



# **Ordinary Meeting of Council**

## **AGENDA**

**8 March 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 Inspection:

Monday, 6 March 2023

DA.2021.1453 - Construction of three storey boarding house

Site: 2 Ross Road, Queanbeyan

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 22 February 2023

**5 DISCLOSURES OF INTERESTS**

**6 ADJOURNMENT FOR PUBLIC FORUM**

**7 MAYORAL MINUTE**

**8 NOTICES OF MOTIONS OF RESCISSION**

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- 9.3 South Jerrabomberra Dog Park REF.....15
- 9.4 Quarterly Budget Review Statement for Quarter Ending 31 December 2022 .....18
- 9.5 Renewal of Riverside Plaza Car Park Management Agreement.....21

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

- 10.1 Community Consultation Sassafras Reserve.....23
- 10.2 QPRC - Bendigo Bank Art Awards 2023 .....29
- 10.3 Bungendore High School State Significant Development Update .....30
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**11 REPORTS OF COMMITTEES**

- 11.1 QPRC Heritage Advisory Committee Minutes - December 2022, January and February 2023.....33

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- 13 REPORTS TO COUNCIL - DELEGATES REPORTS**
- 14 QUESTIONS WITH NOTICE**
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- 16 REPORTS FOR CLOSED SESSION**
- 17 CONCLUSION OF THE MEETING**

## **LIST OF ATTACHMENTS**

### **Open Attachments**

- Item 9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan
  - Attachment 1 DA.2021.1452 - Architectural Plans (Under Separate Cover)*
  - Attachment 2 DA.2021.1453 - Statement of Environmental Effects - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 3 DA.2021.1453 - Landscape Plans - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 4 DA.2021.1453 - Plan of Management - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 5 DA.2021.1453 - Waste Management Plan - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 6 DA.2021.1453 - Acoustic Assessment - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 7 DA.2021.1453 - Traffic Report - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 8 DA.2021.1453 - Redacted Submissions - Boarding House - 2 Ross Road, Queanbeyan (Under Separate Cover)*
  - Attachment 9 DA.2021.1453 - S4.15 Report - 2 Ross Road (Under Separate Cover)*
  - Attachment 10 DA.2021.1453 - Draft Conditions - 2 Ross Road (Under Separate Cover)*
- Item 9.3 South Jerrabomberra Dog Park REF
  - Attachment 1 Dog Park REF (Under Separate Cover)*
  - Attachment 2 Dog Park Landscape Plans (Under Separate Cover)*
  - Attachment 3 Dog Park Civil Plans (Under Separate Cover)*
  - Attachment 4 Dog Park Civil - Earth works (Under Separate Cover)*
- Item 9.4 Quarterly Budget Review Statement for Quarter Ending 31 December 2022
  - Attachment 1 December 2022 QBRs (Under Separate Cover)*
- Item 9.5 Renewal of Riverside Plaza Car Park Management Agreement
  - Attachment 1 Copy of Draft Agreement 2023 (Under Separate Cover)*

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

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- Item 10.1 Community Consultation Sassafras Reserve
- Attachment 1 Soul2Soil Landscape Concept Plan Sassafras Reserve  
(Under Separate Cover)*
- Attachment 2 Soul2Soil Landscape Perspective Views Sassafras Reserve  
(Under Separate Cover)*
- Attachment 3 Soul2Soil Planting and Materials Palette Sassafras Reserve  
(Under Separate Cover)*
- Attachment 4 Your Voice survey results for Sassafras Reserve (Under  
Separate Cover)*
- Item 10.3 Bungendore High School State Significant Development Update
- Attachment 1 Bungendore High School Site Establishment (Under  
Separate Cover)*
- Item 11.1 QPRC Heritage Advisory Committee Minutes - December 2022, January and February 2023
- Attachment 1 Minutes of QPRC Heritage Advisory Committee 7 December  
2022 (Under Separate Cover)*
- Attachment 2 Minutes of QPRC Heritage Advisory Committee 12 January  
2023 (Under Separate Cover)*
- Attachment 3 Minutes of QPRC Heritage Advisory Committee 09 February  
2023 (Under Separate Cover)*

**Closed Attachments**

*Nil*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 22 February 2023 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Livermore (Chairperson)  
Cr Biscotti  
Cr Burton  
Cr Macdonald  
Cr Taskovski  
Cr Webster (via Zoom)  
Cr Willis  
Cr Wilson

**Staff:** R Ryan, General Manager  
P Hansen, Director Infrastructure Services  
J Richards, Director Community, Arts and Recreation  
K Monaghan, Director Corporate Services  
R Ormella, Director Development and Environment

**Also Present:** W Blakey (Clerk of the Meeting)  
L Ison (Minute Secretary)

### 1. OPENING

The meeting commenced at 5.33pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

The Deputy 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

038/23

#### **RESOLVED (Livermore/Biscotti)**

That the apologies for non-attendance from Crs Winchester, Grundy and Preston be received and leave of absence be granted.

The resolution was carried unanimously.

**4. CONFIRMATION OF MINUTES****4.1 Minutes of the Ordinary Meeting of Council held on 8 February 2023**

039/23

**RESOLVED (Livermore/Taskovski)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 8 February 2023 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

040/23

**RESOLVED (Livermore/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 5.36pm, Cr Livermore advised that the meeting should now adjourn for the Public Forum.

041/23

**RESOLVED (Livermore/Taskovski)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.36pm and resumed at 5.45pm.

**7. MAYORAL MINUTE – SUPPLEMENTARY REPORT****7.1 Hume Materials Recycling Facility Fire and Impacts**

042/23

**RESOLVED (Livermore/Burton)**

That Council:

1. Determine, in accordance with Clause 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result would not be achieved by inviting tenders for the services due to the unavailability of competitive tenderers arising from limited recycling capacity in NSW.
2. On the basis that Re.Group agree to 'open book' cost reviews, authorise the General Manager to negotiate a revised monthly contract rate as a variation within the existing contract until such time as a new facility is constructed in the region.
3. Write to the NSW Minister for the Environment and Heritage requesting financial assistance to cover costs arising from this situation.

The resolution was carried unanimously.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 Scoping Proposal PP.2022.0001 - Residential Rezoning - 141 Googong Road Googong (Sunset)**

043/23

**RESOLVED (Biscotti/Taskovski)**

That Council:

1. Supports the progression of the Scoping Proposal for the rezoning of part of Lot 39 DP 1257837 No. 141 Googong Road, Googong, to a Planning Proposal, subject to the following:
  - a. the area of threatened ecological communities and in particular the EPBC Box-Gum Woodland that is currently zoned R1 General Residential, being rezoned the C2 Environmental Conservation; and
  - b. the payment of the fees outlined in Council's Fees and Charges for the preparation of a Complex Planning Proposal.
2. Considers the merits of entering into a Local Planning Agreement with the landowner of Lot 39 DP 1257837 No. 141 Googong Road, Googong, for the C2 Environmental Conservation zoned land and riparian corridors, as part of the Planning Proposal preparation and consultation stage.

For: Crs Biscotti, Burton, Livermore, Macdonald, Taskovski and Wilson

Against: Crs Webster and Willis

- 044/23
- 9.2 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan**
- RESOLVED (Wilson/Willis)**
- That consideration of Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan be deferred to Councillors are able to undertake site inspection.

The resolution was carried unanimously.

- 9.3 Modification Application - MOD.2011.077.B - Variation to Electricity Supply Arrangements and Fencing - 7123 Nerriga Road, Corang**

This item of business was WITHDRAWN.

- 045/23
- 9.4 Road Naming - Proposed New Road Name - Holland Drive**
- RESOLVED (Willis/Wilson)**
- That Council:
1. Adopt in principle, the name Holland Drive as the proposed name for the new road located off Monaro Station Drive Royalla and created under subdivision Development Consent DA-388-2016.
  2. Advertise the proposed road name for public comment for 28 days.
  3. Publish a notice in the NSW Government Gazette for the road name Holland Drive, if no objections are received.

The resolution was carried unanimously.



**9.5 Locality Renaming Proposal - Dissolving "Back Creek" into Mongarlowe**

046/23

**RESOLVED (Willis/Wilson)**

That Council:

1. Agree in principle to dissolve the locality name of Back Creek into the adjoining locality of Mongarlowe.
2. Publicly exhibit the proposal for 28 days.
3. Write to affected property owners in the Back Creek locality asking for comments to be submitted within 28 days.
4. Notify the Geographical Names Board (GNB) of any submissions received during the 28 day exhibition period.
5. Subject to no objections being received for the locality name change, request GNB to publish the change in the NSW Government Gazette.
6. Where there are objections to the proposed locality name change, that a report considering the objections and justifying whether the proposal should proceed, be brought back to Council.

The resolution was carried unanimously.

**9.6 Queanbeyan Sewage Treatment Plant Upgrade Business Case**

047/23

**RESOLVED (Wilson/Biscotti)**

That Council endorse the final business case for the Queanbeyan Sewage Treatment Plant Upgrade.

The resolution was carried unanimously.

**9.7 Floodplain Management Program 2022-23 - Funding Acceptance**

048/23

**RESOLVED (Biscotti/Livermore)**

That Council:

1. Decline the funding offer from NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the Bungendore Overflow Channel.
2. Consider the inclusion of \$900,000 as Council's contribution to the project in the 23/24 budget.
3. Re-apply to the NSW Department of Planning and Environment's (DPE) Floodplain Management Program for the Bungendore Overflow Channel in 23/24 subject to funds being made available in the 23/24 Operational Plan.

The resolution was carried unanimously.

