report outlines Council's progress towards management of weeds under the NSW biosecurity framework during the first half of 2021-22. It responds to a resolution at Council's meeting on 25 September 2019, that:

1. Council receive a bi-annual report on Council's management of weeds under the NSW biosecurity framework in regard to safeguarding our economy, environment and community.
2. The report address Council's role and record in working with landowners and occupiers to help them meet their general biosecurity duty according to the *Biosecurity Act 2015*, including:
 - Helping to identify priority weeds
 - Providing advice and information on ways to manage weeds
 - Providing displays at community events about weeds
 - The ongoing program of rural and urban inspections to check for priority weeds
 - Compliance issues.

Council's inspection and control of weeds is generally behind 2021-22 targets due to COVID and wet weather, however is successfully completing multiple strategic projects to improve longer term outcomes. The report outlines how Council is working with industry professionals, landowners and managers by:

- Helping to identify priority weeds – such as through ongoing weed survey and mapping, the development of improved risk assessment processes, mapping of priority agricultural and environmental assets threatened by weeds, and working with the regional committee to review the regional strategic weed management plan.
- Providing advice and information on ways to manage weeds – including 800 property-specific reports outlining the priority weeds found during property inspections with around 160 face-to-face meetings on-site, supported by around 1,500 YouTube views per month on weed control and the Fireweed Fighters program delivered at Googong School.
- Providing displays at community events about weeds – deferred due to COVID-19, supplemented by the delivery of online resources.
- The ongoing program of rural and urban inspections to check for priority weeds – comprising more than 800 inspections plus surveillance along high risk roadside pathways
- Compliance issues – Overall very good compliance observed with no Directions issued

Further detail is provided below under headings for each of the QPRC's Biosecurity programs (24.3) four main outputs:

- Biosecurity weed control on Council land (24.3.1)
- Biosecurity weed education, inspection and enforcement (24.3.2)
- Biosecurity weed survey and management planning (24.3.3)
- Biosecurity weed strategic projects (*proposed* 24.3.4)

10.2 Biannual Biosecurity Weeds Report (Ref: ; Author: Thompson/Holloway) (Continued)

Biosecurity Weed Control on Council Land

Seasonal control of priority weeds posing a biosecurity risk on Council land (roadsides and reserves) was conducted mostly as scheduled during the reporting period. This included the control of Serrated tussock, African lovegrass, English/Scotch broom, St John's wort and Fireweed.

The ongoing wet weather conditions provided significant challenges to the control of priority weeds. Some priority weed infestations were prolific, however they were often difficult to detect due to tall growth of other vegetation. While chemical control is usually the most efficient and effective technique, this was often limited due to poor weather conditions and water pooling on the ground.

Council employed two permanent weed controllers during the reporting period, however one of those controllers resigned in November. It was determined to trial the use of contractors for the remainder of the financial year as they are only paid for the time that they are able to do control work. External contractors are also being used as required for grant-funded control of weeds on priority Crown land.

Biosecurity Weed Education, Inspection and Enforcement

Council's weed education and inspection activities are overall a little behind schedule when private property inspections were temporarily suspended due to COVID-19 restrictions and further limited due to flooding and wet ground access constraints. The following outputs have been achieved in the first six months of 2021-22:

Activity	Annual target	First 6 months
4-year inspection of all properties >1ha (number of properties)	1865	689
4-year survey of urban areas (km ² or number of towns)	11	3
Additional 4-year inspection of priority sites (number of sites)	14	18
Re-inspection of priority weed compliance sites (number of sites)	283	102
Inspect all high-risk pathways (km of roadside)	1840	1840
Inspect all high-risk sites (number of sites)	150	100
Participation at public events (number of events)	6	0
Biosecurity Undertaking or Direction issued (number)		0

The education activities continue to focus on personalised information delivered during inspections. Landholders are provided with general information when they are advised of an upcoming inspection, encouraged to be present during the inspection of their property for customised advice on-site, and are provided with a report advising of any priority weeds observed at their property plus relevant legal control requirements.

