



Ordinary Meeting of Council

AGENDA

18 January 2023

Commencing at 5.30pm

Council Chambers
253 Crawford St, 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.

A recording of the meeting will be archived on the website.

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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 21 December 2022

5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

8 NOTICES OF MOTIONS OF RESCISSION

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 Partial Land Acquisition - 31 Ellendon Street, Bungendore

Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

16.2 Proposed Compulsory Acquisition/Agreement of Lease Bungendore Swimming Pool

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.

16.3 Public Interest Disclosure/Code of Conduct Complaint

Item 16.2 is confidential in accordance with s10(A) (i) of the Local Government Act 1993 because it contains alleged contraventions of any code of conduct requirements applicable under section 440 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 Main Street Grant Applications 2022/23

Attachment 2 Main Street Upgrade Fund 2022-23 Guidelines (Under Separate Cover)

Item 9.2 Queanbeyan Integrated Water Cycle Management (IWCM) Report

Attachment 1 IWCM Issues Paper (Under Separate Cover)

Attachment 2 IWCM Issues Paper Supplement (Under Separate Cover)

Attachment 3 IWCM Financial Analysis (Under Separate Cover)

Attachment 4 IWCM & QSTP Business Case Presentation (Under Separate Cover)

Item 9.3 Multi-Sport Community Facility Fund 2022/23 (Round 2) Queanbeyan Regional Sports Complex

Attachment 1 MSCFF 2022/23 Notification Letter from Minister Henskens (Under Separate Cover)

Item 9.6 Investment Report - December 2022

Attachment 1 Investment Report Pack - December 2022 (Under Separate Cover)

Item 9.7 Asset Accounting Policy: Depreciation and Impairment

Attachment 1 Asset Accounting Policy: Depreciation and Impairment

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

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(Under Separate Cover)

Item 10.1 Resolution Action Sheet

Attachment 1 Resolution Action Sheet (Under Separate Cover)

Closed Attachments

Item 9.1 Main Street Grant Applications 2022/23

*Attachment 1 Summary Main Street Upgrade Fund Applications 2022-23
(Under Separate Cover)*

Item 16.1 Partial Land Acquisition - 31 Ellendon Street, Bungendore

*Attachment 1 Valuation Report 31 Ellendon St Bungendore (Under
Separate Cover)*

Item 16.2 Proposed Compulsory Acquisition/Agreement of Lease Bungendore Swimming Pool

Attachment 1 SINSW Letter to QPRC (Under Separate Cover)

*Attachment 2 Attachment B to Letter - Yarrawlumla Shire Council Plan of Management
(Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford Street, Queanbeyan on Wednesday, 21 December 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
Cr Willis
Cr Wilson

Staff:

R Ryan, General Manager
P Hansen, Director Infrastructure Services
M Thompson, Director Development and Environment
M Darcy, A/Director Community, Arts and Recreation
R Tozer, A/Director Corporate Services

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 23 November 2022

497/22

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 23 November 2022 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

498/22

RESOLVED (Winchester/Biscotti)

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

The resolution was carried unanimously.

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

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

During the Public Forum, a presentation was delivered by Mr Michael Kharzoo, Director Financial Audit Services from the NSW Audit Office, regarding the audit opinion and finalisation of the 2021/2022 Audited Financial Statements and Independent Auditors Report of QPRC General and Special Purpose Financial Statements. Ms Alison Brown, Assistant Auditor-General, presented a summary of the NSW Audit Office's current and future performance audits into Local Government.

499/22

RESOLVED (Winchester/Preston)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 6.06pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 State Significant Development - SSD - Bungendore High School - Proposed Council Submission Following Exhibition of Response to Submissions Report No.2

500/22

RESOLVED (Preston/Wilson)

That:

1. Council advise the NSW Department of Planning that following the exhibition of the Response to Submissions Report No.2 Council maintains its objections to the proposal for the development of the new Bungendore High School (SSD-14394209) for the reasons detailed in Attachment 1 including those matters discussed on items 5 and 9 at the meeting, noting that subject to satisfactory resolution of these items Council may withdraw its objection to the proposal.
2. Attachment 1 be forwarded to the Department as Council's formal submission on the proposal following release of the Response to Submissions Report No.2.
3. Council provide a copy of its amended recommended conditions of consent for the new Bungendore High School as detailed in Schedule 2 within Attachment 1 of this report.

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

Against: Crs Biscotti, Burton and Grundy

9.2 Modification Application DA.2020.1351.A - QPRC Regional Sports Complex, 210 Environa Drive, Environa

501/22

RESOLVED (Biscotti/Taskovski)

That modification application DA.2020.1351.A for changes to the proposed amenities buildings at the QPRC Regional Sports Complex at 210 Environa Drive, Environa, be granted conditional approval subject to the plan references in Schedule 1 of the conditions being amended to reflect the modified plans.

The resolution was carried unanimously.

9.3 Determination of Applications for the Local Heritage Places Grants 2022-23

Procedural Motion

502/22

RESOLVED (Biscotti/Burton)

That consideration of the Determination of Applications for the Local Heritage Places Grants 2022-23 be held in Closed Session.

The resolution was carried unanimously.

503/22

9.4 Braidwood Structure Plan Discussion Paper

RESOLVED (Willis/Webster)

That Council endorse the Braidwood Structure Plan Discussion Paper for public exhibition, not before 30 January 2023.

The resolution was carried unanimously.

9.5 Main Street Grant Applications 2022/23

MOVED (Wilson/Biscotti)

That Council agree to the recommended projects being funded under the Main Street Upgrade Fund 2022/23 as summarised in Attachment 1.

Cr Grundy foreshadowed a CONTRARY motion:

That the following notice of motion be considered at the January 2023 Council meeting:

That Council:

1. Not support the funding of the recommended projects under the Main Street Upgrade Funding 2022/23 (as summarised in Attachment 1) at this time due to Council's constrained financial position.
2. Suspend all such grants for the remainder of financial year 2022/23 and reallocate existing funds to reserves to be determined by Council at a workshop and by referencing outcomes from community consultation on the SRV.

The motion (of Crs Wilson and Biscotti) was PUT and LOST.

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

The foreshadowed motion (of Cr Grundy) was brought forward, PUT and CARRIED.

504/22

RESOLVED (Grundy/Biscotti)

That the following notice of motion be considered at the January 2023 Council meeting:

That Council:

1. Not support the funding of the recommended projects under the Main Street Upgrade Funding 2022/23 (as summarised in Attachment 1) at this time due to Council's constrained financial position.
2. Suspend all such grants for the remainder of financial year 2022/23 and reallocate existing funds to reserves to be determined by Council at a workshop and by referencing outcomes from community consultation on the SRV.

For: Crs Biscotti, Burton, Grundy, Taskovski, Ternouth, Webster and Winchester

Against: Crs Livermore, Preston, Willis and Wilson

Cr Ternouth left the Chambers at 6.43pm.

9.6 NSW Planning Amendments for Agritourism

505/22

RESOLVED (Willis/Winchester)

That Council agree to the proposed land use planning changes set out in Attachment 3 of this report in respect of implementing the NSW Government's Agritourism Reforms.

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

Against: Crs Biscotti, Burton and Grundy

Absent: Cr Ternouth

Cr Taskovski left the Chambers at 6.44pm.

Cr Ternouth returned to the Chambers at 6.45pm.

Cr Taskovski returned to the Chambers at 6.45pm.

9.7 QPRC Sports Facilities Strategic Plan

506/22

RESOLVED (Wilson/Biscotti)

That Council endorse the draft QPRC Sports Facilities Strategic Plan for public exhibition and comment until 15 March 2023, with a consultation report coming back to Council for consideration before final adoption.

The resolution was carried unanimously.