- 049/23      **9.8      Australia Day Donations to Assisting Community Groups**  
**RESOLVED (Macdonald/Wilson)**  
That Council approve donation payments totalling \$2,100 to the community organisations that provided assistance for Australia Day 2023.
- For:            Crs Biscotti, Livermore, Macdonald, Taskovski, Webster, Willis and Wilson  
Against:      Cr Burton
- 050/23      **9.9      Federal Government Funding for TROVE**  
**RESOLVED (Willis/Wilson)**  
That Council support the continuation of free access to the Trove national database and the upgrade of the digital archive systems of Trove by:
1. Making representation to the local Federal Member, Kristy McBain.
  2. Writing to the Hon. Tony Burke, Federal Minister for the Arts and the Hon. Paul Fletcher, Shadow Minister for Science and the Arts, calling for sustainable funding for Trove.
  3. Endorsing the NSW Public Libraries Association in lobbying for additional sustainable funding.
- For:            Crs Biscotti, Livermore, Macdonald, Taskovski, Webster, Willis and Wilson  
Against:      Cr Burton
- 051/23      **9.10      PCYC Alternate Use of Squash Court**  
**RESOLVED (Willis/Macdonald)**  
That Council permit the temporary modification of one squash court at the Queanbeyan PCYC to be used a private office and interview space, noting that the court will be restored when a permanent space in the PCYC is constructed.
- The resolution was carried unanimously.

**9.11 Loan Refinance**

052/23

**RESOLVED (Wilson/Biscotti)**

That Council:

1. Note that the existing loan with Westpac Banking Corporation will reach the end of its fixed rate period on 27 February 2023.
2. Enter into a new loan agreement with Westpac Banking Corporation at a variable interest rate with repayments calculated over the remaining 15 year term to refinance the balance outstanding.
3. Authorise the use of the Common seal for the execution of the Loan Agreement with the preferred lender.

The resolution was carried unanimously.

**9.12 Investment Report - January 2023**

053/23

**RESOLVED (Wilson/Biscotti)**

That Council:

1. Receive the Investment Report for the month of January 2023.
2. Note the investment return for January 2023 was \$1,493,905.
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.

**9.13 Vacancies on Committees**

054/23

**RESOLVED (Wilson/Burton)**

That Council nominate Cr Macdonald for the vacancies created by Cr Ternouth on s.355, Organisational, Statutory and Regional Committees.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION****10.1 Delivery Program Update - July-December 2022**

055/23

**RESOLVED (Willis/Burton)**

That the report be received for information.

The resolution was carried unanimously.

**10.2 Bungendore History Walk**

056/23

**RESOLVED (Willis/Biscotti)**

That the report be received for information.

The resolution was carried unanimously.

**10.3 Stronger Country Communities Fund Round 5 Successful Projects**

057/23

**RESOLVED (Willis/Biscotti)**

That the report be received for information.

The resolution was carried unanimously.

**10.4 Councillor Workshops**

058/23

**RESOLVED (Wilson/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES****11.1 Local Traffic Committee Meeting - February 2023**

059/23

**RESOLVED (Willis/Biscotti)**

That Council:

1. Note the minutes of Local Traffic Committee held on 7 February 2023.
2. Adopt recommendations LTC 01/2023 to LTC /2023 from the meeting held on 7 February 2023.

LTC 01/2023: Under Roads Act 1993 approve the traffic control plans and proposed road closures for ANZAC Day Ceremonies 2023 in Queanbeyan.

LTC 02/2023: Under Roads Act 1993 approve the traffic control plans and proposed road closures for ANZAC Day Ceremonies 2023 in Jerrabomberra.

LTC 03/2023: Under Roads Act 1993 approve the traffic control plans and proposed road closures for ANZAC Day Ceremonies 2023 in Bungendore.

LTC 04/2023: Under Roads Act 1993 approve the traffic control plans and proposed road closures for ANZAC Day Ceremonies 2023 in Braidwood.

LTC 05/2023: Under Roads Act 1993 approve the traffic control plans and proposed road closures for ANZAC Day Ceremonies 2023 in Captains Flat.

LTC 06/2023: Under Roads Act 1993 approve the traffic control plans with amendment including bollards and nightline for pedestrian safety for Queanbeyan Multicultural Festival.

- LTC 07/2023: Approve the Tour De Cure event in accordance with traffic management plans provided.
- LTC 08/2023: Under Road Transport Act 2013, approve changes to current unrestricted parking to timed parking restrictions at Rutledge Street, Queanbeyan.
- LTC 09/2023: Under Road Transport Act 2013, approved changes to current restricted parking at Lowe Carpark.
- LTC 10/2023: A Section 138 application under the Roads Act 1993 with temporary Traffic Management Plan is to be submitted to Council for installation of advance direction signage on Old Cooma Road, Googong.
- LTC 11/2023: A Section 138 application under the Roads Act 1993 with temporary Traffic Management Plan is to be submitted to Council for installation of electronic digital sign panel at 101 Cameron Road, Karabar.

The resolution was carried unanimously.

## **12. NOTICES OF MOTIONS**

There were no Notices of Motions.

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

Cr Livermore 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**

060/23

**RESOLVED (Livermore/Wilson)**

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 Bungendore Property**

*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.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.31pm to discuss the matters listed above.

**16.1 Bungendore Property**

061/23

**RESOLVED (Wilson/Biscotti)**

That Council:

1. Purchase 13 Gibraltar Street, at Bungendore for the purposes of a Temporary Office to provide Council Operations and Customer Services in Bungendore whilst a new Council Administration Building and Community Centre is being planned, DA consent issued and constructed.
2. Authorise the General Manager to execute the Contract of Sale and Purchase for 13 Gibraltar Street (Lot 1 DP 817205) at the purchase price of \$1,650,000.
3. Upon acquisition, classify the land as operational land.

The resolution was carried unanimously.

062/23

**RESOLVED (Livermore/Willis)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.38pm.

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 Deputy Mayor then read out the decisions of Council made in Closed Session.

**17. CONCLUSION OF THE MEETING**

The time being 6.40pm, the Deputy Mayor announced that the Agenda for the meeting had now been completed.

**CR ESMA LIVERMORE  
DEPUTY MAYOR  
CHAIRPERSON**

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

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

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

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

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

**Recommendation**

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



## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor)**

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File Reference: DA.2021.1453

**Recommendation**

That development application DA.2021.1453 for demolition of existing structures and construction of a three-storey boarding house on Lot 5 DP 21396, No. 2 Ross Road, Queanbeyan be granted conditional approval.

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

This report was deferred from the 22 February 2023 Ordinary Meeting of Council to enable Councillors to attend a site inspection (**Resolution No 044/23**). The contents of the report and recommendation has not changed.

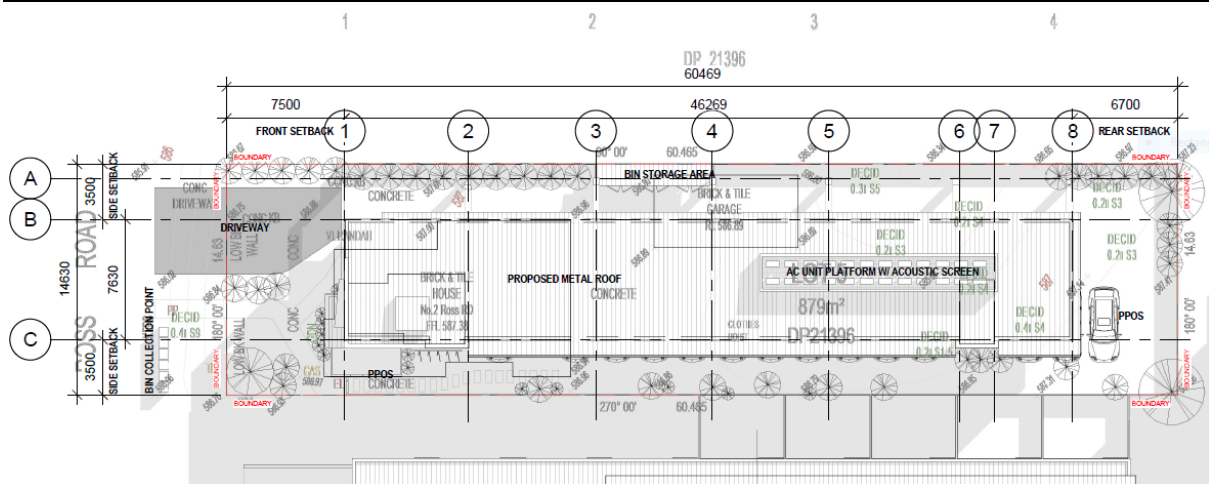
This application has been referred to Council in accordance with QPRC *Guidelines for Referral of Development Applications to Council and Independent Assessment of Development Applications* (2022), Clause 8. Written submissions received during the notification period of the development application raised concerns which have been overcome via suitable conditions of consent. The proposal was significantly modified to mitigate these concerns however the objections have not been resolved.

Proposal:	Demolition of existing structures and construction of three-storey boarding house
Applicant/Owner:	Alvic and Partners Pty Ltd / Gilbert Pascua Melgar, Dyan Mae Atienza Camara
Subject Property:	Lot 5 DP 21396, No. 2 Ross Road QUEANBEYAN
Zoning and Permissibility:	R4 High Density Residential under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Ten (10)
Issues Discussed:	Planning Requirements Issues raised in submissions
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

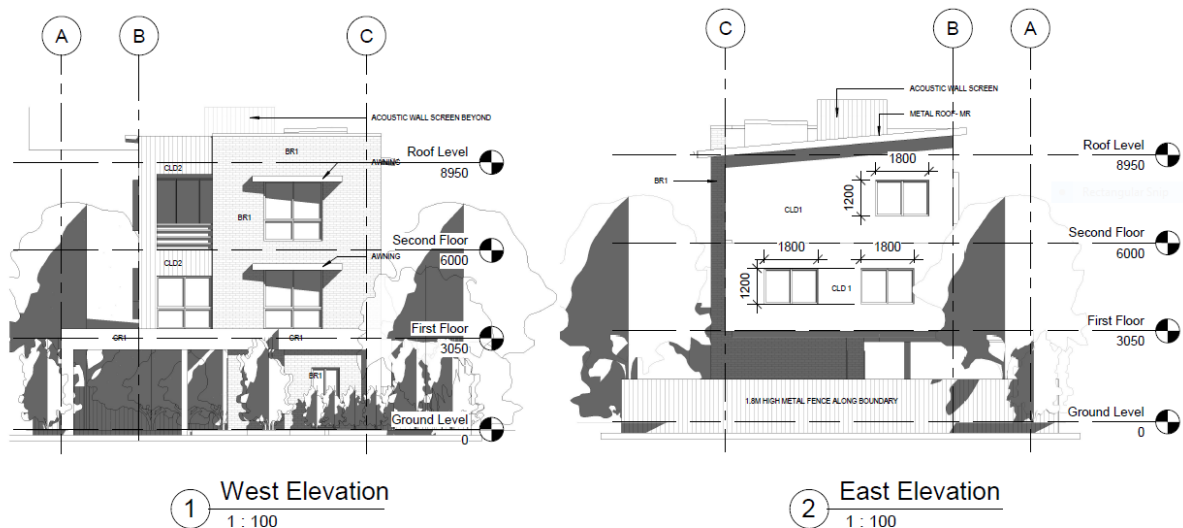
**Background*****Proposed Development***

The development application is for the demolition of existing structures, tree removal and construction of a three-storey boarding house comprising twenty-four (24) rooms and one (1) manager's residence.