Field days remained on hold due to COVID-19. However, QPRC's weed management videos continue to be popular attracting more than 1,500 views per month. In November Council won the LGNSW Excellence in the Environment Awards 2021, Invasive Species Management Award category, Division B (medium-size Councils with a population of 30,000-70,000), for *WeedsCon 2020* that launched those videos.

Routine surveillance inspections of properties were conducted across (at least parts of) the following localities: Araluen, Back Creek, Ballalaba, Bendoura, Bombay, Boro, Braidwood, Budawang, Bungendore, Burra, Bywong, Captains Flat, Carwoola, Charleys Forest, Durran Durra, Googong, Harolds Cross, Hoskinstown, Larbert, Manar, Marlowe, Mayfield, Mongarlowe, Mount Fairy, Mulloon, Nerriga, Northanger, Oallen, Royalla, Tinderry, Tomboye, Urila, Wamboin, Warri and Wog Wog.

**10.2 Biannual Biosecurity Weeds Report (Ref: ; Author: Thompson/Holloway)
(Continued)**

In addition, inspections of some properties that had locked gates during locality-wide inspections prior to July 2020 were also completed.

Re-inspection of priority weed sites to ensure compliance with weed eradication programs included Fireweed (only known in Googong) and Gorse infestations that are high priority weeds to be eradicated from the Queanbeyan-Palerang area. In addition, an increasing number of re-inspections are occurring at properties with more widespread weeds that had not been sufficiently controlled and where landholders were rescheduled for an inspection in less than the four-year routine inspection cycle.

Inspections of high-risk pathways and sites, identified through and fully funded by the South East Weeds Action Program, are ahead of target. Staff have been redeployed from routine inspections, and from weed control on some poor weather days, to enhance this activity. The pathways include major roads, rest stops, camping grounds and other places where biosecurity material (such as weed seed) from outside our region has a higher chance of being deposited and establishing and infestation. Of particular interest has been the potential impact from hay imported during the drought and post-fire periods from unknown sources across the country.

Council employed two permanent and one temporary Biosecurity Weed Officers, supported by the Team Leader Biosecurity Weeds, who are funded approximately 50:50 from Council funds and State Government Weeds Action Program funds.

Biosecurity Weed Survey and Management Planning

All weed inspection data collected was cleaned, collated and submitted to the Biosecurity Information System as required each month. Staff continue to work on improving weed risk assessments for priority weeds and a range of grant-supported strategic projects to improve long term weed management objectives.

Biosecurity Weed Strategic Projects

Council actively seeks external funding to support strategic weed management projects beyond our current capacity. Some projects help meet Council's values of Innovation and Continuous Improvement by piloting new approaches to routine activities, while others assist the community and partner agencies with priority weed management issues. The following projects are currently operational in 2021/22.

Save Our Species Woody Weed Control

A ten-year project to control berry-bearing bushes within two project areas to protect threatened woodland birds from predatory Currawongs that feed on the berries. Most control work scheduled for autumn 2022, although some resources may be transferred to shrub revegetation due to the successful control program completed to date.

Keeping an Eye on Ox-eye Daisy

Regional project to map isolated infestations of the priority weed ox-eye daisy, raise awareness, and undertake initial control works on private land, due for completion 2022.

Regional SEWAP Admin

Unallocated funds are held on behalf of the regional weeds committee from the South East Weeds Action Program 2020-25 to provide technical and administrative support services to the lead agency, South East Local Land Services. No activities during the reporting period however, requests for project support is expected in 2022.

**10.2 Biannual Biosecurity Weeds Report (Ref: ; Author: Thompson/Holloway)
(Continued)**

At What Cost?

Assess the economic impacts of weeds on agricultural land in south east NSW to identify potential priority economic assets, potentially requiring control of widespread weeds and more frequent inspections. Regional workshops run, maps produced and draft report being written with project due for completion mid-2022.

No space 4 weeds @ my place

Develop online tools to deliver relevant weed management information by property address, with capacity for adding a broader range of environmental education material. Project delayed but aiming for completion in 2022.

Gorsebusters – Upper Shoalhaven

Gorse and integrated weed control promotional material developed, however delivery at events deferred due to COVID-19. Inspections to determine the extent and control required for the priority weed Gorse at sites downstream of known isolated infestations largely completed, however final riparian surveys affected by ongoing floods. Aiming for completion in 2022.