9.8 Queanbeyan Micro-Forests Proposal

507/22

RESOLVED (Wilson/Willis)

That Council endorse the concept of micro-forests within Queanbeyan and work with the community to establish a trial site at Blackall Park.

The resolution was carried unanimously.

9.9 Contaminated Land Management Within QPRC - Proposed Adoption of Policy and Guidelines for Exhibition

508/22

RESOLVED (Willis/Preston)

That Council:

1. Place the Draft Contaminated Land Policy and Draft Contaminated Land Guideline on public exhibition for an extended period of 42 days, commencing no earlier than 30 January 2023.
2. Provide information sessions for Captains Flat residents to explain how the requirements of the contaminated land legislation outlined in the Policy and Guidelines impacts the properties of residents and business operators. The sessions should include information on how the SRAP can be used by the land owners and provide information on "living with lead".
3. Request the appropriate NSW Government agency send a representative to the information sessions for Captains Flat residents.
4. Request the Mayor write to the relevant NSW Government Minister and the Member for Monaro seeking an urgent meeting to discuss how the NSW Government can support people in Captains Flat to meet the requirements of the contaminated land management arrangements, including by providing financial support.

The resolution was carried unanimously.

9.10 Exhibition of Draft Public Electric Vehicle Charging Infrastructure Policy

MOVED (Biscotti/Taskovski)

That:

1. The Public Electric Vehicle Charging Infrastructure Policy and associated Locality Plan be placed on public exhibition for a period of 42 days.
2. Council engage OneWiFi to activate and manage the two existing public place electric vehicle (EV) charging stations at the Googong Common Carpark for a trial period of two years.

AMENDMENT (Willis/Preston)

That:

1. The Public Electric Vehicle Charging Infrastructure Policy and associated Locality Plan be placed on public exhibition for a period of 42 days.
2. In relation to the existing public place electric vehicle EV charging station at the Googong Common Carpark, a report come back to Council for the possible disposal of the units.

The amendment (of Crs Willis and Preston) was PUT and CARRIED.

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

Against: Cr Grundy

The amendment became the motion.

509/22

RESOLVED (Willis/Preston)

That:

1. The Public Electric Vehicle Charging Infrastructure Policy and associated Locality Plan be placed on public exhibition for a period of 42 days.
2. In relation to the existing public place electric vehicle EV charging station at the Googong Common Carpark, a report come back to Council for the possible disposal of the units.

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

Against: Cr Grundy

9.11 Edwin Land Parkway Noise Assessment

510/22

RESOLVED (Wilson/Willis)

That Council consider funding an amount of \$75,000 for the cost undertaking another round of noise monitoring, assessment and reporting in the 2023/24 Operational Plan.

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

Against: Crs Biscotti, Burton and Grundy

511/22 **9.12 Ellerton Drive Noise Assessment**
RESOLVED (Willis/Webster)

That consideration of the Ellerton Drive Noise Assessment be deferred and brought back to a later Council meeting following consultation with affected residents and a Councillor workshop.

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

9.13 Queanbeyan Integrated Water Cycle Management (IWCM) Report
MOVED (Willis/Preston)

That consideration of the Queanbeyan Integrated Water Cycle Management (IWCM) report be deferred to the next Council meeting.

Cr Biscotti foreshadowed a CONTRARY motion:

That Council:

1. Place the Draft Queanbeyan Integrated Water Cycle Management (IWCM) Report on exhibition until 28 February 2023.
2. Submit the Draft IWCM Report to DPIE (Water) for comment.

The motion (of Crs Willis and Preston) was PUT and CARRIED.

512/22 **RESOLVED (Willis/Preston)**

That consideration of the Queanbeyan Integrated Water Cycle Management (IWCM) report be deferred to the next Council meeting.

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

9.14 Floodplain Management Program 2022-23 - Funding Acceptance

MOVED (Webster/Willis)

That Council:

1. Accept funding offers from NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the following projects:
 - a. Captains Flat flood warning system.
 - b. Queanbeyan voluntary purchase and house raising feasibility study.
 - c. Bungendore overflow channel.
2. Consider the funding of Council's contribution for these projects at the second quarterly budget review statement.

AMENDMENT (Grundy/Biscotti)

That Council:

1. Accept funding offers from NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the following projects:
 - a. Captains Flat flood warning system.
 - b. Queanbeyan voluntary purchase and house raising feasibility study.
2. Defer a decision on grant funding acceptance for Tarago Road, Bungendore, flood remediation until advice and permission is sought from the NSW Environment Minister on waiving the 2(NSW Gov):1(QPRC) funding requirement for the proposed works.

The amendment (of Crs Grundy and Biscotti) was PUT and CARRIED.

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

Against: Cr Webster

The amendment became the motion.

513/22

RESOLVED (Grundy/Biscotti)

That Council:

1. Accept funding offers from NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the following projects:
 - a. Captains Flat flood warning system.
 - b. Queanbeyan voluntary purchase and house raising feasibility study.

2. Defer a decision on grant funding acceptance for Tarago Road, Bungendore, flood remediation until advice and permission is sought from the NSW Environment Minister on waiving the 2(NSW Gov):1(QPRC) funding requirement for the proposed works.

The resolution was carried unanimously.

Procedural Motion

514/22

RESOLVED (Willis/Biscotti)

That the meeting adjourn for ten minutes.

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

Against: Crs Burton and Grundy

ADJOURNMENT: The meeting adjourned at 7.38pm and resumed at 7.48pm

9.15 Fixing Country Bridges Program - Round 2B

516/22

RESOLVED (Willis/Burton)

That Council accept the \$5,269,000 NSW Government's Fixing Country Bridges Program Round 2B grant funding for the replacement of four timber bridges.

The resolution was carried unanimously.

9.16 QPRC Cultural Grant Application from Braidwood FM Inc.

MOVED (Wilson/Preston)

That Council approve a Cultural Grant of \$3,000 towards costs for marketing and digital rollout of a six-part podcast series titled 'Heart of the Storm'.

Cr Grundy foreshadowed CONTRARY motion:

That the following notice of motion be considered at the January 2023 Council meeting:

That Council:

1. Not support the cultural grant allocation program at this time due to Council's constrained financial position.
2. Suspend all such grants for the remainder of financial year 22/23 and reallocate funds to reserves to be determined by Council at a workshop and by referencing outcomes from community consultation on the SRV.

The motion (of Crs Wilson and Preston) was PUT and CARRIED.

517/22

RESOLVED (Wilson/Preston)

That Council approve a Cultural Grant of \$3,000 towards costs for marketing and digital rollout of a six-part podcast series titled 'Heart of the Storm'.

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

9.17 Cultural Grants Application - Queanbeyan Artist Residency Project

MOVED (Willis/Preston)

That Council approve a Cultural Grant of \$1,400 towards costs for an artist residency at the Hive, Queanbeyan.

The motion (of Willis and Preston) was PUT and LOST.

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

9.18 Library Local and Family History Collections Policy

518/22

RESOLVED (Willis/Livermore)

That Council place the Library Local and Family History Collections Policy on public exhibition for 28 days with a consultation report coming back to Council for consideration before final adoption.

For: Crs Biscotti, Burton, Livermore, Preston, Taskovski, Ternouth, Webster, Willis, Wilson and Winchester
Against: Cr Grundy

9.19 Post-Exhibition Report - Library Strategy 2022-2026

519/22

RESOLVED (Willis/Biscotti)

That Council adopt the QPRC Library Strategy 2022-2026.

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

- 520/22 **9.20 Post-Exhibition Policy Report - Code of Meeting Practice**
RESOLVED (Wilson/Biscotti)
That Council adopt the Code of Meeting Practice as attached to this Report.

The resolution was carried unanimously.
- 521/22 **9.21 Post-Exhibition Policy Report - Parking and Enforcement Priority Policy**
RESOLVED (Preston/Biscotti)
That Council adopt the Parking and Enforcement Priority Policy as attached to this Report.