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**



**Figure 1 – Site Plan**



**Figure 2 – Front and Rear Elevations**



**Figure 3 – Artists Impression**

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor)**  
**(Continued)**

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***Subject Property***

The subject site is legally described as Lot 5 DP 21396 and commonly known as 2 Ross Road, Queanbeyan. The site has an area of 878.93m<sup>2</sup>, has an existing dwelling and garage which are proposed to be demolished and is accessed via an existing entrance on Ross Road. Existing development within the locality consists of a range of uses including multi-dwelling housing, single dwelling houses and outbuildings.



**Figure 4 – Aerial View of the Site**

***Planning Requirements***

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

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

1. *State Environmental Planning Policy (Affordable Rental Housing) 2009*
2. *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
3. *State Environmental Planning Policy (Infrastructure) 2007*
4. *State Environmental Planning Policy No. 55 – Remediation of Land*
5. *Queanbeyan Local Environmental Plan 2012 (LEP)*
6. *Queanbeyan Development Control Plan 2012 (DCP)*

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

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**

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**(a) State Environment Planning Policy (Housing) 2021**

The subject application was lodged on the 29 July 2021 prior to the introduction of *State Environmental Planning Policy (Housing) 2021* and is therefore required to be assessed under the provisions of the former *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARH SEPP). The provisions of the ARH SEPP prevail to the extent of any inconsistencies with the provisions of the QLEP 2012.

The proposed development is considered to be a boarding house as defined under the QLEP 2012. The proposal is consistent with Section 30 of the AFH SEPP which contains standards for boarding houses. The proposal also complies with the provisions under Section 29 which contains development standards that cannot be used as grounds to refuse consent. A detailed assessment against the full requirements of the ARH SEPP is contained within the attached *Section 4.15 Assessment Report* (Attachment 1).

**(b) Queanbeyan Local Environmental Plan 2012**

The land is zoned R4 High Density Residential. The objectives of the R4 High Density Residential zone are:

- To provide for the housing needs of the community within a high-density residential environment.
- To provide a variety of housing types within a high-density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage development that considers the high-density amenity of existing and future residents.

The proposed development is defined as a boarding house in the Dictionary under the QLEP 2012.

*Boarding house means a building or place –*

- (a) That provides residents with a principal place of residence for at least 3 months, and*
- (b) That contains shared facilities, such as communal living room, bathroom, kitchen or laundry, and*
- (c) That contains rooms, some or all of which have private kitchen and bathroom facilities, and*
- (d) Used to provide affordable housing, and*
- (e) If not carried out by or on behalf of the Land and Housing Corporation = managed by a community housing provider.*

*But does not include backpackers' accommodation, co-living housing, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*

The Land Use Table of the QLEP 2012 specifies that development for the purpose of a boarding house is permitted with consent in the R4 High Density Residential zone.

The proposed development complies with the relevant provisions of the Queanbeyan Local Environmental Plan (QLEP) 2012 as outlined in the attached Section 4.15 Assessment Report.

The proposed development is consistent with the aims of the QLEP 2012, is permissible with consent in the R4 High Density Residential zone, is consistent with the objectives of the R4 High Density Residential zone and complies with the maximum building height prescribed by Clause 4.3.



**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**

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**(c) Queanbeyan Development Control Plan (DCP) 2012**

The proposed development is considered to be generally consistent with the objectives and controls of the Queanbeyan Development Control Plan (DCP) 2012. The proposed development does not comply with the required car parking for a boarding house as prescribed by Part 2 of the QDCP 2012, however, the development complies with the car parking provisions contained within *State Environmental Planning Policy (Affordable Rental Housing) 2009* and therefore cannot be refused on these grounds.

**(d) Draft Environmental Planning Instruments**

The draft Queanbeyan-Palerang Regional LEP was publicly exhibited in June 2020. It became the Queanbeyan-Palerang Regional Environmental Plan 2022 on 14 November 2022. Savings provisions provide that if an application is lodged before the commencement of the new LEP it is to be assessed under the provisions of the QLEP 2012. As this application was lodged in 2021 the QLEP prevails.

**(e) Planning Agreements**

No planning agreement has been entered into or is proposed under Section 7.4 of the *Environmental Planning and Assessment Act 1979* in relation to the land.

**Internal Referrals**

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

Council's Building Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. These conditions relate to compliance with the National Construction Code and submission of an Annual Fire Safety Statement.

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

Council's Development Engineer does not object to the proposed development subject to recommended conditions of consent. The existing water supply is to be upgraded, the existing sewer main is to be diverted, a new driveway is to be constructed and stormwater will be managed via on-site detention. Section 64 Contributions are applicable to the development and a condition of consent will be imposed requiring their payment.

**(c) Tree Management Officer's Comments**

Council's Tree Management Officer offered no objections to the proposal subject to recommended conditions of consent. The existing Council street tree is to be retained and protected throughout the works. A condition of consent is recommended requiring the developer to prepare and submit an Arboriculture Impact Assessment and Tree Management Plan detailing how the Council street tree will remain viable post-construction and be protected from proposed works.

**(d) Heritage Advisor's Comments**

The building is not individually listed and is not in a conservation area. However, the existing building to be demolished appears to date from before 1960 and is a fair example of its type, and of a style that is increasingly subject to demolition. It is recommended that a photographic record of the building be prepared for posterity and be attached to Council's electronic file for the site. The record should comprise an electronic image of each external elevation and a representative example of internal features – of an appropriate file size suitably labelled.

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**

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**(e) Waste Officer's Comments**

Council's Waste Officer offered no objections to the proposed subject to recommend conditions of consent. The Proposed development will not be provided with a kerbside hard rubbish collection.

**(f) Environmental Health Officer**

Council's Environmental Health Officer reviewed the application with specific focus on the submitted acoustic assessment report. Should development consent be forthcoming, conditions of consent will be imposed requiring compliance with the recommendations and specifications detailed in the acoustic assessment report.

**Risk/Policy/Legislation Considerations**

The proposed development complies with the relevant development controls and is able to be approved.

**Financial Implications**

Section 7.12 Contributions are applicable at the rate of 1% of the estimated cost of construction.

Further, Section 64 of the *Local Government Act 1993* allows contributions to be levied towards the provision of water, sewerage, and stormwater infrastructure. If development consent is forthcoming, a condition will be imposed requiring the payment of Section 64 Contributions. Based on current Queanbeyan S64 rates as at 8 August 2022, the contributions will be:

- Water (Queanbeyan): \$34,985.09
- Sewer (Queanbeyan East): \$18,618.27
- TOTAL: \$53,603.36

**Engagement**

The proposal required notification under Queanbeyan DCP 2012. Ten (10) submissions were received. The relevant issues raised are as follows:

***Issue:*** Car Parking

*Comment:* Submissions received have raised concerns regarding the lack of the car parking provided to the site given that the development proposes 14 car parking spaces, 6 bicycle spaces and 7 motorcycle spaces for up to 50 people. Whilst car parking rates are provided in Part 2 of the QDCP 2012, under *Section 29 of State Environmental Planning Policy (Affordable Rental Housing) 2009*, the consent authority must not refuse consent to a development on the grounds of parking if the development provides at least 0.5 parking spaces per boarding room and 1 parking space per employee who resides on site. As there are 24 rooms and 1 manager's residence proposed, the development requires a minimum of 13 spaces. The proposal provides for 14 car parking spaces. As such, the proposal complies with the minimum parking requirements required by the SEPP and therefore cannot be refused on these grounds.

***Issue:*** Privacy

*Comment:* Concerns have been raised regarding privacy impacts on adjoining developments arising from the siting of the proposed development in close proximity to the southern side setback. Should development consent be forthcoming, conditions of consent will be imposed

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**

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requiring first floor and second floor south facing windows to be obscured. South facing windows in the development consist of bedrooms, stairway voids and bathrooms, with windows in the proposed common areas facing either east or north. It is considered that the proposed development is satisfactory regarding privacy impacts.

**Issue:** Overshadowing

*Comment:* Concerns have been raised regarding the potential overshadowing impacts arising from the proposed development on the existing residential development to the south of the subject site. Very detailed shadow diagrams have been provided that differentiate between the shadow cast by the proposed building as compared to the shadow impacts of the impacted building upon itself.

Council staff raised concerns with the applicant regarding overshadowing as depicted in the June shadow diagrams. The applicant responded to these concerns stating that the development complies with the minimum setback controls, complies with the maximum building height and site coverage controls, and complies with the relevant development standards prescribed by the ARH SEPP. It is noted that June shadows are worst case scenario throughout the year, therefore it is considered reasonable to consider overshadowing impacts arising from the development throughout the year.

The applicant has also re-configured the roof so that it falls from the north to south. This has the effect of lowering the building along the southern façade and thus further reducing the amount of shadow cast. It is considered that the proposed development does not have unreasonable adverse impacts on adjoining development by way of overshadowing, and is considered satisfactory for approval, subject to recommended conditions of consent.