Put out the Fireweed in Googong

Ongoing inspections to detect and control the priority weed Fireweed in the Googong township, the only currently known infestation within the QPRC area. Initial educational program developed and delivered to Googong school, now scheduled to expand to other schools in 2022 (COVID-pending).

Priority Environmental Sites Assessment

Assess sites identified as potential priority environmental assets threatened by weeds and draft simple weed management plans for priority sites. Due for completion 2022.

Vehicle Hygiene Videos

Determine procedures for maintaining vehicle hygiene to minimise the spread of weeds across a range of activities undertaken by Council, then develop short training videos to inform staff, contractors and related industries. Storyboards drafted, due for completion in 2022.

Weeds Duty Tool

Regional testing of a draft new weed risk management system developed by QPRC with an expert contractor to inform local biosecurity weed duties. Regional workshops run and valuable feedback being incorporated with completion due early 2022.

Funding has also been obtained to control priority weeds on Crown Land, as follows:

Weed control - Crown land Araluen

Control high priority weed Madiera vine along a water reserve to protect biodiversity values of the riparian ecosystem. Delayed due to ongoing wet weather and flooding.

Weed control - Crown land Bendoura

Control four priority weed species to protect threatened species and an ecological community at the Back Creek Reserve priority asset. Delayed due to ongoing wet weather and flooding.

Weed control - Crown land Bombay

Manage biosecurity weeds on Crown land at Bombay to protect the threatened Bombay bossiaea plant that only occurs within the QPRC area. Control works delayed due to bushfire impacts and subsequent ongoing flooding.

**10.2 Biannual Biosecurity Weeds Report (Ref: ; Author: Thompson/Holloway)
(Continued)**

Weed control - Crown land Bywong

Control Gorse and three other priority weed species to protect high environmental value vegetation and riparian zone. Control works delayed due to ongoing wet weather and flooding.

Weed control - Crown land Jembaicumbene

Jembaicumbene - Control four priority weed species to protect the Braidwood grazing area priority asset and a threatened ecological community. Control works delayed due to ongoing wet weather and flooding.

Weed control - Crown land Jerrabatgulla

Control four priority species to protect the Braidwood grazing area priority asset. Control works delayed due to ongoing wet weather and flooding.

Weed control - Crown land Lake George

Manage biosecurity weeds on Crown land at Lake George to protect threatened species/community. Progressed despite wet weather and completed.

Weed control - Crown land Majors Creek

Control Blackberry and Broom to reduce fire hazard and protect a threatened ecological community, biodiversity values of the waterway and downstream conservation area. Control works delayed due to ongoing wet weather and flooding.

Weed control - Crown land Queanbeyan

Control various weeds to protect threatened species and ecological community at Letchworth Estate Reserve. Control works are almost completed, however due to wet weather and boggy ground final works have been delayed.

Weed control - Crown land Urila

Control Serrated tussock on an elevated Crown trig reserve to protect surrounding landscapes from wind-borne seed. Control works completed.

Weed control - Crown land Yarrow

Manage biosecurity weeds on Crown land at Yarrow to protect high environmental value native vegetation and agricultural land. Scheduled for mid-2022.

Conclusion

Council maintains an effective and progressive Biosecurity program which is constantly looking to improve outcomes. The team is adapting to the changes resulting from the repeal of the Noxious Weeds Act and its declared list of noxious weeds, replaced with the new risk-based duty to control priority weeds posing an impact under the *Biosecurity Act*.

Recommendation

That the report be received for information.

Attachments

Nil

10.3 2022 Minecraft Sustainable Design Competition (Ref: ; Author:
Thompson/Reczek)

File Reference: 25.4.1

Report

QPRC have been looking for innovative ways to support education in the community on environmental and sustainability matters, while tackling the challenging task engagement during the Covid-19 pandemic. This saw changes to the QPRC Environmental Expo Program in Feb 2020 to be replaced with a mobile education trailer and led to the running of the 2021 World Environment Day events which were well received.