The resolution was carried unanimously.
- 522/22 **9.22 Post-Exhibition Policy Report - Sustainable Design for Council Buildings and Shopping Trolley Management**
RESOLVED (Wilson/Willis)
That Council adopt the Sustainable Design for Council Buildings Policy and Shopping Trolley Management Policy as attached to this Report.

The resolution was carried unanimously.
- 523/22 **9.23 Presentation of 2021-22 Audited Financial Statements**
RESOLVED (Biscotti/Wilson)
That Council:
 1. Accept the audited General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2022, and note that public submissions will be accepted until 9 February 2023.
 2. Note the additional claim for \$85,000 made by the Auditor General and write to the Minister of Local Government to advise that Council objects to the additional cost being notified after the completion of the audit work, and without sufficient justification.
The resolution was carried unanimously.

9.24 2022-23 Borrowing Program

524/22

RESOLVED (Willis/Biscotti)

That Council:

1. Accept the financing offer from ANZ and authorise the Mayor and General Manager to enter loan agreements for \$44,661,000 in accordance with the terms outlined in this report that includes:
 - \$39,661,000 to finance the construction of the QCCP.
 - \$5,000,000 loan agreement to finance the construction of the Regional Sports Complex (Stage 1).
2. Authorise the use of the Common Seal for the execution of these Loan Agreements with ANZ Bank.

The resolution was carried unanimously.

9.25 Investment Report - November 2022

525/22

RESOLVED (Willis/Biscotti)

That Council:

1. Receive the Investment Report for the month of November 2022.
2. Note the investment return for November 2022 was \$1,047,691.
3. Note the investment portfolio has been made in accordance with the *Local Government Act (1993)*, the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

9.26 Councillor Resignation

526/22

RESOLVED (Wilson/Biscotti)

That Council:

1. Accept the resignation of Cr Ternouth and declare a casual vacancy of a Councillor at Queanbeyan-Palerang Regional Council.
2. Notify the NSW Electoral Commission within seven days of 31 December 2022 that a Countback election is necessary to fill the casual vacancy.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 State Significant Development Application SSD 21184278 - Woodlawn Advanced Energy Recovery Centre - Council Submission

527/22

RESOLVED (Preston/Willis)

That the report be received for information.

The resolution was carried unanimously.

10.2 Land-Use Planning Projects / Activities - Status Report

528/22

RESOLVED (Willis/Preston)

That the report be received for information.

The resolution was carried unanimously.

10.3 Bungendore Compulsory Acquisition Compensation Update

529/22

RESOLVED (Biscotti/Preston)

That the report be received for information.

The resolution was carried unanimously.

10.4 Regional Cities November 2022 Meeting

530/22

RESOLVED (Winchester/Willis)

That the report be received for information.

The resolution was carried unanimously.

10.5 Councillor Workshops

531/22

RESOLVED (Winchester/Biscotti)

That:

1. The report be received for information.
2. For 6 December 2022 workshop, add the following words after Centre: on their Eastwick Greenline light rail and active travel corridor proposal.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

11.1 Local Traffic Committee Meeting - December 2022

532/22

RESOLVED (Biscotti/Livermore)

That Council:

1. Note the minutes of Local Traffic Committee held on 6 December 2022.
2. Adopt recommendations LTC 41/2022 to LTC 48/2022 from the meeting held on 6 December 2022.

LTC 41/2022: Under *The Roads Act 1993* approve the TCP/TMP for the Googfest event.

LTC 42/2022: Under *The Roads Act 1993* approve the TCP/TMP for the Music by the River event with minor amendments.

LTC 43/2022: Under *The Road Transport Act 2013* approve proposed Installation of shared paths and parking restrictions at Jerrabomberra Public School as per design with amendment. A further report will be considered by the traffic committee on the location of the proposed new pedestrian crossing referred to in the report.

LTC 44/2022: Under *The Road Transport Act 2013* approve proposed changes to traffic management at Bungendore Public School as per design with minor amendments.

LTC 45/2022: Under *The Road Transport Act 2013* approve proposed changes to Crawford/Erin Streets as per design with amendments.

LTC 46/2022: Under *The Road Transport Act 2013* approve proposed changes to parking adjacent to 35 Lowe Street Queanbeyan.

LTC 47/2022: Under *The Road Transport Act 2013* approve proposed extension of centre BB line on Bonarba Link as per design.

LTC 48/2022: Under *The Road Transport Act 2013* approve proposed 16 Regional Cities Services Improvement Program works at various individual sites as shown.

The resolution was carried unanimously.

11.2 Audit, Risk and Improvement Committee Minutes November 2022

533/22

RESOLVED (Biscotti/Wilson)

That Council note the minutes of the Audit, Risk and Improvement Committee held on 29 November 2022.

The resolution was carried unanimously.

11.3 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes

534/22

RESOLVED (Wilson/Biscotti)

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee meetings held on 19 September 2022 and 17 October 2022.
2. Note the Committees support for a public toilet facility in the proposed upgrade of Frogs Hollow.
3. Note the Committees support for the flood mitigation works identified in the Bungendore Floodplain Risk Management Study and Plan on Turallo Creek and prioritise works to be prevent the isolation of Elmslea subject to funding availability.
4. Note the Committees support of the QPRC Resolution to defer a final decision on the way ahead pending further investigation of options and alternatives.
5. Note the Committees request to temporarily remediate the site on the corner of Gibraltar and Ellendon Streets by removing construction fencing and installing a low maintenance grass/garden area.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Braidwood Recreation Ground

The Notice of Motion was WITHDRAWN by Cr Preston.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates' reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

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

535/22

RESOLVED (Winchester/Biscotti)

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 Tender Evaluation - Design & Construct Wright Park Amenities

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

Item 16.2 Queanbeyan Sporting Gallery Advisory Committee Minutes 10 October 2022

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

Item 9.3 Local Heritage Places grants

Item 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 8.50pm to discuss the matters listed above.

9.3 Determination of Applications for the Local Heritage Places Grants 2022-23

536/22

RESOLVED (Biscotti/Winchester)

That Council adopt the recommendations to provide funding under the Local Heritage Places Grant Program to the applications numbered 3, 4, 5 and 6 totalling \$19,000 as listed in Attachment 4 .

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

Against: Crs Biscotti, Burton, Grundy and Ternouth

16.1 Tender Evaluation - Design and Construct Wright Park Amenities

537/22

RESOLVED (Winchester/Wilson)

That Council:

1. Award Contract 2020-38 for the design and construction of a new amenities building at Wright Park to Rice Constructions Group in the amount of \$1,300,000 (excluding GST) as recommended in the Tender Evaluation Report.
2. Authorise a transfer of \$20,000 from the Revolving Energy Reserve to this project to allow for the inclusion of roof mounted solar panels on the proposed amenities building.

The resolution was carried unanimously.

16.2 Queanbeyan Sporting Gallery Advisory Committee Minutes 10 October 2022

538/22

RESOLVED (Biscotti/Livermore)

That Council:

1. Note the minutes of the Queanbeyan Sporting Gallery held on 10 October 2022.
2. Endorse Haidee Lance (Barefoot Water Skiing), Jason Aslimoski (Gridiron), Karly Roestbakken (Football) and Jed Stuart (Rugby Union Sevens) for induction into the Queanbeyan Sporting Gallery.

The resolution was carried unanimously.

539/22

RESOLVED (Winchester/Wilson)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 9.06pm.

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 9.08pm, 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 Main Street Grant Applications 2022/23 (Ref: ; Author: Carswell/Brown)

File Reference: 26.5.1-23

Recommendation

That Council agree to the recommended projects being funded under the Main Street Upgrade Fund 2022/23 as summarised in Attachment 1.