**Issue:** Tree Removal

*Comment:* Council's Tree Management Officer has reviewed the application in regard to tree removal and offered no objections. Conditions of consent have been recommended to ensure protection of the existing Council street tree.

**Issue:** Noise Impacts

*Comment:* Submissions received have raised concerns regarding potential noise impacts arising from the development, including noise emission from plant such as air conditioning units. An Acoustic Assessment Report was submitted with the application to predict potential noise levels against the relevant policies/legislation and provide recommendations. Council's Health Officer has reviewed the submitted acoustic assessment and offered no objection subject to the imposition of recommended conditions of consent.

**Issue:** Loss of Value of Adjoining Development

*Comment:* Impacts on property value of nearby developments is not a matter for consideration under the EPA Act 1979.

**Issue:** Impact of Sewer Diversion

*Comment:* Concerns have been raised regarding the potential impacts on adjoining development arising from the required sewer diversion. Council's Development Engineer has reviewed the application and in principle does not object to the realignment of the sewer main.

However, Council's Development Engineer has raised several concerns regarding the information provided in the application which will need to be addressed with revised plans and investigation reports when applying for a Section 68 application under the *Local Government*

**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor) (Continued)**

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*Act 1993* and Section 138 application under the *Roads Act 1993* should development consent be forthcoming.

**Issue:** Proposed rooms and communal areas are too small

*Comment:* Concerns have been raised through the notification process regarding the size of the proposed communal living areas. Submissions have stated that the proposed communal areas are too small and will detract from end user amenity.

**Issue:** House rules are too restrictive

*Comment:* The proposed development is considered to be compliant with the provisions of the relevant legislation and policies. The house rules have been created to minimise impacts to adjoining developments whilst creating a liveable development. Should the managing company wish to make changes to the house rules in the future, a modification application is required to be lodged and assessed by Council.

**Issue:** Lack of green open space

*Comment:* The proposed development is provided with a private open space (POS) area of at least 24m<sup>2</sup> in the rear setback of the property for the users of the development, and an 8.2m<sup>2</sup> POS area directly adjacent to the manager's room solely for their use.

The development is provided with POS in accordance with the minimum requirements prescribed by *Section 29(2)(d) of State Environmental Planning Policy (Affordable Rental Housing) 2009*. As such, the proposal cannot be refused on these grounds.

The submitted landscape plan shows that the rear, sides and front setback will consist of landscaping with a mix of turf, shrubs/hedges, trees and paving.

**Issue:** Lack of laundry and drying facilities

*Comment:* The proposed development is provided with a common laundry on the first floor as shown in drawing No. DA 07.

**Issue:** Development is an assisted boarding house.

*Comment:* A submission was received stating that due to the number of disabled residents/rooms in the development, it constitutes an assisted boarding house and therefore requires input from the relevant organisation. This is not a planning requirement that is considered as part of the assessment. If the development is an assisted boarding house, it is the responsibility of the developer/managing company to follow the relevant legislative requirements.

**Conclusion**

The submitted proposal for a boarding house at 2 Ross Road, Queanbeyan is supported by a Statement of Environmental Effects (SEE) and architectural plans. The proposal was notified to adjoining owner/occupiers and ten (10) submissions were received.










The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the provisions of the relevant State Environmental Planning Policies, the *Queanbeyan Local Environmental Plan 2012* and *Queanbeyan Development Control Plan 2012*. The development satisfies the requirements and achieves the objectives of these instruments. The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.



**9.1 Development Application DA.2021.1453 - Construction of a Three Storey Boarding House - 2 Ross Road, Queanbeyan (Ref: ; Author: Ormella/Harlor)**  
**(Continued)**

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**Attachments**

- |   |  |
|---|--|
| Attachment 1  | DA.2021.1452 - Architectural Plans ( <i>Under Separate Cover</i> )   |
|  Attachment 2  | DA.2021.1453 - Statement of Environmental Effects - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> ) |
|  Attachment 3  | DA.2021.1453 - Landscape Plans - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )                    |
|  Attachment 4  | DA.2021.1453 - Plan of Management - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )                 |
|  Attachment 5  | DA.2021.1453 - Waste Management Plan - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )              |
|  Attachment 6  | DA.2021.1453 - Acoustic Assessment - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )                |
|  Attachment 7  | DA.2021.1453 - Traffic Report - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )                     |
|  Attachment 8  | DA.2021.1453 - Redacted Submissions - Boarding House - 2 Ross Road, Queanbeyan ( <i>Under Separate Cover</i> )               |
|  Attachment 9  | DA.2021.1453 - S4.15 Report - 2 Ross Road ( <i>Under Separate Cover</i> )  |
|  Attachment 10 | DA.2021.1453 - Draft Conditions - 2 Ross Road ( <i>Under Separate Cover</i> )  |

File Reference: 104672

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### **Recommendation**

**That Council establish a Working Group of the Mayor and two Councillors, to engage with nominated residents who are representative of those properties effected by the Ellerton Drive Extension; and be tasked with the following:**

- 1. Review and prepare the scope of works for a new comprehensive noise assessment and survey.**
  - 2. Suggest funding opportunities for this additional noise assessment.**
  - 3. Progress investigation into supplementary other noise reduction solutions.**
  - 4. Report back to Council.**
- 

### **Summary**

At the 21 December 2022 Meeting, Council asked that consideration of the Ellerton Drive Noise Assessment Report be deferred and brought back to a later Council meeting following consultation with affected residents and a Councillor workshop (**Resolution No 511/22**).

Staff had sought funding from Council an amount of \$20,000 for the cost of further noise assessment work, including reviewing combinations of different noise wall heights and locations, and specific noise monitoring sites.

### **Background**

The Ellerton Drive Extension (EDE) project involved the extension of Ellerton Drive between Mowatt Street and Cooma Street. A noise assessment was completed in 2017 which predicted the expected noise levels at properties along the road corridor before the road opened to traffic and made recommendations on the road pavement, noise barrier heights and locations to be built as part of the project, as well as properties requiring further treatment. During that process many combinations of wall heights, locations and road treatments were modelled with the impact assessed in line with the NSW Road Noise Policy (RNP).

As required by the RNP, noise assessments of road projects are undertaken prior to construction (noise predictions) as well as within one year of road opening (actual noise) and for a future design year, usually 10 years after road opening. The current work is for post construction (one year after road opening) and updates the predicted noise levels for the 10 year period after road opening. Results of this model are then compared to the criteria set in the RNP that applied at the time of project approval.

The current noise assessment recommends that various properties may need to keep their windows closed to achieve the internal noise criteria. To accommodate the closure of the windows, mechanical ventilation should be installed to affected rooms as an alternative fresh air source. Several more properties were recommended for further upgrades to their building façade to increase noise attenuation.

**9.2 Ellerton Drive Extension Noise Assessment (Ref: ; Author: Hansen/Ramsland)  
(Continued)**

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At its 28 Sep 2022 meeting Council resolved (**Resolution No 286/22**) to proceed to offer installation of treatments to the additional floors identified in the Post-Construction Noise Compliance Assessment for the EDE.

Further to receive a further report detailing:

1. options to extend the assessment to properties adjacent to the EDE that are currently below the noise criteria set by the NSW Road Noise Policy
2. the condition of the noise walls, suitability of the materials used and options for extending the length and height of the noise walls to improve their effectiveness, including adding noise walls on the bridge over Queanbeyan River, as originally proposed
3. modelling a reduction in noise levels from lowering the speed limit along the EDE from 80 km per hour to 70 km per hour, noting any such decision is a matter for the NSW Government but that Council may request such a change
4. any other measures that can mitigate noise impacts on residents, including:
  - a. limiting days and times that heavy vehicles can use the EDE, including conditions of consent for extension of the operation of Holcim Quarry
  - b. limiting heavy vehicle compression braking along the EDE
  - c. the feasibility of installing speed cameras on the EDE
  - d. reducing unsafe driving / racing, especially on the weekend and dirt bikes using the footpath between houses and the EDE along Barracks Flat Drive
  - e. restricting motor bike access to Lonergan Drive via the EDE, as originally intended vi. promoting the use of the northern bypass for heavy vehicles

Specific response progress on items 3-4 were detailed in the December report.

Letters were sent to property owners along the road corridor to advise of the recommendations for their property with an invitation to attend a community drop-in session where they could ask staff questions about the noise assessment and/or the next steps to get treatments to their homes. Some of the property owners do not agree with the recommended treatments and are either seeking additional/higher level of works or compensation for measures they have installed themselves. Council staff will continue to work with the affected property owners to deliver the treatments identified in Post Construction Compliance Noise Assessment (EDE Assessment) for the EDE.

In addition, property owners who were not recommended for treatment in the EDE Assessment have expressed their concerns over the level of noise they experience at their homes and some have requested a noise monitor be placed at their property to record noise levels at their property in lieu of the noise model calibration from other representative properties.

Any work, whether that be further noise assessment or treatment, that has not been included in the current list has not been funded.

At the 21 December 2022 Meeting, Council asked that consideration of the Ellerton Drive Noise Assessment Report be deferred and brought back to a later Council meeting following consultation with affected residents and a Councillor workshop (**Resolution No 511/22**).

**9.2 Ellerton Drive Extension Noise Assessment (Ref: ; Author: Hansen/Ramsland)  
(Continued)**

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**Report**

Since the December meeting, the Mayor and General Manager have met with Cr Willis, spoken to some residents and met with some residents who own properties on the north western side of the EDE.

Whilst cost estimates have been received and updated to undertake the further assessment as per Council's decision in September 2022, it is apparent that Council needs to take a step back and engage with the members of this community that are feeling disenfranchised and are not trusting Council reports, investigations or recommendations.

It is proposed that a Working Group be established comprising of the Mayor and two Councillors, supported by the General Manager and staff to engage with nominated selected residents representative of those properties effected by the EDE. Nominations would be invited from residents whose properties have been included in the current Noise Assessment Survey and is suggested at least five representatives be encouraged to be involved.