As part of the 2022 World Environment Day event, it is proposed to run a sustainable design competition using the well-known sandbox computer design platform game, Minecraft. This year's theme for World Environment Day is "Only One Earth" and to support this message the 2022 Minecraft Sustainable Design Competition will require participants to submit a sustainable design of a building, park, landscape, town or other structure that reflects the sustainable living theme of World Environment Day 2022.

The competition will be aimed at school-aged children in the QPRC local government area with all entries screened at a special presentation prior to World Environment Day. Each entry will be shown in a movie-style event, with a judging panel and prizes established through sponsorship. Council will be seeking sponsors for the category prizes for the competition. Category and final winners will be announced on the day.

This competition will promote sustainable thinking in the young community, while improving engagement with Council on sustainability and environmental matters using a fun, engaging and innovative platform.

Many schools and educators use the Minecraft platform to engage with school-aged children on a variety of different subjects including climate change, sustainability, building design, town planning, technology, coding and more. Most school-aged children and schools have access to the Minecraft program as it provides a unique platform for education activities. Minecraft is a sandbox style game with virtually infinite terrain, where users can enter a 'creative mode' to build anything they wish (similar to building blocks or lego) using a variety of materials. This makes Minecraft perfect for encouraging sustainable planning practices as users need to think from the ground up when creating a sustainable design.

QPRC have been restricted in the number of environmental education activities conducted in the last 2 years, with many talks and activities moving to the virtual environment, video content and other remote activities replacing direct engagement events. Although most restrictions have eased, there is an ongoing need for flexibility and innovation when it comes to promoting environmental messaging across the LGA. It is also important to choose engagement activities that are effective, popular, and give back to the community.

By holding a sustainable design competition for school-aged children using a popular gaming platform, Council can maximise that engagement and support sustainable thinking at the outset, with the next generation considering sustainability in the conceptual stages of their design projects, rather than mitigation measures at the end.

It is hoped that with the successful running of the 2022 Minecraft Sustainable Design Competition, future uses of the gaming platform for environmental education can be utilised, including the creation of QPRC townships, landmarks and waterways for additional education opportunities.

10.3 2022 Minecraft Sustainable Design Competition (Ref: ; Author: Thompson/Reczek) (Continued)

Terms and Conditions for the 2022 Minecraft Sustainable Design Competition have been drafted and attached. The document covers entry conditions and guidelines, judging criteria, deadlines and collection of information clauses. Participants will be required to agree to the terms and conditions when submitting their entries.

The benefits of this competition include community education on sustainability and environmental topics in line with the 2022 World Environment Day Theme “Only One Earth”. Direct engagement with children on these topics will have future benefits for sustainable thinking, innovation and support for local, state and national environmental outcomes.

Sustainability themes are highlighted in the competition, with outcomes for sustainable design and innovative living solutions a key outcome. There is also potential for participants to ‘think globally, act locally’ for solutions to sustainability matters in the QPRC LGA, bringing sustainable lifestyle changes into their own household environments.

Benefits to the community include increased engagement, more specifically school-aged children, on sustainability and climate topics, while encouraging innovation and clever thinking for sustainable design topics. This event allows participants from across the QPRC LGA to contribute and be recognised for their creativity and ideas on sustainability, while engaging with Council in a way that reflects the community’s values.

QPRC is responsible for school’s engagement across many education institutions over a large geographical area. Utilising popular online platforms to promote educational topics is an effective way to broaden the reach of our engagement activities, involving children who may not otherwise have participated in the competition.

Community engagement for this competition will involve direct promotion via print and social media announcements, including QPRC News and directly with local schools and youth groups in the LGA. The communications outline will follow the timeline laid out in the Competition Brief attached and includes ongoing promotion throughout the competition period, reminders and announcements of the winning categories on the QPRC website and social media accounts.

Resourcing for this competition is mostly internal, with development of content, final entry screening videos and promotion material completed by the QPRC Communications Team. Engagement with potential prize sponsors will be conducted once the competition is approved, with prizes awarded at the “Awards Event”.

Prizes are anticipated to be in the form of vouchers for local game stores with minor prizes potentially provided through previous partnerships with Corin Forest for Snow Play family passes, Questacon or similar.