Summary

This report was presented to the 21 December 2022 meeting, and is now the subject of a Notice of Motion as follows; being item No 12.1 (Page 21) of the Business Paper. This item will only be considered if the notice of motion is lost.

Following the outcome of the December meeting, applicants were advised of Council's decision which remains pending the Notice of Motion.

The report and recommendation remains the same as published in the Business Paper of the 22 December Council meeting.

Background

Council staff have assessed applications received from the community under the Main Street Upgrade Fund 2022/23. Recommendations for funding under the program are set out in Attachment 1.

Council has offered grant funding under the Main Street Upgrade Fund for the 2021/22 and 2022/23 financial years. The funding is for projects that involve upgrading and maintenance to commercial buildings located in the main streets of Queanbeyan, Bungendore or Braidwood. Under the program Council agrees to meet up to 50% of the costs associated with proposed works (generally up to a maximum of \$10,000) with owners making up the remaining costs.

The relevant guidelines for applying under the grant program are provided at Attachment 2.

The previous funding program for 2021/22 was largely successful with Council subsequently supporting nine applications with a collective value of \$68,595. Six of these projects were located in Braidwood, two in Bungendore and one in Queanbeyan.

Council staff have recently sought applications for the 2022/23 financial year and have subsequently received three applications. A summary of these applications is provided at Attachment 1 (under separate cover).

Report

As noted, Council staff have undertaken an assessment of the applications received from the community and have also sought advice from Council's Heritage Advisor in respect of the merits of each application (given all applications are located within the heritage conservation area in Braidwood).

Two of the applications are considered to have merit and staff are recommending a total \$16,120 be allocated to the two applications as set out in Attachment 1.

It is recommended one application not be supported in this instance. This is in response to that property being the subject of ongoing unapproved works and having a formal stop-work order issued by Council in place at this time. It is not considered appropriate that public funds

**9.1 Main Street Grant Applications 2022/23 (Ref: ; Author: Carswell/Brown)
(Continued)**

be made available to property owners that have not demonstrated a willingness to undertake works consistent with the relevant planning legislation.

Risk/Policy/Legislation Considerations

As noted below the program is consistent with one of the Strategic Objectives of the Community Strategic Plan 2042. The key risk from a Council's perspective is that these projects either don't proceed or don't proceed in a timely manner. An emerging risk (which has been experienced in past programs of a similar nature) is a lack of interest from the business communities.

Financial, Budget and Resource Implications

The total funding proposed in this instance (\$16,120) is below the allocated funding for the program of \$150,000 for this financial year.

Links to QPRC/Regional Strategic Plans

Consistent with the following strategic objective of Council's Community Strategic Plan 2042:

- 2.1 Our city, town and village centres are dynamic and thriving places that attract economic activity through the revitalisation of centres, focus on tourism and improved digital connectivity.

Conclusion

It is recommended the proposed funding under the Main Street Upgrade Fund for the 2022/23 financial year be approved.

Council staff are also considering the merits of converting the funding program back to its original purpose for future years with the intent of directly supporting owners of heritage listed properties noting that monies for this program were originally being used for the Special Heritage Fund. This will be further discussed with the Executive and the Heritage Advisory Committee and a report presented to Council for consideration in the near future.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Summary Main Street Upgrade Fund Applications 2022-23 (<i>Under Separate Cover</i>) - CONFIDENTIAL |
| Attachment 2 | Main Street Upgrade Fund 2022-23 Guidelines (<i>Under Separate Cover</i>) |



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.2 Queanbeyan Integrated Water Cycle Management (IWCM) Report (Ref: ; Author: Tooth/Cox)

File Reference: 36.2

Recommendation

That Council:

- 1. Place the Draft Queanbeyan Integrated Water Cycle Management (IWCM) Report on exhibition until 31 March 2023.**
 - 2. Submit the Draft IWCM Report to DPIE (Water) for comment.**
-

Summary

This report was presented to Council at the 21 December meeting (Item 9.13) and was deferred to the next meeting (**Resolution No 512/22**). The report and attachments are the same as presented to Council on 21 December, with the public exhibition period extended until 31 March 2023.

Background

The New South Wales (NSW) Government requires local water utilities to prepare and implement an Integrated Water Cycle Management (IWCM) strategy. The IWCM strategy must be evidence based and consider the inter-relationship between the urban water cycle (water supply, sewage, and stormwater) and community expectations. The aim of the IWCM is to ensure urban water services are appropriate, affordable, and sustainable while meeting community needs and protecting public health and the environment.

Report

This IWCM covers the Queanbeyan water supply (from Icon Water), sewer catchment (feeding Queanbeyan STP) and stormwater catchment discharging to the Queanbeyan River and Jerrabomberra Creek.

The IWCM identifies water services needs and issues, determines investment priorities, and establishes a best value scenario on a triple bottom line (TBL) basis. The key indicators for the IWCM are the impact on the typical residential water bill and likely need for additional funding over and above amounts held in water and sewerage reserves and future income from rates and charges.

In November 2019, QPRC completed the IWCM Issues Paper, which reviewed the current (pre-2020) situation regarding water, sewer and stormwater systems, highlighted issues related to regulatory compliance, levels of service, and sustainability. The Issues Paper concluded, in the case of water supply and sewerage systems, there were several issues that needed to be addressed. Whereas, for the stormwater systems there were no issues beyond normal operations that needed to be addressed. The main drivers causing the issues (hence a need for investment in the water systems) included:

- a) Growth in demand for services
- b) Poor condition of Jerrabomberra Reservoir

9.2 Queanbeyan Integrated Water Cycle Management (IWCM) Report (Ref: ; Author: Tooth/Cox) (Continued)

- c) Inability of existing Queanbeyan STP to comply with license beyond 2025.
- d) Lack of capacity in the Jerrabomberra Trunk Sewer
- e) Lack of capacity in the Morisset Trunk Sewer

In July 2021, QPRC completed a study of issues highlighted in the IWCM Issues Paper. The aim of the study was to determine what (if any) options were available to address each issue, the preferred options going forward including their technical requirements, cost estimates, and timing. The study included detailed technical analysis of the water systems and found that capital works valued at \$40M for water supply and \$215.3M for sewerage over the next 20 years are needed to address issues, maintain levels of service, and ensure sustainability. The required works comprise:

Water Supply Capital Works (critical items):

- | | |
|---|---------|
| a) Duplication of Jerrabomberra reservoir | \$20.0M |
| b) Chlorination systems improvements | \$6.5M |
| c) Safety system upgrades | \$13.5M |

Sewerage Capital Works (critical items):

- | | |
|---------------------------------------|----------|
| a) Queanbeyan STP upgrade | \$155.0M |
| b) Decommissioning of the old QSTP | \$25.0M |
| c) Jerrabomberra trunk sewer upgrades | \$20.9M |
| d) Morisset trunk system upgrades | \$14.4M |

Funding for the required capital investments will require adjustments to the Typical Residential Bill (water and sewerage), commercial loans, and government grants. The timing and amount of funds required for water supply works will not result in increased funding beyond adjustments for CPI of the water bill. However, this is not the case for needed sewerage works, which will require additional funds over and above amounts held in the sewerage reserve to meet the cost of the QSTP Project. These additional funds are expected to come from increases in the sewerage bill (6.50% incl CPI for the first six years and CPI (2.5%) thereafter), loans (in total) of \$40M, and Government grants (in addition to those already received - \$2.7M) of 25% of the QSTP Upgrade Project cost.

The financial analysis further showed that the 'typical' residential bill is expected to increase over the next 20 years from the current typical bill (water and sewerage combined) of \$2,054 to \$3,587 in the 2040/41 FY. This represents an average overall annual increase of about 2.98%. The greatest rate of change will be over the next six years for the sewerage bill (6.50% inclusive of CPI), reducing to CPI (2.50%) thereafter. The water bill increase will be pegged to the CPI (2.50%) over the whole planning period (20 years to 2040/41 FY).