The Working Group would be tasked to undertake the following:

1. Review and prepare the scope of works for a new comprehensive noise assessment and survey,
2. Suggest funding opportunities for this additional noise assessment, and
3. Progress investigation into supplementary other noise reduction solutions.

After this investigation and consensus is achieved a further report can be bought back to Council for consideration.

The establishment of this working group should not prevent the implementation of recommendations for noise mitigation treatment already identified and within current budget allocations. Staff are implementing the Council decision to offer installation of treatments to the additional floors identified in the Post-Construction Noise Compliance Assessment for the EDE (**Resolution No 286/22**).

Identified properties have been contacted and where accepted, recommended noise mitigation measures installed and paid. Where the resident has not agreed and requested an alternative or higher level of treatment, an offer is made to contribute to their request based on the cost of the initial recommended mitigation treatment.

The property owner is given an option to not accept the recommended treatment and submit a request to Council to fund the full cost of their preferred alternative. Any requests will be presented to Council in due course, along with requests from any properties who have not been identified in the Post-Construction Noise Compliance Assessment Report.

**Risk/Policy/Legislation Considerations**

The applicable road noise policy for the EDE was the DECCW Road Noise Policy. That Policy is now the responsibility of the NSW Environment Protection Authority.

The main risk is that a new Noise Assessment and Survey Report prepared by a new independent consultancy not associated with previous studies may deliver the same recommendations.

**9.2 Ellerton Drive Extension Noise Assessment (Ref: ; Author: Hansen/Ramsland)  
(Continued)**

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**Financial, Budget and Resource Implications**

There are no funds currently available to expand noise assessment or treatments beyond what has already been recommended in the EDE Assessment.

There are a few residents seeking compensation for noise mitigation measures that they have independently installed, or for treatments that are above and beyond those identified in the Noise Assessment Report recommendations. Investigation of the quantum of these and the cost has not been investigated to date. Until Council has further noise assessment information and a position on these requests, raising their expectations was not seen as constructive at this stage.

Further noise assessment/investigation work is estimated to cost \$40,000. Further noise monitoring at a property is estimated to cost \$5,000 per property.

A new comprehensive noise assessment and investigation report may cost in the vicinity of \$150k to \$250k. Council has no funds available to commit to this and would require external funding or allocation in the 23/24 Operational Plan.

**Links to QPRC/Regional Strategic Plans**

The EDE was recommended to be built as a new road link within the Queanbeyan Traffic Study and formed part of Regional Transport Plans for many years.

The QPRC Community Strategic Plan Strategic Pillar Connections Objective 4.1 states that Our transport network and infrastructure is safe, supports a zero emissions target and allows for ease of movement throughout Queanbeyan-Palerang and across the ACT border and region. And Strategic Pillar, Capability supports Council's commitment for civic leadership that is open, transparent and accountable, with objective 5.2 that Council is an open, accessible and responsive organisation.

**Conclusion**

Whilst cost estimates have been determined for further noise assessment/investigation work, it is recommended that Council consider the establishment of a small working group to engage with effected residents and report back to Council.

Staff have requested Transport for NSW to consider the EDE for a speed camera and will continue to request the Police to enforce speed limits and patrol for inappropriate driving behaviour.

**Attachments**

Nil

File Reference: 21.6.1

### **Recommendation**

**That Council endorse the South Jerrabomberra Dog Park REF for public exhibition.**

### **Summary**

As part of the urban release at South Jerrabomberra, the developers will be dedicating land for a community Dog Park and associated landscaping. Once creation of the lot for the park, through a separate subdivision process is complete, it will be dedicated to Council under the South Jerrabomberra Developer Contributions Plan. The developer will also construct the landscape and community facilities within the park and hand these over to Council when complete. As the works are being carried out for or on behalf of Council they can be completed as development without consent under State Environmental Planning Policy (Transport and Infrastructure) 2021. Development without consent is regulated under Part 5 of the Environmental Planning and Assessment Act 1979 and requires that Council prepare and consider a Review of Environmental Factors (REF) before work commences.

This REF has now been prepared and is presented to Council for endorsement for the purpose of public exhibition.

### **Background**

The developers of South Jerrabomberra have been working with Council's Urban Landscapes Team to prepare landscape concepts for the proposed new Dog Park on a 3ha site on part of Lot 850 DP 1270463 Speargrass Road, in the new urban release area at Tralee. The Dog Park, yet to be formally named, will be close to new residential blocks within the new residential development. The proposed access, car park and public toilets will also service people walking into the nearby Stewardship Lands.



## 9.3 South Jerrabomberra Dog Park REF (Ref: ; Author: Richards/Geyer) (Continued)

**Report**

The Dog Park is designed to be a complete neighbourhood or destination park servicing the wider South Jerrabomberra community. The design consists of separately fenced large and small dog off leash areas, each containing appropriate agility or play elements, water stations, seating, paths and tree planting. Outside the fence, within the wider park, there will be public toilets, BBQ and picnic facilities and extensive landscaping. A community garden for use by the local residents is also proposed. The design includes access paths to adjoining residential areas and a short access road with car parking, (see Figure 1 below). The car park and access paths will also service the nearby Stewardship Lands and walking tracks. While the subdivision to create the lot on which the park is located is subject to a separate development application, the landscape and park facilities can be constructed under the SEPP (Transport and Infrastructure) 2021 and a Review of Environmental Factors.



The landscaping and community infrastructure within the park will be carried out under the SEPP (Transport and Infrastructure) 2021. These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 2.73(3) of SEPP, which relevantly includes:

- (a) development for any of the following purposes—
- roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
  - recreation areas and recreation facilities (outdoor), but not including grandstands,
  - visitor information centres, information boards and other information facilities,
  - lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
  - landscaping, including landscape structures or features (such as art work) and irrigation systems,
  - amenities for people using the reserve, including toilets and change rooms,
  - food preparation and related facilities for people using the reserve,
- (b) environmental management works,



**9.3 South Jerrabomberra Dog Park REF (Ref: ; Author: Richards/Geyer) (Continued)**

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**Risk/Policy/Legislation Considerations**

These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 2.73(3) of State Environmental Planning Policy (Transport and Infrastructure) 2021. Under the SEPP, the work can be completed by, or on behalf of Council without consent. Section 5.5 of the EP&A Act requires the determining authority to 'examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity'. The REF has been prepared to address those matters likely to affect the environment and is provided at Attachment 1.

**Financial, Budget and Resource Implications**





The proposed Dog Park and associated landscape works is additional to contributions covered in the South Jerrabomberra Innovations Precinct VPA and Development Contributions Plan. The developer has committed to the dedication of land to Council and the works are to be funded and carried out by the developer on Council's behalf.

On competition, Council will own and manage the park as part of its park network and the assets will be included in the relevant Asset Management Plans.

**Conclusion**

The proposed landscape plans, civil plans and associated REF have been prepared with the view to delivering an attractive and functional Dog Park for South Jerrabomberra. Placing the designs on exhibition will provide the wider community the opportunity to comment on the various aspect of the park and on the proposed construction.

**Attachments**

- |  |   |
|--|---|
|  Attachment 1 | Dog Park REF ( <i>Under Separate Cover</i> )                |
|  Attachment 2 | Dog Park Landscape Plans ( <i>Under Separate Cover</i> )    |
|  Attachment 3 | Dog Park Civil Plans ( <i>Under Separate Cover</i> )        |
|  Attachment 4 | Dog Park Civil - Earthworks ( <i>Under Separate Cover</i> ) |



## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.4 Quarterly Budget Review Statement for Quarter Ending 31 December 2022  
(Ref: ; Author: Monaghan/Blakey)**

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**File Reference:** 43.7.2-20

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**Recommendation**

**That Council receive the December 2022 Quarterly Budget Review Statement and adopt the budget variations outlined in the report.**

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**Summary**

The Quarterly Budget Review Statement (QBRs) provides a summary of Council's financial performance at the end of the December 2022 quarter and reports on progress made against the original budget adopted by Council in its 2022/23 Operational Plan.

The budget adjustments recommended to Council for approval result in a net increase to the consolidated budgeted surplus before capital items of \$1.213m.

The revised budgeted consolidated operating result has moved from an original operational surplus before capital items of \$1.749m to a surplus of \$3.525m.

**Background**

Quarterly Budget Review Statements provide progress reporting against the original annual budget, and subsequent revisions at the end of each quarter. A detailed list of budget adjustments recommended is provided in the below listed reports included in the December QBRs:

1. Income Statement by fund and consolidated – This is budget summary and shows the actual income and expenditure as at 31 December 2022 against the original annual budget, with proposed budget adjustments and an updated annual budget forecast.
2. Consolidated budget summary by service – Provides the same information for the Council, listed by service.
3. Capital Expenditure Statement – This report is in the same format, with the actual balances as at 31 December 2022 for capital works projects, with proposed budget adjustments and an updated annual budget forecast.
4. Cash and Reserves Budget Summary – This report shows the Council's total cash and reserves and working funds on 31 December 2022
5. Key Performance Indicators – Council's performance as at 30 December 2022 measured against Office of Local Government benchmarks
6. Contract Budget Review Statement
7. Consultancy & Legal Expenses Overview
8. Loan Summary – Current loans

**9.4 Quarterly Budget Review Statement for Quarter Ending 31 December 2022 (Ref: ; Author: Monaghan/Blakey) (Continued)**

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**Report**

See attached for full details of the QBRs.

**Risk/Policy/Legislation Considerations**

Council prepares quarterly budget review statements in accordance with clause 203(1) of the Local Government (General) Regulation 2005 and requires the Responsible Accounting Officer (RAO) to submit a quarterly budget review statement to Council, no later than two months after the end of each quarter.

The budget review statement must include or be accompanied by a report as to whether the RAO believes the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure.

It is the RAO's opinion that the quarterly budget review statement for QPRC for the December 2022 quarter indicates that Council's projected short term financial position as at 30 June 2023 will be satisfactory, considering the original and revised estimates for income and expenditure.

**Financial, Budget and Resource Implications**

**Consolidated net budget adjustments of \$1.213m** will increase the projected June 2023 surplus before capital items to \$3.525m.