Some expense will be incurred for hire of The Bicentennial Hall and Master of Ceremonies on the presentation day.

10.3 2022 Minecraft Sustainable Design Competition (Ref: ; Author: Thompson/Reczek) (Continued)

Funding is available from the following programs.

Program Code	Expense Type	Funding source		Amount
25.1.1	Event	Bicentennial Hall Hire and event expenses	\$	4,000
25.1.1	Event	Promotional Posters	\$	150
25.1.1	11 Prizes	Possible prize funding if sponsorship not successful (\$500 per category)	\$	3,000

Resources (including staff)

Resources for this competition include internal development of the following:

- Promotional material including social media tiles, posters, website and newsletter content as required
- Competition material such as Terms and Conditions, and Design Brief developed by the QPRC Environmental Education Officer to be made available to entrants on competition launch
- Compilation of final entry videos for screening on 3 June as part of World Environment Day activities, after competition deadline (internal - estimate 5 days)
- Engagement of MC for presentation day
- Seeking of sponsorship for competition prizes in lead up to competition launch (to be confirmed by 2 May)
- Judging panel to be decided once sponsorships are confirmed.



The 2022 Minecraft Sustainable Design Competition will be a unique and interesting event for the QPRC region, engaging young minds and encouraging sustainable design approaches to the environmental challenges of the future.

By utilising an existing sandbox game platform, this competition is a low-cost, but effective way for Council to support and recognise the contributions of our local youth towards a clean, green community, and paves the way for future engagements of a similar nature. There is potential for use of the Minecraft platform for gathering community contributions for the design of parks, community buildings, artworks and sustainable transport infrastructure in our region.

Recommendation

That the report be received for information.

Attachments

- Attachment 1  Minecraft Sustainable Design Competition Brief (*Under Separate Cover*)
- Attachment 2  Minecraft Sustainable Design Competition Terms and Conditions (*Under Separate Cover*)

10.4 Event Evaluation of Queanbeyan MultiCultural Festival 2022 (Ref: ; Author: Richards/Wightman)

File Reference: 1.4.1

Report

The 2022 Queanbeyan Multicultural Festival was celebrated for the 15th year at the Queanbeyan Town Park on Sunday 27th February 2022 from 10am to 3pm. The event aims to encourage members of the public to explore the diversity of our community and experience different cultures through a variety of foods, performances, and activities led by the multicultural community. Efforts are made every year to increase the offerings from previous year's events. The Fringe festival, sporting activities and demonstrations with refugee sporting groups has added visual and interactive experiences for all ages.

The atmosphere at this event had a strong community spirit with roving performers engaging visitors from the Main stage to the Fringe stage across Queanbeyan Park. The large old trees acted as a canopy for the eating areas. Covid was the main reason for the absence of children's activities and games this year. The markets were moved along Campbell Street within the tree line, but due to overnight rain and Covid infections, we had fewer stallholders this year. The sporting activities run in previous years were also cancelled due to wet grounds and Covid isolation.

Profile of Attendees

- Young families, older community members and our regional community members.
- Cultural performers
- Cultural community organisations
- Commercial restaurants and vendors
- Refugee support organisations
- Market providers
- A variety of different ethnic groups from the community and the region
- Visitors from the greater region including the ACT and the South Coast
- Based on their experience at this event, over 90% of patrons stated that they would attend another event in the region and over 80% agreed that they were likely to recommend the event to a friend or relative
- Per person spend at event was between \$20-\$100
- Peak times were between 11.30am and 1.00pm with an estimated 5,000+ visitors t.

Event Details

Activities at this event have grown each year with more input from the community and little impact on the budget. Queanbeyan's Multicultural festival is unique. It does not compete with the Canberra Multicultural festival which is usually held two weeks prior. The event is inclusive and non-alcoholic with an abundance of food, entertainment and activities. Event attendance and support has been growing steadily over the 15 years of operation.

Fringe Stage

The Fringe stage is a trailer that folds out to produces an all-weather, 3m x 6m space for performers and an extra space for interactive experiences. This stage was funded by a \$14,000 NSW Government grant, carried over from 2020.