The IWCM studies and financial analysis support and affirm capital investments in the water and sewerage systems over the next 20 (+) years. The IWCM financial analysis also provides a firm basis for the Queanbeyan STP Upgrade Project business case. The proposed investments, funding arrangements, and increases in the typical residential bill (for water and sewerage) will:

- a) enhance the ability of sewerage services to meet regulatory requirements
- b) enhance the operational reliability of the water and sewerage systems
- c) enable the water and sewerage systems to deliver acceptable levels of service

9.2 Queanbeyan Integrated Water Cycle Management (IWCM) Report (Ref: ; Author: Tooth/Cox) (Continued)

- d) provide additional capacity to address growth in demand for services

After Council accepts the IWCM Report the next steps in the process will be:

1. Place the report on public exhibition and submit to DPI Water for comment
2. Collate and incorporate all relevant comments into the report
3. Submit the report to Council for endorsement
4. Submit the report to DPI (Water) for approval

Risk/Policy/Legislation Considerations

The IWCM Report is needed to comply with the New South Wales (NSW) Government requirement that QPRC prepare and implement an Integrated Water Cycle Management (IWCM) strategy. The IWCM Strategy is also required to meet Council's obligations for Section 60 Approval for the QSTP Project.

Financial, Budget and Resource Implications

The IWCM Report indicated capital investments of \$40.0M for water supply works and \$215.3M for sewerage works will be needed over the next 20 years to maintain an appropriate level of service for water supply and sewerage. The financial analysis also concluded that:

1. For Water Supply Capital Investments (\$40.0M) no additional funding above amounts held in the water reserve is needed.
2. For Sewerage Capital Investments (\$215.3M) additional funding above amounts held in the sewerage reserve will be needed for the QSTP Upgrade Project, comprising:
 - a) 25% grant funding for the QSTP Project in addition to the \$2.7M already granted for FY 2022/23
 - b) Loan funding of \$40M in two tranches for the QSTP Project - \$20M in FY 2023/24 and \$20M in FY 2024/25
 - c) Sewerage Rate increases be implemented in two stages:
 - Stage 1 rate increase at 6.5% (incl CPI) until FY 2027/28
 - Stage 2 rate increase at 2.5% (CPI) until FY 2040/41

The analysis showed that because of funding requirements to meet expected capital expenditure over the next 20 years (to FY 2040/41) the typical residential bill is expected to increase as shown in the following table.

9.2 Queanbeyan Integrated Water Cycle Management (IWCM) Report (Ref: ; Author: Tooth/Cox) (Continued)

	Sewer		Water		Typical Residential Bill
	Rate Increase	Charge	Rate Increase	Water Bill	
		\$733.00		\$1,321.89	\$2,054.89
2022/23	6.5%	\$780.65	2.5%	\$1,354.93	\$2,135.58
2023/24	6.5%	\$831.39	2.5%	\$1,388.81	\$2,220.19
2024/25	6.5%	\$885.43	2.5%	\$1,423.53	\$2,308.96
2025/26	6.5%	\$942.98	2.5%	\$1,459.12	\$2,402.10
2026/27	6.5%	\$1,004.27	2.5%	\$1,495.59	\$2,499.87
2027/28	6.5%	\$1,069.55	2.5%	\$1,532.98	\$2,602.54
2028/29	2.5%	\$1,096.29	2.5%	\$1,571.31	\$2,667.60
2029/30	2.5%	\$1,123.70	2.5%	\$1,610.59	\$2,734.29
2030/31	2.5%	\$1,151.79	2.5%	\$1,650.86	\$2,802.65
2031/32	2.5%	\$1,180.58	2.5%	\$1,692.13	\$2,872.71
2032/33	2.5%	\$1,210.10	2.5%	\$1,734.43	\$2,944.53
2033/34	2.5%	\$1,240.35	2.5%	\$1,777.79	\$3,018.14
2034/35	2.5%	\$1,271.36	2.5%	\$1,822.24	\$3,093.60
2035/36	2.5%	\$1,303.14	2.5%	\$1,867.79	\$3,170.94
2036/37	2.5%	\$1,335.72	2.5%	\$1,914.49	\$3,250.21
2037/38	2.5%	\$1,369.12	2.5%	\$1,962.35	\$3,331.47
2038/39	2.5%	\$1,403.34	2.5%	\$2,011.41	\$3,414.75
2039/40	2.5%	\$1,438.43	2.5%	\$2,061.69	\$3,500.12
2040/41	2.5%	\$1,474.39	2.5%	\$2,113.24	\$3,587.62

Links to QPRC/Regional Strategic Plans





- Supply of Potable Water to the City of Queanbeyan (2009) – ACTEW Corporation Ltd and QCC (Service Level Agreement).
- NSW Local Government Act (1993) – Section 60.
- Queanbeyan STP Masterplan – 2016.
- Draft Murrumbidgee Regional Water Strategy.

Conclusion

The IWCM studies and financial analysis support and affirm capital investments in the water and sewerage systems over the next 20 (+) years. The IWCM financial analysis also provides a firm basis for the Queanbeyan STP Upgrade Project business case. The proposed investments, funding arrangements, and increases in the typical residential bill (for water and sewerage) will:

- enhance the ability of sewerage services to meet regulatory requirements
- enhance the operational reliability of the water and sewerage systems
- enable the water and sewerage systems to deliver acceptable levels of service
- provide additional capacity to address growth in demand for services

Attachments

- Attachment 1  IWCM Issues Paper (*Under Separate Cover*)
- Attachment 2  IWCM Issues Paper Supplement (*Under Separate Cover*)
- Attachment 3  IWCM Financial Analysis (*Under Separate Cover*)
- Attachment 4  IWCM & QSTP Business Case Presentation (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.3 Multi-Sport Community Facility Fund 2022/23 (Round 2) Queanbeyan Regional Sports Complex (Ref: ; Author: Geyer/Sibbick)

File Reference: 100984-05-03

Recommendation

That Council accept the NSW Government's Multi-Sports Community Facilities Fund 2022/23 (Round 2) grant of \$1,105,500 for the Regional Sports Complex - Tiered Seating, Landscaping and Wayfinding project.

Summary

Following project discussion and endorsement by the QPRC Sports Council, an application was lodged under the Multi-Sport Community Facility Fund 2022/23 (Round 2) for \$1,105,500 to support procurement of tiered covered seating, landscaping and wayfinding at the Regional Sports Complex (RSC), to support sports club events. Council received notification from the Minister for Sport, the Hon Alister Henskens MP of the success of this application in late November which was embargoed until the local member the Hon Nichole Overall MP announced the funding on 21 December 2022.

Background

The fund is an initiative of the NSW Government, who recognise the critical role local sport infrastructure plays in keeping communities healthy, active, and connected, with a major focus on increasing participation for women and girls, people with disability, First Nations People, and people from culturally and linguistically diverse communities through accessible and inclusive facilities with equitable program offerings. The NSW Government's objective is to support local communities to future-proof infrastructure by funding universally designed and inclusive facilities that move beyond compliance and provide dignified inclusion for all. The program provides for the delivery of sport facility projects that can directly support sport participation across all levels and provide programs for those people in the community that need it most.

Report

The Multi-Sport Community Facility Fund program addresses the "Premier's Priorities" by making an important contribution to achieving a better environment through the commitment to Greener Public Spaces and Greening Our City.

The RSC project at 210 Envirova Drive, will now receive funding for:

- Procurement and installation of portable, shaded tiered seating for 200 people;
- Procurement and installation of stadium seating to be installed on a concrete tiered spectator seating system, currently under construction;
- Procurement and installation of engineering and manufacture of a custom designed, shaded tiered seating on the eastern side of the main soccer field, to seat minimum 500 people;
- Procurement of hard and soft landscaping to include new accessible pathways and tree planting, for an attractive open, green space venue.
- Procurement and installation of a Wayfinding kiosk, for easy navigation of the RSC site.