**General Fund net budget adjustments of \$1.932m** will reduce the projected June 2023 deficit before capital items from -\$9.145m at September budget review to -\$7.213m. The is mainly due to capitalisation of interest costs being reallocated from the operational budget directly to capital projects Queanbeyan Cultural and Civic Precinct and the Regional Sports Complex.

**Water Fund net budget adjustments of \$563m** will increase the projected June 2023 surplus before capital items from \$5.526m at September budget review to \$4.963m. The is due to the decrease in User Charges & Fees because of scheduled works on North Elmslea Pressure Pump Station now to occur over two financial years.

**Sewer Fund net budget adjustments of \$80k** will decrease the projected June 2023 surplus before capital items from \$5.855m at September budget review to \$5.775m. This is a minor reduction of Safe and Secure Water Program grant for the Bungendore Sewage Treatment Plant Stage 1.

**Capital Projects**

The original capital works 2022-23 budget plus prior year carry over and budget adjustments at September budget review is \$144m of which \$51m (35%) has been expended by 31 December 2022. The budget is recommended to be increased by \$9.246m at December review resulting in a projected year end capital budget of \$154m. The QBRs provides a full list of recommended capital budget adjustments however some of the major projects are listed below:

- \$2.486m Queanbeyan Civic & Cultural Precinct for interest repayments that are capitalised during the construction stage.
- \$588km for Regional Sports Complex for interest repayments that are capitalised during the construction stage.

**9.4 Quarterly Budget Review Statement for Quarter Ending 31 December 2022 (Ref: ; Author: Monaghan/Blakey) (Continued)**

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- \$553k for Regional Sports Complex Stage 1 tiered seating.
- \$5.269m Fixing Country Bridges.
- \$350k for Stronger Countries and Communities Round 5 grants.

**Cash Reserves**

The cash and reserves summary, reports Council's current total reserve funds, and balance of working funds as of 31 December 2023. Working funds move significantly up and down throughout the year based on large cashflow movements for quarterly rates instalments, grant payments and spending on large capital projects.

Council's unrestricted cash balance as at December is a surplus of \$4.717m. The projected year end unrestricted cash is a deficit of \$2.493m, however this cash deficit is expected to reduce after a review of the below budget items prior to the March Quarter Budget Review:

- Employee Budgets – the projected cash position includes all employee budgeted expenditure to occur, however based on current trends, vacant positions, and a challenging labour market it is unlikely employee budgets will be fully utilised by year end.
- Capital expenditure – the projected cash position includes the full utilisation of capital budgets as per the Operational Plan. Based on current expenditure of \$51m (35%) of a \$144m budget it is unlikely this will be achieved. A review will identify which projects will be delivered by June and those required to be carried over to future financial years.

It is anticipated a reduction in the above budget and expenditure items will negate the projected cash deficit.

**Links to QPRC/Regional Strategic Plans**

This report is part of the Operational Plan 2022-23 reporting and the Office of Local Government (OLG) Calendar of Compliance and Reporting Requirements for Councils.

**Conclusion**

Council's current projected June 2023 financial position is satisfactory, and its long-term financial position has been addressed with the adoption of the long-term financial plan inclusive of Special rate variation of 18% per year for the next 3 years and \$4 million in annual savings for the next three years as per scenario 2 of the Long-Term Financial Plan.

**Attachments**

Attachment 1      December 2022 QBRS (*Under Separate Cover*)



## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.5 Renewal of Riverside Plaza Car Park Management Agreement (Ref: ; Author: Flint/Turland)**

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**File Reference:** 52.4.1-69, 46.1.1-07

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**Recommendation**

**That Council:**

- 1. Endorse the renewal of the agreement on similar terms.**
  - 2. Authorise the General Manager to sign and execute the renewed agreement for a further 5-year period.**
- 

**Summary**

QPRC has a longstanding arrangement with the Riverside Plaza Shopping Centre. Council Rangers patrol the Centre Car Parks and enforce the parking restrictions in exchange for an annual fee paid to Council.

This is a mutually beneficial arrangement. The Rangers provide a necessary service for the Plaza and the fee paid under the agreement is a source of revenue for QPRC.

This agreement has expired and is currently operating on holdover provisions. Approval is sought to renew the existing agreement on similar terms.

**Background**

This agreement was initially introduced in 2015. Council previously endorsed this agreement on 25 March 2015 (**Resolution No. 085/15**).

**Report**

Under the management agreement, Council Rangers patrol the Centre areas three to five times per week. Times of the patrols are set at the discretion of Council.

Areas patrolled under the agreement are:

1. Underground Car Park, Riverside Plaza Shopping Centre, 139 Monaro Street;
2. Rear Car Park at Riverside Plaza Shopping Centre on Morisset Street; and
3. Riverside Plaza North Car Park, corner of Morisset and Collett Streets.

These parking areas are free to use but are restricted to 1-3 hour time limits for use during operational hours (referred to in Agreement). Council Rangers ensure that visitors to the centre are compliant with these restrictions.

Council Ranger staff were consulted in 2022 as part of the renewal process and confirmed they had capacity under their existing workload to continue monitoring the shopping centre parking areas.

**9.5 Renewal of Riverside Plaza Car Park Management Agreement (Ref: ; Author: Flint/Turland) (Continued)**

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**Risk/Policy/Legislation Considerations**

Under section 650 of the *Local Government Act (1993)* Council is authorised to impose penalties on drivers of vehicles parked in a free parking area otherwise than as permitted by a notice or sign erected by a Council.

Section 650(6) of the Act, the owner of private land may enter into an agreement with Council under which part of the land is set aside for usage as free parking

**Financial, Budget and Resource Implications**

The annual fee paid to Council under the agreement is \$5,793 (plus GST) and adjusted for CPI each year.

The fee is paid at the commencement date of the agreement and on the date of each subsequent anniversary. The annual fee is also to be reviewed and adjusted by CPI each year at the time of the agreement.

Under the agreement, any revenue raised through the issue of Infringement Notices by Council is retained by QPRC. Penalty Infringement Notices for overstaying time limits in this carpark would attract a \$120 fine.

**Conclusion**

There are no foreseeable risks or disadvantages to Council in renewing the agreement.

It is recommended that the Riverside Plaza Carpark Management Agreement with QPRC be renewed on the proposed terms.

**Attachments**

Attachment 1      Copy of Draft Agreement 2023 (*Under Separate Cover*)



File Reference: CO22022023

### Recommendation

That the report be received for information.

### Report

Council at its meeting, 25 November 2020 agreed to prepare high level concept options for potential upgrades to Sassafras Reserve and engage with the community on preferred options, and a report on submissions and recommendations come back to Council for consideration (**Resolution No 263/20**).

A recent Your Voice survey was conducted to gauge community opinion on the future embellishment and improvement of the Sassafras Reserve at 15 Oak Place Karabar (facing Sassafras Crescent), refer to Figure 1 below.



Figure 1: Street view of Sassafras Reserve

Currently the Reserve is open space community land, zoned RE1 Public Recreation and adjoins a bush reserve (refer maps at Figures 2 and 3 below). Sassafras Reserve provides an important pedestrian pathway for local residents accessing areas to the north and west of the Reserve.



Figure 2: Map view of Sassafras Reserve

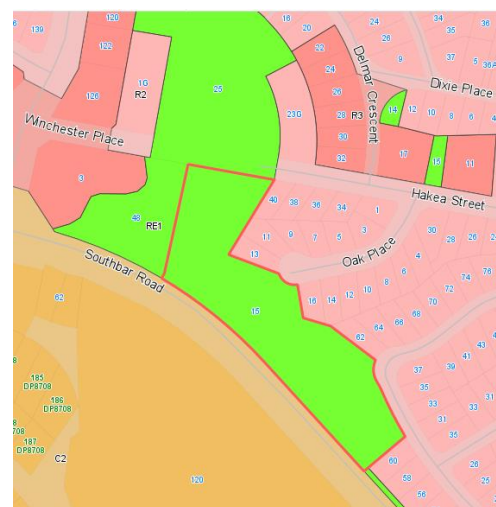


Figure 3: Zoning map view

**10.1 Community Consultation Sassafras Reserve (Ref: ; Author: Richards/Sibbick)  
(Continued)**

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At this stage there is no funding for the project, however funding opportunities for the embellishment of this Reserve will be pursued as they arise. The project will be placed on the list of 'shovel ready' projects for grant funding.

**Background**

Sassafras Reserve was created as part of a 130-lot residential subdivision incorporating Sassafras Crescent, Oak Place, Lillipilli Street, Hakea Street and Ash Street. Some time ago, the Reserve became the site of a BMX track. In the late 1990s nearby residents campaigned Council to upgrade and formalise the BMX track. In July 1998 Council contributed \$14,000 to fence the site, acknowledging the BMX track as a use of the site.

However, within a short time, other residents located near the site campaigned for the removal of the BMX track, due to anti-social behaviour. In 2009 the track was relocated to the 'Scar' on the opposite side of Southbar Road, in Karabar. At that time, options were investigated for the future use of the reserve, which included possible subdivision and partial disposal of the land. The outcome of that earlier community engagement resulted in the following options being put to Council:

Option 1: Four lot subdivision with balance of reserve landscaped, including pedestrian paths

Option 2: Revegetate with landscaping and construct pedestrian paths

Option 3: Landscape the park, including lighting, wheelchair access, sensory garden and potential community garden

Option 4: Return north-western end of Park to urban bushland, re-grass remainder of reserve, extending pedestrian paths from Southbar Road to Sassafras Crescent. Incorporate tree planting and retain open space for recreation.

In 2010 Council resolved to defer the matter, asking for a further report exploring all options, including the subdivision into residential lots, landscaping and full consultation with the community. This resulted in receipt of eight (8) submissions, with the majority of five (5) not supporting the subdivision and sale of the land, but retention and embellishment of the Reserve. None of these eight (8) submitters adjoined the Reserve. The three (3) submission which did support the subdivision and sale of the land, directly adjoined or were opposite the reserve.