Budget

QPRC Event running cost	\$ 20,000
QPRC Event running cost – Marketing and Promotions	\$ 5,000
N.S.W. Regional Economic Development Grant	\$ 14,000
Vendor income	- \$ 3,395

10.4 Event Evaluation of Queanbeyan MultiCultural Festival 2022 (Ref: ; Author: Richards/Wightman) (Continued)

Safety

Entry points to the site were clearly defined and managed. Site maps and safety data were sent to vendors prior to the event. VMS notice boards were placed in two main areas - Canberra Avenue entrance and Kings Highway entrance - for a week prior to alert the community and others that the event was to be held at the town park from 10am to 3pm. This sign also alerted people of the potential for traffic build-up around the park at this time.

Overall Event Actions and improvements for the future

- Include event way finding signage
- Work more closely with the Tourism and Communication teams to promote the event through website and social media channels
- Continue with sponsorship arrangements with Win-TV and 2CC radio.
- Continue to expand the stage and lighting for the Fringe festival
- Look into grant opportunities for marketing and extra stage cost
- Advertise the event earlier on social media to increase reach
- Use the video footage and vox-pops leading into the event

Possible Dates for 2023

Sunday 12th or 19th February 2023.

Qualitative feedback

- Well done Team!! What a great event after a couple of years of cancellations and headaches.
- I would like to thank you for such a wonderful Festival. We really enjoyed ourselves and had an excellent day.
- It was a great event - congratulations. Never thought we would be happy to run out of food
- Thank you for the opportunity to participate and accommodation our late application
- Loved that we had the second stage and another chance at a second performance

The event succeeds in meeting the aims and objectives set and is clearly valued by both the attendees and those taking part. Event organisers have the pleasing task to manage a successful event on the QPRC calendar and looking forward to reaching new expectations for next year's event.

Recommendation

That the report be received for information.

Attachments

Nil

10.5 Review of Asset Accounting Policies (Ref: ; Author: Monaghan/Sullivan)

File Reference: 43.3.1-02

Summary

The Asset Accounting Policies were adopted in February 2021 and were anticipated for a one-year review, after the asset revaluations.

The Australian Accounting Standards Board has released the Conceptual Framework for Financial Reporting since the adoption of the former policies, and the updated asset definitions have been incorporated into the Agency Assets Policy.

Recommendation

That Council adopt the revised Asset Accounting Policies as attached.

Background

The draft asset accounting policies regulate and guide the standardised approach followed by Council when accounting for infrastructure, property, plant and equipment. They are consistent with *Australian Accounting Standards*, the *Office of Local Government Code of Accounting Practice*, and the *IPWEA Australian Infrastructure Financial Management Manual*.

Several of the asset accounting policies have short review dates (12 months), that will allow the continuous review and improvement of accounting policy and practice, after each financial reporting cycle.

Implications

Engagement

The Draft Accounting Policies have been reviewed and endorsed by the Audit Risk and Improvement Committee.

Asset

It should be noted that Council's Auditor, Mr Michael Kharzoo has disagreed with the proposed asset accounting policy for agency assets, relating to RFS Assets, and has issued a high risk management letter issue over Council's decision not to recognise RFS plant and equipment in its financial statements. Discussions with Council's auditor on the topic will continue in the planning phase of the audit.

Council staff have considered the application of the accounting standards and have supported a different professional judgement over the Council's ability to use RFS plant and equipment for the benefit of ratepayers.

This report recommends the attached Agency Assets Policy be adopted by Council, noting the difference of professional opinion, and noting that Council is ultimately responsible for its own application of accounting standards and the preparation of its own financial statements.

**10.5 Review of Asset Accounting Policies (Ref: ; Author: Monaghan/Sullivan)
(Continued)**




Resources (including staff)

The Asset Revaluation Policy proposes to spread the workload for revaluation of Council's infrastructure over 5 years. This will enable a proper focus on each class of assets and reduce the risk that future asset revaluations will not be properly resourced or completed in a timely manner. Additionally, the policy requires that the asset condition assessments and data verification will be completed in the financial year prior to the asset revaluation, ensuring that the revaluation process itself will be relatively straight-forward.