9.3 Multi-Sport Community Facility Fund 2022/23 (Round 2) Queanbeyan Regional Sports Complex (Ref: ; Author: Geyer/Sibbick) (Continued)

The funding supports Stage One works already underway at the RSC, involving completed civil works, three football pitches (one synthetic and two premier grass fields), a first-grade hockey pitch, LED flood lit fields, car parking, internal roads, and the construction of a major and a minor sports pavilion.

Risk/Policy/Legislation Considerations

There are not legislative or policy concerns in accepting this grant. The project has Risk Management Plan to mitigate any potential risks throughout the entire project.

NSW Office of Sport will prepare the funding agreement as per the guidelines.

Financial, Budget and Resource Implications

The grant is for \$1,105,500 and Council is required to provide matching funds. The application identified Council's current approved budget as approved in the Operational Plan 2022-23 for Stage One of the RSC as its matching contribution.

Links to QPRC/Regional Strategic Plans

The works at the RSC are in keeping with Council's Sporting Facilities Strategic Plan.

Conclusion

The grant is for \$1,105,500 will assist Council in delivering additional elements of stage one of the RSC. It will enhance the sporting events and increase capacity of the complex, in keeping with the Sports Council's strategies and the RSC Master Plan.

Attachments

Attachment 1	MSCFF 2022/23 Notification Letter from Minister Henskens (<i>Under Separate Cover</i>)
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REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.4 Floodplain Management Program 2022-23 - Bungendore (Ref: ; Author: Monaghan/de Jongh)

File Reference: 36.3.3-01

Recommendation

That Council consider the funding offer from NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the Bungendore overflow channel project after advice is received from the NSW Environment Minister on waiving the 2:1 funding requirement.

Summary

At the December meeting, this matter was included in Item No 9.14 Floodplain Management Program 2022-23 – Funding Acceptance. Council deferred a decision on grant funding acceptance for Tarago Road, Bungendore, flood remediation until advice and permission is sought from the NSW Environment Minister on waiving the 2(NSW Gov):1(QPRC) funding requirement for the proposed works (**Resolution No 513/22**).

Background

The NSW Department of Planning and Environment's (DPE) Floodplain Management Program is a yearly program that provides financial support to local councils and eligible public land managers to help them manage flood risk in their communities. Support provided under the program usually involves \$2 from NSW Government for every \$1 provided by Council (2:1 funding ratio).

Council was successful in obtaining funding for the following projects as part of the 2022-23 Floodplain Management Program:

Project	Total Cost	DPE Contribution	Council Contribution	Funding dates
Bungendore overflow channel	\$2,700,000	\$1,800,000	\$900,000	July 2023 – Dec 2025
Captains Flat flood warning system (design only)	\$60,000	\$40,000	\$20,000	July 2023 – Dec 2025
Queanbeyan voluntary purchase and house raising feasibility study	\$50,000	\$33,333	\$16,667	July 2023 – Feb 2025

Council accepted the funding offer for both the Captains Flat flood warning system and Queanbeyan voluntary purchase and house raising feasibility study at the December meeting.

9.4 Floodplain Management Program 2022-23 - Bungendore (Ref: ; Author: Monaghan/de Jongh) (Continued)

Report

Council wrote to both the local member for Monaro, the Hon Nichole Overall MP and the Minister for the Environment and Heritage, the Hon James Griffen MP.

Based on the significance of this project and effects the flood water is having on the township of Bungendore, Council sought NSW Government consideration for support under the Emergency Response Fund (ERF) for Council's contribution of \$900,000.

To date there has been no response however, the DPE have given Council an extension to consider the funding offer until a Ministerial direction is received.

The Bungendore overflow channel project is the next stage of the adopted Bungendore Floodplain Risk Management Study & Plan (BFRMS&P). It involves construction of an overflow channel on Turallo Creek in Bungendore. The Channel will a relief floodway for floodwaters to bypass the Tarago Road bridge crossing of the creek during flood events. The higher flows will be diverted through box culverts beneath Tarago Road upstream of the bridge crossing so that they will re-enter the creek downstream of the confluence of Turallo and Halfway Creeks.

This will direct flood waters away from properties in the Bungendore town centre and reduce the backup of flood waters as the 2 creeks join. Flood storage will also be provided during major events, decreasing the flood impact on nearby properties. The proposed channel has been designed and will be to be grass lined with a trapezoidal shape.

This project is a recommended flood mitigation measure from Floodplain Risk Management Studies and Plans for Bungendore.

The deadline for QPRC to accept funding for these projects is 20 January 2023. The deadline to complete the work is 2025 however the project should not be accepted without the certainty of funding from a future budgets.

Funds are not currently available to fund Council's contribution to the Bungendore Overflow Channel. Council is able to re-apply for funding for the overflow channel through other programs and/or future funding rounds of this program.

Financial, Budget and Resource Implications

The funding ratio between NSW Government and QPRC for these projects is 2:1, where DPE cover two-thirds of project capital costs and QPRC to cover the remaining one-third.

Council's internal costs (including administration and management) are not covered by the grant funding and will be funded from the operational budget.

Funds are not currently available to provide Council's contribution of \$450,000 per annum in 2023/24 and 2024/25 to the Bungendore Overflow Channel that is required to complete this project. Council's ability to fund community infrastructure in forward years is dependent upon the adoption of a long term financial plan in February 2023 that provides sufficient revenue to fund prioritised services and infrastructure.

Council is addressing its long term financial sustainability and revenue shortfall through its financial strategy and Special Rate Variation proposal that is currently on public exhibition.

9.4 Floodplain Management Program 2022-23 - Bungendore (Ref: ; Author: Monaghan/de Jongh) (Continued)

Links to QPRC/Regional Strategic Plans

All of the projects listed in this report are recommended flood risk management measures from Floodplain Risk Management Studies and Plans for each respective towns. These studies and plans can be found on Council's website:

<https://www.qprc.nsw.gov.au/Building-Development/Planning-Zoning/Planning-Controls#section-8>

Conclusion

This project is a priority project for the Bungendore community and Council should commit to providing adequate revenue in the future year budgets.

Council's long term financial plan currently on public exhibition includes an SRV proposal in order that Council can continue to fund essential community services and infrastructure. Council's ability to fund its contribution of the Bungendore overflow channel is dependent upon the adoption of a financially sustainable long term financial plan in February 2023.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.5 New Fee - School Hire of Sportsfields (Author: Monaghan/Li)

File Reference: 51.1.1

Recommendation

That Council:

- 1. Place the following proposed fee on public exhibition for 28 days in accordance with section 610F of the Local Government Act:**
 - School Hire - \$20,000 (ex. GST) per annum**
 - 2. If no submissions are received, the fee be adopted.**
-

Summary

NSW Education use Council sporting and swimming pool facilities across the QPRC area for a range of sporting and school based recreational programs. In line with this, fees should be charged to contribute to maintenance costs arising from the schools' regular use of Mick Sherd Oval and David Madew Ovals.

The proposed annual fee for oval hire for non-exclusive use by schools is \$20,000 (ex. GST) for each oval per annum. The Department of Education (DoE) has advised Council they intend to commence paying the fee for shared use of both ovals from the beginning of Term 1 2023.

Report

A new fee is proposed to provide for shared use of Council ovals to meet the DoE's operational requirements for access to the ovals during standard school hours for sport, physical education, and other curricular activities. However, these requirements must also be balanced against the needs of the broader community.

Each high school will book access to these ovals through Council's oval booking system. This will be consistent with access arrangements for Council-managed ovals in place with other schools across the Local Government Area.