It should be noted that although the former Council considered subdivision of the Sassafras Reserve site, the sale and subdivision of the land is not feasible. The only portion that is subdividable is a section of the Reserve being a former land fill (tip) site. Furthermore, the land would need to be reclassified and a public hearing held before any part of it could be sold. Converting public parks into housing is an emotive issue and has historically brought strong community resistance. This course of action is not being recommended.

**Preparation for consultation - Threatened species**

During planning visits, evidence of the Hoary Sunray (*Leucochrysum albicans* var. *tricolor*) was discovered in an area of the site. The Hoary Sunray is a perennial everlasting daisy, refer image at Figure 4 below. The NSW Office of Environment & Heritage (OE&H) list the species as endangered within a Commonwealth context, however there is no conservation status listed in NSW. The OE&H detail activities on their web site to assist the species, that includes, but is not limited to:

- Ensuring that all populations and their habitat are protected and managed appropriately.



**10.1 Community Consultation Sassafras Reserve (Ref: ; Author: Richards/Sibbick)  
(Continued)**

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- Undertaking weed control where required.
- Identifying opportunities for community involvement in the conservation of the Hoary Sunray.

The Soul2Soil design has been inspired by the Hoary Sunray. Areas within the site where the Hoary Sunray is present will not be disturbed during the course of the Sassafras Reserve development.



*Figure 4: Hoary Sunray (Leucochrysum albicans var. tricolor)*

**Preparation for consultation – Landscape architect**

The consultation through Your Voice included the concept design and embellishment ideas by local landscape architect, Soul2Soil. The concept design is depicted at Figure 5, with sample embellishments at Figures 6-8. The full concept plans are included in this report at Attachments 1-3.

Soul2Soil suggestions for improvement of the Reserve included:

- playground;
- barbecue/picnic area;
- seating and shade;
- hard and soft landscaping including improved pathways.



## 10.1 Community Consultation Sassafras Reserve (Ref: ; Author: Richards/Sibbick) (Continued)

### SASSAFRAS CRESCENT RESERVE



#### LEGEND

- NATURE PLAY SPACE WITH PUMP TRACK
- EXPOSED AGGREGATE CONCRETE PATH
- WOODLAND SETTING WITH CANOPY TREES, SITTING BOULDERS AND NATIVE SHRUBS
- PICNIC TABLE SETTINGS WITH FEATURE SENSORY GARDEN AND BACK DROP SHADE TREES WITH UNDER PLANTINGS
- COMMUNITY ART/SCULPTURES INDIGENOUS TO THE REGION
- HOARY SUNRAY DAISY INSPIRED GARDEN WITH FEATURE CANOPY TREE, SITTING BOULDERS AND NATIVE PLANTINGS
- WHEELCHAIR ACCESS (AS 1428.1:2021 COMPLIANT) AND CONCRETE STEPS
- INFORMATION AND WAY FINDING SIGN
- BIKE RACK AND WATER FOUNTAIN
- SENSORY GARDEN WITH CENTRAL FEATURE SHADE TREE, PICNIC TABLE AND SEATING OPTIONS WITH DOA COMPLIANT INTERNAL GRAVEL PATH
- BENCH SEATING

**Figure 5: Soul2Soil concepts design, Sassafras Reserve**

#### PERSPECTIVE VIEWS OF

### SASSAFRAS CRESCENT RESERVE



Reserve entrance with disability access and concrete steps



Engaging pathways framed with native gardens



Open garden with picnic table settings and seating opportunities



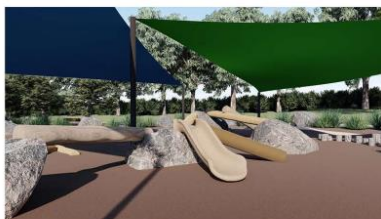
Sensory garden with seating options and background shade trees



Hoary Sunray Daisy garden with sitting boulders and background sculptures



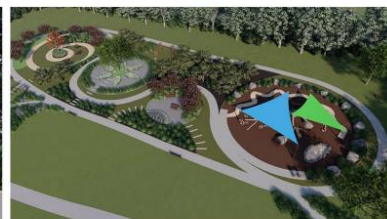
Walking past woodland setting towards nature play space



Nature play space with pump track



Path leading to bushland reserve corridor



Aerial view of Sassafras Crescent Reserve

**Figure 6: Soul2Soil sample concepts for embellishment of Sassafras Reserve**



## 10.1 Community Consultation Sassafras Reserve (Ref: ; Author: Richards/Sibbick) (Continued)



### PLANTING PALETTE (Shrubs)



Brachycome multifida 'Amethyst'



Lomandra 'Lime Devine'



Liriope 'Just Right'



Lomandra longifolia 'Nyalla'



Lomandra 'Mist'



Festuca glauca 'Beyond Blue'



Chrysocephalum 'Silver Sunburst'



Convolvulus cneorum 'Silvery Moon'



Correa alba 'Star Showers'



Correa alba 'White Correa'



Correa 'Dusky Bells'



Ficinia nodosa 'Knobby Club Rush'

**Figure 7:** Soul2Soil sample planting palette for Sassafras Reserve



### PLANTING PALETTE (Trees)



Acer negundo 'Flamingo' Maple



Cercis canadensis 'Forest Pansy'



Koelreuteria 'Golden Rain Tree'



Lagerstroemia indica 'Tuscarora'



Liriodendron tulipifera 'Tulip Tree'



Nyssa sylvatica 'Tupelo'



Tilia cordata 'Littleleaf Linden'

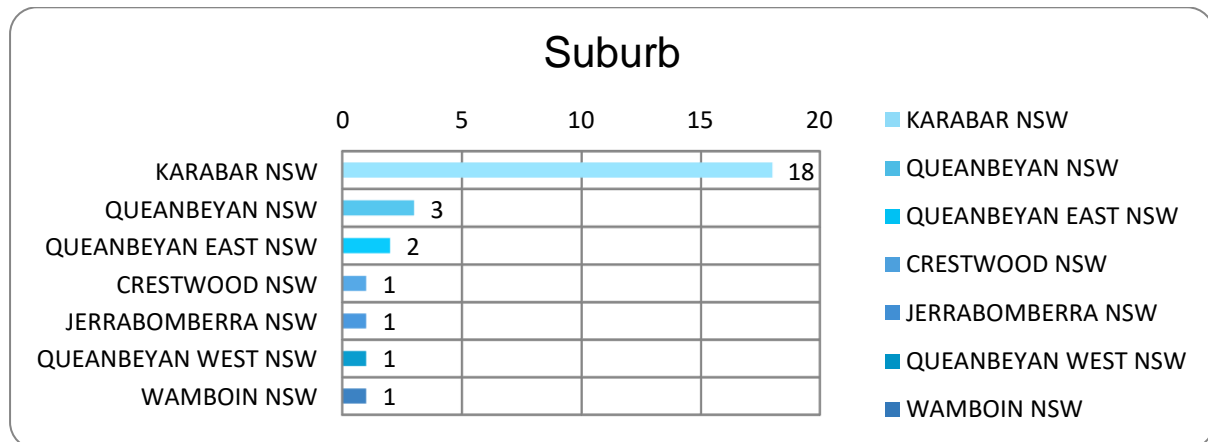
**Figure 8:** Soul2Soil sample planting palette (trees) for Sassafras Reserve

### Survey results

The community survey to comment on the Soul2Soil concepts, took place from 24 October 2022 to 24 November 2022, with 28 contributions received. The full survey results can be

### 10.1 Community Consultation Sassafras Reserve (Ref: ; Author: Richards/Sibbick) (Continued)

viewed at Attachment 4. The majority of respondents resided in Karabar, i.e. 18 out of 28 respondents, refer to Figure 8 below.



**Figure 9:** Respondent connection to location, Sassafras Reserve

Almost all the feedback on the concept plans was positive and constructive, with respondents looking forward to the site being redeveloped. Suggestions made for embellishments were:

- Shady trees
- Tree planting to support black cockatoo movements through the site, and habitat planting
- Practical bike paths
- Consideration of the needs of babies in any new playground
- Toilets, drinking fountains, covered barbecue/picnic area
- Dog friendly facilities
- Safety fencing
- Pedestrian crossing at Southbar Road to access the site from the Scar
- Connection / interpretation to the local Country
- Off street parking

Landscape designs prepared by Soul2Soil for the site are consistent with results of the community consultation.

At this stage the project is unfunded. Staff will proceed to prepare a project cost estimate, revised plans based on this recent community consultation and will identify potential funding sources.

A further report and recommendation will be presented to Council for consideration which will facilitate a shovel ready project for when funding opportunities arise.

#### **Attachments**

- |              |  |
|--------------|--|
| Attachment 1 | Soul2Soil Landscape Concept Plan Sassafras Reserve ( <i>Under Separate Cover</i> )         |
| Attachment 2 | Soul2Soil Landscape Perspective Views Sassafras Reserve ( <i>Under Separate Cover</i> )    |
| Attachment 3 | Soul2Soil Planting and Materials Palette Sassafras Reserve ( <i>Under Separate Cover</i> ) |
| Attachment 4 | Your Voice survey results for Sassafras Reserve ( <i>Under Separate Cover</i> )            |

## REPORTS TO COUNCIL - ITEMS FOR INFORMATION

## 10.2 QPRC - Bendigo Bank Art Awards 2023 (Ref: ; Author: Ryan/Richards)

**File Reference:** Community Arts 2.8.1

**Recommendation**

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

**Report**

The QPRC Art Awards are an important event in the calendar of visual artists across Queanbeyan-Palerang. This year, as a result of significantly increased sponsorship from Bendigo Bank, the categories of awards can be expanded to include a First Nation's Indigenous Art Award and highly commended awards across all categories. In recognition of the sponsorship, this year the awards will be co-branded as QPRC - Bendigo Bank Art Awards.