Conclusion

In formally adopting its asset accounting policies, Council will provide a platform for the development of consistent internal control processes for asset accounting that are defensible to external audit.

Attachments

- | | |
|--|---|
| Attachment 1 | Draft Asset Accounting Policy: Capitalisation (<i>Under Separate Cover</i>) |
|  Attachment 2 | Draft Asset Accounting Policy: Revaluation (<i>Under Separate Cover</i>) |
|  Attachment 3 | Draft Asset Accounting Policy: Agency Assets (<i>Under Separate Cover</i>) |
|  Attachment 4 | Draft Asset Accounting Policy: Definitions (<i>Under Separate Cover</i>) |

10.6 Resolution Action Sheet (Ref: ; Author: Monaghan/Flint)

File reference: 52.3.2

Report

The Resolution Action Sheet provides Council with information on action taken or proposed to be taken as a result of resolutions carried at Ordinary Council meetings.

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are completed and presented to Council, they will be removed from the document.

Recommendation

That the report be received for information.

Attachments

Attachment 1 Resolution Action Sheet (*Under Separate Cover*)



10.7 Councillor Workshops (Ref: ; Author: Flint/Ison)

File Reference: 13 April 2022 reports

Synopsis

Council at its meeting on 23 February 2022 resolved (Resolution No 093/22) as follows:

That:

- 1. Council publish details of the date a Councillor workshop was held and the workshop topic.*
- 2. Where an external presenter attends a Councillor workshop, publish their name, the organisation they represent and the topic of their presentation to the workshop.*
- 3. For the matters referred to in items 1 and 2 above, publish information in the next available Council business paper following a Councillor workshop, as an information item.*
- 4. Council withhold from publication any information that is of a personal nature or concerns matters for which Council is seeking legal advice or a legal determination, the publication of which could legally disadvantage parties to the matter.*

Recommendation

That the report be received for information.

Report

During the period 17 March to 8 April 2022, the following workshops were held:

Date	Workshops	Presenter/s (if applicable)
23/03/2022	VBC (South Jerra) future stages	Village Building Company: Jamie Cregan Kylie Coe
30/03/2022	Business and Innovation Branch update	
30/03/2022	Blind Creek Solar Farm Planning Agreement	Blind Creek Solar Farm Pty Ltd: Dominic Osborne Luke Osborne Jane Osborne
30/03/2022	Revenue (Service Pricing) Review	
06/04/2022	Bungendore High School site review	NSW Department of Education: Carlo Bellinato Shay Bergin David Tonge Sarah Kelly
06/04/2022	Draft Delivery Plan/Operational Plan	

Attachments

Nil

**11.1 Audit, Risk and Improvement Committee Minutes - 16 December 2021 (Ref: ;
Author: Monaghan/Cakalic)**

File Reference: ECM 45.3.1

Summary

This report provides the minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 16 December 2021, as confirmed by the ARIC at its meeting of 16 March 2022.

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 December 2021:

- Verbal update on external audit activities by the Audit Office of NSW
- Update on Disaster Recovery for Water and Sewer
- Policy harmonisation update
- Internal audit activity report by O'Connor Marsden
- Review of ARIC actions arising and status of external and internal audit recommendations
- Report on HSEQ Triennial Audit Summary 2021
- StateCover WHS 2021 Self-Audit Summary Report
- ICAC Operation Dasha – QPRC responses to the ARIC
- Physical Security
- Business Continuity
- Network Penetration Testing 2021
- Technology One SaaS
- QPRC Cybersecurity Review
- ASD Essential Eight Report
- Long Term Financial Plan
- Financial Statements Sub-Committee report
- CFO Status Report
- Senior Management Presentation

The ARIC's consideration of and resolution on the above matters are outlined in the attached minutes.

Recommendation

That Council note the minutes of the Audit, Risk and Improvement Committee held on 16 December 2021.

Attachments

Attachment 1 ARIC Minutes 16 December 2021 (*Under Separate Cover*)



15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the “confidential” business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

Recommendation

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

Item 16.1 Undetected Leak Application - Strata Bungendore

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