Risk/Policy/Legislation Considerations

Council develops and exhibits its draft Fees and Charges in March/April each year, for adoption in June. Any fees that are created, or significantly changed, outside of this period, must be advertised in accordance with Section 610F of the LG Act.

Financial, Budget and Resource Implications

As consideration for access through the Council booking system, the DoE will pay an annual fee to Council as per Council's Fees and Charges. This will contribute to the upkeep and maintenance of the ovals, including any line marking and preparation for school sporting events.

Council will advertise the following year's oval hire fee for both ovals and these specific bookings in the Fees and Charges which is reviewed annually.

9.5 New Fee - School Hire of Sportsfields (Author: Monaghan/Li) (Continued)

Conclusion

To balance the needs of the broader community and the DoE's operational requirements for access to the ovals, a new fee of \$20,000 (ex GST) has been determined for hiring each oval for 2022-23 financial year. Unless there are submissions against the new fee, it will be adopted after the 28-day public exhibition period.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.6 Investment Report - December 2022 (Ref: ; Author: Monaghan/Drayton)

File Reference: 43.6.5-01

Recommendation

That Council:

1. Receive the Investment Report for the month of December 2022.
 2. Note the investment return for December 2022 was -\$192,383.
 3. Note the investment portfolio has been made in accordance with the *Local Government Act (1993)*, the *Local Government (General) Regulation (2021)* and *Queanbeyan-Palerang Regional Council's Investment Policy*.
-

Summary

This report presents the investment result for December 2022.

Background

In accordance with Clause 212 of the *Local Government (General) Regulation 2021*, the Investment Report is presented to Council monthly.

Report

A list of Council's cash and investments held on 31 December 2022 is detailed in the attached Investment Report Pack.

Market Update - The Reserve Bank (RBA) does not hold January policy meetings.

Environmental Awareness - Market Forces is a campaign group focusing on environmental protection by exposing institutions financing projects that have a negative environmental impact. They have assessed over 115 banks, mutuals and credit unions to determine their position on lending to or investing in the fossil fuel (coal, oil, and gas) industry. Council's investment advisor, Laminar Capital has applied Market Forces' findings to Council's current investment portfolio with the results outlined in Section 5 of the attached Investment Report Pack.

Institutions that lend to the fossil fuel industry can mitigate some of the impact by offering products that are environmentally aware.

The Climate Bonds Standard Board operates as an advisory committee of the Climate Bonds Initiative Board and oversees the development of the Climate Bonds Standard. The Climate Bonds Standard and Certification Scheme is a labelling scheme for bonds and loans. Rigorous scientific criteria ensure that bonds and loans with Certification are consistent with the 2 degrees Celsius warming limit in the Paris Agreement.

The scheme is used globally by bond issuers, governments, investors, and financial markets to prioritise investments which genuinely contribute to addressing climate change.

Council has \$8,000,000 (3.1% of the total portfolio) invested in deposits with Westpac which have been deemed suitable to carry the Climate Bonds Standard Certification badge.

Risk/Policy/Legislation Considerations

Council has a fiduciary responsibility to exercise the care, diligence, and skill that a prudent person would exercise in managing the affairs of other persons.

9.6 Investment Report - December 2022 (Ref: ; Author: Monaghan/Drayton) (Continued)

Council's investments, as listed in Table 2 of the attached Investment Report Pack, comply fully with section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulations 2021, and Council's Investment Policy.

Certified by Josh Staniforth, Responsible Accounting Officer, 11/1/2023.

The Investment Policy was adopted by Council on 9 September 2022 and is due for review in September 2023.

Financial, Budget and Resource Implications

Over the last 12 months, Council's portfolio produced an annualised rate of return of -0.06%, underperforming the benchmark Bank Bill Index by -1.31%.

On 31 December 2022, the principal amount invested was \$259,462,334 and the 2022/23 financial year to date return was \$3,100,126 which is 77.8% of Council's 2022/23 budgeted return.

The large increase in the principal balance compared to the November 2022 balance (\$223,178,251) is due to Council drawing down \$44.611 million of loan funding for the QCCP and Regional Sports Centre, in addition to a payment of \$9.727 million from the Department of Education representing 90% of the compensation payable to QPRC as determined by the NSW Valuer General.

These funds were received on the last business day in December 2022 and were placed in higher yielding investments at the beginning of January.

Of the total \$259 million investment portfolio, Council holds \$27 million in TCorpIM long-term (LTGF) and medium-term (MTGF) funds. Both funds suffered negative returns in December 2022 with respective regressions of -\$503,526 and -\$186,828.

The following table shows the funds' performances since the original deposit.

	LTGF	MTGF
	\$	\$
2017-18	981,891	-44,845
2018-19	1,160,462	635,485
2019-20	21,702	37,815
2020-21	2,557,413	927,076
2021-22	-1,300,450	-742,711
2022-23		
July	566,003	326,066
August	-79,823	-111,673
September	-504,031	-212,626
October	598,842	226,644
November	452,499	181,881
December	-503,526	-186,828
January		
February		
March		
April		
May		
June		
Return since inception	3,950,984	1,036,283
Initial Placement	\$12,000,000	\$10,000,000

While these funds are exposed to additional investment risks to generate higher potential returns, they are structured with longer term time horizons. The minimum advised investment time frame for the MTGF is 3-7 years and 7+ years for the LTGF.

9.6 Investment Report - December 2022 (Ref: ; Author: Monaghan/Drayton) (Continued)

Paired with cash asset classes, these growth assets form a diversified portfolio within the restrictions of the Investment Policy.

Council's cash and investment balance is made up of restricted and unrestricted funds. Restrictions can be external eg Developer Contributions, or internal eg by resolution of Council. Restricted investments cannot be used for general purpose expenses as they are either subject to some form of external legislative or contractual obligation or are dedicated to future Council commitments.

The following tables show the 31 December 2022 cash and investments balance by fund and by restriction.

Fund	\$
General	131,078,085
Water	41,536,401
Sewer	82,041,810
Trust	89,137
Unrestricted*	4,716,901
Total Cash & Investments	259,462,334

Restriction	\$
Unexpended Loans	39,450,533
Developer Contributions	61,046,753
Unexpended Grants	17,056,834
External Restrictions (Other)	114,210,683
Internal Restrictions	13,253,271
DOE – Compensation	9,727,359
Total Restrictions	254,745,433
Unrestricted*	4,716,901
Total Cash & Investments	259,462,334

Unrestricted funds are a working balance and fluctuate over time as Council's operational plan is carried out during the financial year.

Conclusion

On 31 December 2022, the 2022/23 financial year to date investment return amounted to \$3,100,126. Investment returns are added to the associated restricted funds (e.g. developer contributions) that form Council's investment portfolio.

Attachments

Attachment 1 Investment Report Pack - December 2022 (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.7 Asset Accounting Policy: Depreciation and Impairment (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council place the Asset Accounting Policy: Depreciation and Impairment, on public exhibition for 28 days and if no submissions are received, the Policy be adopted.

Summary

The attached Policy has undergone a review by the Finance business unit and as a result, some amendments have been made. The intent of the Policy as it currently exists has not changed, but rather reflects updated best practice and timely revisions.

Report

The following changes have been made to the Asset Accounting Policy: Depreciation and Impairment:

- Additional reference to legislation AASB136 Impairment of Assets
- New heading section – Fair Value Adjustments
- New heading section – Impairment. This section includes more detail on impairment for not for profits.
- New heading section - Assets damaged due to natural disasters or other events – none of this content was in the previous, current adopted version.
- Useful lives table (Appendix A) now includes a default life and a range of lives. Asset Class and Category replaced with Asset Component.

Financial, Budget and Resource Implications

Nil

Links to QPRC/Regional Strategic Plans

Community Strategic Plan – Output 5.2 - Council is an open, accessible and responsive organisation.