Prizes for 2023 will be:

\$ 5,000 Major Acquisitive Award	
\$ 3,000 3D Art Award	\$ 500 Highly Commended
\$ 2,000 First Nation's Indigenous Art Award	\$ 500 Highly Commended
\$ 2,000 Youth Emerging Art Award	\$ 500 Highly Commended
\$ 1,000 Bendigo Pick Award	\$ 500 Highly Commended
\$ 1,000 People's Choice Award (conferred at the end of the Exhibition period)	

Entry is only open to artists 18 years and over who reside in the Queanbeyan-Palerang Local Government area. The Awards Exhibition will once again be held at the Q-Exhibition Space Queanbeyan, with the awards being fully administered by the QPRC Culture & Arts Team.

**Key dates for the 2023 Art Awards:**

- Online registrations open 27 March
- Online registrations close 30 April
- Delivery of artworks 8 and 9 May
- Opening event Wednesday 17 May
- Exhibition continues till 10 June
- Collection of works 13 and 14 June

**Budget**

The increased sponsorship from Bendigo Bank has allowed us to broaden the prizes offered to artists, importantly adding a First Nations Art Award. The QPRC cost of \$8,300 remains the same and is in the operational plan and current budget.

<b>Income</b>	Sponsorship	\$ 10,000		
	Project registration	\$ 1,800		
	Projected commission on sales	\$ 1,900		
<b>Expenditure</b>	Prizes		\$ 16,000	
	Marketing, staffing etc (in kind)		\$ 6,000	
<b>Total Project cost to Council (including in kind)</b>				<b>\$ 8,300</b>

**Attachments**

Nil



## REPORTS TO COUNCIL - ITEMS FOR INFORMATION

**10.3 Bungendore High School State Significant Development Update (Ref: ; Author: Hansen/Ryan)**

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**File Reference:** 46.1.1-34

**Recommendation**

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

**Report**

The Bungendore Highschool State Significant Development Application (SSDA) was approved on 24 January 2023 and conditions of consent issued on the NSW Planning Major Projects website

<https://www.planningportal.nsw.gov.au/major-projects/projects/new-high-school-bungendore>

Council is aware that on 28 February, the Save the Bungendore Park Group Solicitors have served letters before action on the Minister for Education and the Minister for Planning, requesting the Department of Education (DoE) not commence works in reliance on the consent, by 4 pm on 3 March 2023.

Council is not involved nor a party to this matter. We are mindful that timeframes as outlined in this report will be subject to this unfolding, however our planning will progress until Council receives formal notice otherwise.

The Community Centre will remain available for use until 30 June 2023. The NSW Electoral Commission have it booked from Saturday 18 March to Friday 24 March as a pre-poll location for Bungendore for the NSW Election.

The Swimming Pool season will end on 12 March, as normal and as advertised after which the site will be included in the construction site. The Community Centre, with access from Turallo Terrace, will remain available to the public and community groups until 30 June 2023.

DoE have agreed to extend QPRC's lease of 10 Majara Street until 30 June 2023, to the eastern side including the main foyer and Customer Services desk with access from the rear car park, as shown in the attached plan. Staff are working to have the western side of 10 Majara Street, including the Council Chambers, and associated offices vacant by 30 March.

The project construction site establishment has commenced, road closures advertised and regular updates are provided on the Schools Infrastructure website

<https://www.schoolinfrastructure.nsw.gov.au/projects/n/new-high-school-in-bungendore.html>

Council has commenced the acquisition process for 13 Gibraltar Street, for the purposes of a temporary Office and Customer Service Building (**Resolution No 061/23**).

The DoE was advised of Council's position in regard to the proposed compulsory acquisition by agreement of lease to facilitate the demolition of the swimming pool, in accordance with Council's decision (**Resolution No 017/23**). It is understood that a Proposed Acquisition Notice (PAN) will be issued this week, with a shortened time frame. Council maintains that compensation for the lease should be determined in accordance with the Crown Land Management (CLM) Act 2016 and consider, amongst other things, the value to Council of improvements (including structures) erected or carried out on the land being acquired (s2.24(3)(a) of the CLM Act).

**10.3 Bungendore High School State Significant Development Update (Ref: ; Author: Hansen/Ryan) (Continued)**

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We have received a Draft Deed of Agreement which seeks Council permission for the DoE to access Mick Sherd Oval to undertake the following works:

- repositioning a field light which is now located within the School grounds, to a location to be agreed with Council along the eastern boundary of the Oval,
- repositioning, capping or reinstalling the irrigation from within the School grounds to the playing field,
- installing a public address (PA) system at the War Memorial on the southern side of the Oval, fronting Gibraltar Street,
- relocation of the pedestrian footpath from the eastern end to the western end, and
- erecting temporary fencing around each part of the Oval where necessary to enable works to be safely completed.

These works are per the SSDA determination and are at no cost to Council. Subject to the Consent remaining in place and some minor edits, it is intended this agreement will be executed by the General Manager.

Mick Sherd oval has been booked by Bungendore High School from 1pm to 3pm every Wednesday and Bungendore Public School from 11am to 2pm every school day, for Term 1; in accordance with Council's Sporting Fields User Agreement.

The proposed User Hire charge of \$20k per annum as determined by Council at the 18 January meeting has been advertised (**Resolution No 009/23**) and 17 responses received to date. A report will be provided to 22 March meeting with a summary of community submissions and feedback. After the adoption of the new User Hire Charge, Council will be in a position to invoice the Bungendore High School for their oval use.

**Attachments**

Attachment 1      Bungendore High School Site Establishment (*Under Separate Cover*)



## REPORTS TO COUNCIL - ITEMS FOR INFORMATION

## 10.4 Councillor Workshops (Ref: ; Author: Ryan/Ison)

File Reference: 22 February 2023 reports

**Recommendation**

That the report be received for information.

**Synopsis**

Council at its meeting on 23 February 2022 resolved (**Resolution No 093/22**) to publish details of Councillor workshops in the Agenda of the next Council meeting.

**Report**

During the period 16 February to 1 March 2023, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
28/02/2023	<ol style="list-style-type: none"><li>1. Telstra Connectivity</li><li>2. Bungendore High School SSDA - Approved Plans, Determination and Consent, Site Establishment, Timeframes for Project</li><li>3. Quarterly Budget Review</li></ol>	<p>Christina Cawkell, Chris Taylor and David Saunderson from Telstra</p> <p>Carlo Bellinato, Scott Nemeth and Jodie Connor from Schools Infrastructure NSW</p>
01/03/2023	<ol style="list-style-type: none"><li>1. Majors Creek and Araluen Greenwaste Service – Community Consultation and Review</li><li>2. Biosecurity Weeds Responsibilities</li><li>3. Draft Roadside Vegetation Management Policy</li></ol>	

**Attachments**

Nil

**11.1 QPRC Heritage Advisory Committee Minutes - December 2022, January and February 2023 (Ref: ; Author: Ormella/Grant)**

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**File Reference: 26.5.1-08**

**Recommendation**

**That:**

- 1. Council note the minutes of QPRC Heritage Advisory Committee meetings held on 7 December 2022, 12 January and 9 February 2023.**
- 2. The following Recommendations be adopted:**

**QPRC HAC 1/23**

- a) Given the aesthetic, technical and historical importance of the Well at 10 Rutledge Street Queanbeyan, the Committee recommends retaining the Well insitu with appropriate treatment to enable interpretation of its heritage significance.**
- b) Recommends re-interpretation in a public space in the vicinity of the Well and seeks further information from VBC on design concepts**
- c) The work recommended in points 1 and 2 above be at the owner's expense.**
- d) Council prepare a planning proposal to list the Well as a Local Heritage Item.**

**QPRC HAC 4/23**

**That the terms of reference be adopted.**

**QPRC HAC 5/23**

**That staff be requested to consider the Committee's observations on this development application.**

**Summary**

This report tables the minutes of the QPRC Heritage Advisory Committee for meetings held on 7 December 2022, 12 January, and 9 February 2023 for Council's consideration.

The first meeting of this Committee was held on 7 December 2022. During it a draft term of reference were tabled and discussed, and staff provided members with an overview of conflicts of interest and the operation of the Code of Conduct as well as the Code of Meeting Practice.

The second meeting held on 12 January 2023 and was a special meeting to consider VBC's proposal to remove the well at 10 Rutledge Street, Queanbeyan as part of their development application for the site. Staff tabled a report and presented the Committee an overview of the proposal to remove the well and to use part of its materials to construct a drinking fountain within a small heritage park as part of the development application for the site.

In relation to preparing a planning proposal to recognise the well at 10 Rutledge Street, it should be noted that this project is not on the current workplan for the responsible branch and there are no funds to engage a consultant at this stage. Rather than preparing a planning proposal at this stage, once a determination and conditions of consent issued by the Southern



**11.1 QPRC Heritage Advisory Committee Minutes - December 2022, January and February 2023 (Ref: ; Author: Ormella/Grant) (Continued)**

---

Region Joint Regional Planning Panel on the proposed development on Rutledge Street, a further report will be prepared in relation to a planning proposal and its cost and resource implications for Council's consideration. To reflect this, it is proposed that Council amend this recommendation from the Heritage Advisory Committee as follows:

- d) A further report be prepared in relation to a planning proposal to list the Well as a Local Heritage Item.**

The third meeting was one of general business held on 9 February 2023.

The minutes from 9 February, QPRC HAC 5/23, refer to (Attachment 3) and Item No. 6 DA.2022.1355 – 1355 Wallace Street, Braidwood. It is the intention of the Committee to inspect the site prior to its next meeting which is planned to be held at Braidwood.

Item No. 9 of this meeting (Attachment 3) relates to the rehousing of the sulky currently in the Bungendore Office. The Braidwood Museum Society were contacted on this matter, and have offered to house it in their collection.

**Attachments**

- |              |  |
|--------------|--|
| Attachment 1 | Minutes of QPRC Heritage Advisory Committee 7 December 2022<br>(Under Separate Cover)  |
| Attachment 2 | Minutes of QPRC Heritage Advisory Committee 12 January 2023 (Under<br>Separate Cover)  |
| Attachment 3 | Minutes of QPRC Heritage Advisory Committee 09 February 2023<br>(Under Separate Cover) |

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

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

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