Conclusion

This policy was last reviewed in February 2021. Staff are committed to timely revisions of strategic policies and it is recommended that the above changes be adopted in the revised version of this policy, for public exhibition.

Attachments

Attachment 1	Asset Accounting Policy: Depreciation and Impairment (<i>Under Separate Cover</i>)
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REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Resolution Action Sheet (Ref: ; Author: Ryan/Flint)

File Reference: 52.3.2

Recommendation

That the report be received for information.

Report

The Resolution Action Sheet provides Council with information on action taken, status and proposed steps as a result of resolutions carried at Ordinary Council meetings. As at 10 January 2023, there are 29 outstanding resolutions.

It is the role of the General Manager to 'implement, without undue delay, lawful decisions of the council' as per s335 of the Local Government Act (1993).

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. Resolutions which are outstanding for more than 12 months will generate a further report to Council.

Resolutions relating to Land transfers; compulsory acquisition, purchase or sale in particular when associated with road works or Council facilities development can take up to 2-5 years to be completed. These items are now recorded to a Land Acquisition/Sale Register for action and monitoring by Corporate Governance and Legal division and reported to Council on an annual basis.

This report is presented to Council on a quarterly basis.

Attachments

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



REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.2 Bungendore High School State Significant Development Update (Ref: ; Author: Ryan/Ryan)

File Reference: 46.1.1-34

Recommendation

That the report be received for information.

Report

Further to the update provided to Council at the December meeting, payment was received on 22 December for \$9,727,359 being of 90% of the compensation offered from Schools Infrastructure NSW (SINSW) in accordance with Section 48(2) of the *Land Acquisition (Just Terms Compensation) Act 1991*. In regard to the appeal process, the first directions hearing is booked for the 10 February 2023.

Work has progressed on the development of the new office building in Bungendore. Staff called for quotations from suitably qualified consultants to complete the concept design for consultation with both the community and staff prior to a DA submission. Noting the extensive lead times for work on the Essential Energy electrical network a level 3 designer has been engaged to determine upgrades required for proposed Office, Library and Community rooms.

A report detailing relocation and temporary Council office and customer service space Bungendore will be provided to the next Council meeting.

NSW Education use Council sporting and swimming pool facilities across the QPRC area for a range of sporting and school based recreational programs. In line with this, access to Mick Sherd Oval has been granted for sport, PE and other curricular activities in accordance with Council's current access and oval booking system.

Bungendore Highschool will be able to use Mick Sherd oval during pre-booked periods noting that:

- there is no capacity for Council to provide exclusive use at any time,
- there are no gates, fencing or locks,
- there will be an annual fee to Council of an amount of \$20,000,
- the fee will be invoiced at the commencement of each Calendar year; and
- all standard terms under the User Agreement are applicable as a condition of access, including acceptable terms of use and any indemnities towards Council.

A separate report has been prepared regarding the oval hire fee for Council consideration.

NSW Department of Planning (DPE) have sought Council comments on the drafting of conditions of consent, if the project is determined to be approved. As at the time of writing, this commentary which is consistent with Council feedback and objections in past submissions, is yet to be finalised.

Attachments

Nil

12.1 Main Street Funding 2022/23 (Ref: ; Author: Grundy/Grundy)

File Reference: 26.5.1-23

Notice

Councillor Mareeta Grundy will move the following motion:

Motion

That Council:

- 1. Not support the funding of the recommended projects under the Main Street Upgrade Funding 2022/23 (as summarised in Attachment 1) at this time due to Council's constrained financial position.**
 - 2. Suspend all such grants for the remainder of financial year 2022/23 and reallocate existing funds to reserves to be determined by Council at a workshop and by referencing outcomes from community consultation on the SRV.**
-

Comment from Cr Grundy in support of this Notice of Motion

At the December meeting Cr Grundy made the following statement:

'I acknowledge the value of these grants however I also acknowledge that Council finds itself in a dire financial position with significant proposed rate rises.

Council should not expect ratepayers to do all the heavy lifting in bringing this Council back to a financially sustainable position.

Removing this budget is an effective way for Council to save money. If this is added to the suspension of other grants programs such as cultural grants and local heritage grants, Council could save approximately \$200,000 that could be put to other purposes.

Council should be acting now to find savings from its discretionary saving rather than continue on with the operational plan that was set in advance of the realisation of the current dire financial circumstances.

Successful business operations adapt to changing circumstances and I am proposing that we are proactive in the current changed financial circumstances. The Operational Plan provides Council the flexibility to make decisions; just because the budget has been adopted doesn't mean that Council is unable to make alternate resolutions to save money to be practical and financially responsible'.

Staff Comment

At the December meeting item No: 9.5 Mainstreet Grant Applications 2022/23 was considered by Council and after the original motion lost, the foreshadowed contrary motion as presented above was carried (**Resolution No 504/22**).

Council must give adequate notice of any business to be considered at a Council meeting. Whilst Council does have flexibility to adjust the Operational Plan, the community must be provided an opportunity to make comment on these changes.

A proposal to remove a funded Council program from the Operational Plan, which has been through a public exhibition process, necessitated the foreshadowed contrary motion to be proposed as a Notice of Motion.

12.1 Main Street Funding 2022/23 (Ref: ; Author: Grundy/Grundy) (Continued)

Item No: 9.1 Mainstreet Grant Applications 2022/23 on page 2 of the Business Paper, will only be considered if the notice of motion is lost.

If the Notice of Motion is carried, the \$150,000 budget allocated for this program will be retained in Internal Reserve. There will be no further funding rounds advertised until the new Operational Plan is adopted in June 2023, subject to the Main Street Upgrade program being funded.

Attachments

Nil

NOTICE OF MOTIONS

12.2 Furlong House (Ref: ; Author: Willis/Willis)

File Reference: 18 January 2023 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council refer the matter of Furlong House and its current status to the Heritage Advisory Committee to investigate viable long-term use and report back to Council

Comment from Cr Willis in support of this Notice of Motion

Furlong House, a private property, is an 1850s local heritage item in Queanbeyan's Central Business District. It is vacant and windows boarded up despite undergoing major restoration in 2014. It was restored with the intention it become a commercial property as part of the development of Furlong Apartments. The heritage values of Furlong House are at risk if the property remains unoccupied and boarded-up windows detract from the streetscape and other heritage items in the vicinity.

Furlong House dates from the 1850s and its history is intertwined with the European settlement and development of Queanbeyan. Prominent civic and business people lived in the house; other residents recall taking music lessons there in their youth.

The building is listed as a local heritage item and complements other heritage buildings in Morisset Street. Unfortunately, Furlong House fell into disrepair and was unoccupied for a number of years. Subsequently, part of the structure was approved for demolition as part of the development application for Furlong Apartments.

At the time, the development application made much of the conservation opportunity of restoring part of the building, stating that the survival of the building was threatened.

The development application envisaged the restored Furlong House being re-purposed as a commercial or professional suite. Despite this intended purpose for what remained of Furlong House, it appears neither water nor sewer services were connected to the property which is likely a factor in the restored building sitting vacant.

At the time that the part-demolition was approved in 2004, doubts were expressed about whether the remaining structure may be too small for viable reuse.

The considerable expense and effort invested in restoring the remaining structure of Furlong House is at risk of being wasted and an important part of Queanbeyan's heritage lost unless a viable use can be found for the building.

Options for viable long-term re-use of Furlong House which supports the restoration work and protects the heritage-listed building into the future should be investigated with oversight and input from the Heritage Advisory Committee.

Attachments

Nil

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 Partial Land Acquisition - 31 Ellendon Street, Bungendore

Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Public Interest Disclosure/Code of Conduct Complaint

Item 16.2 is confidential in accordance with s10(A) (i) of the Local Government Act 1993 because it contains alleged contraventions of any code of conduct requirements applicable under section 440 and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.