



Ordinary Meeting of Council

AGENDA

9 August 2023

Commencing at 5.30pm

Council Chambers
253 Crawford St, Queanbeyan

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

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

Statement of Ethical Obligations

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

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

On-site Inspections - Nil

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 RFT 2023-16 - Construction Project Management Services – Cooma Road Water Mains Upgrade

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

16.2 Tender Evaluation Report - Design & Construct Pump Track at Jerrabomberra

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

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

Item 9.1 Crown Road Management Policy

Attachment 1 Reviewed Crown Road Management Policy (Under Separate Cover)

Attachment 3 Administration of Crown Roads Policy - Department of Planning, Industry and Environment (Under Separate Cover)

Item 9.2 Review Queanbeyan Car Parking Strategy

Attachment 1 Car Parking Strategy 2018-2028 (Under Separate Cover)

Item 11.1 QPRC Heritage Advisory Committee Minutes - July 2023

Attachment 1 Minutes of QPRC Heritage Advisory Committee 13 July 2023 (Under Separate Cover)

Item 11.2 QPRC Environment and Sustainability Advisory Committee Minutes - April 2023 and June 2023

Attachment 1 QPRC Environment and Sustainability Advisory Committee - Minutes 17 April 2023 (Under Separate Cover)

Attachment 2 QPRC Environment and Sustainability Advisory Committee - Minutes 26 June 2023 (Under Separate Cover)

Item 11.3 Access Committee Meeting - 14 June 2023

Attachment 1 Access Committee Meeting Minutes - June 2023 (Under Separate Cover)

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

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Closed Attachments

- Item 9.1 Crown Road Management Policy
Attachment 2 Legal Advice Moray & Agnew Solicitors - Crown Road Management Policy (Under Separate Cover)
- Item 16.1 RFT 2023-16 - Construction Project Management Services – Cooma Road Water Mains Upgrade
Attachment 1 RFT 2023-16 - Construction Project Management Services Cooma Road Water Mains Upgrade Evaluation Report (Under Separate Cover)
- Item 16.2 Tender Evaluation Report - Design & Construct Pump Track at Jerrabomberra
Attachment 1 Tender Evaluation Report - Design & Construct Pump Track at Jerrabomberra (Under Separate Cover)



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, 26 July 2023 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti

Cr Burton

Cr Grundy

Cr Livermore

Cr Macdonald

Cr Preston

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 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

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

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 12 July 2023**

288/23

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 12 July 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

289/23

RESOLVED (Winchester/Biscotti)

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

The resolution was carried unanimously.

Cr Webster declared a less than significant non-pecuniary interest in Item 9.2: DA.2022.1610 - 26 Farrer Place Queanbeyan - Installation of a shade structure, stating her husband is a member of the Queanbeyan Bowls Club. Cr Webster proposed to disclose and vote when the matter is being considered.

Cr Willis declared a less than significant non-pecuniary interest in Item 16.1: Sale of Council Land - Red Hill Road, Majors Creek, stating one of the submissions made under the EOI to purchase Council land is known to her through her duties as a Councillor. Cr Willis proposed to disclose and vote when the matter is being considered.

Cr Winchester declared a less than significant non-pecuniary interest in Item 16.1: Sale of Council Land - Red Hill Road, Majors Creek, stating he is a friend of one of the people that submitted an EOI to purchase Council land. Cr Winchester proposed to leave the Chambers when the matter is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

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

290/23

RESOLVED (Winchester/Livermore)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 5.44pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescissions.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 Modification Application - MOD.2011.077.B - 7123 Nerriga Road, Corang - Variation to Electricity Supply Arrangements and Fencing**

291/23

RESOLVED (Willis/Grundy)

That:

1. Conditions 9A, 10A and 10B remain unchanged and read:

Condition 9A:

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

Condition 10A:

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

Condition 10B:

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

2. Condition 8 for rural fencing be amended to read:

All public road frontages and public open space areas are to be fenced to the following standards:

- height 1.2 metres (or higher depending on the type of stock)

- strainers – spacing 100 metres to 120 metres depending on terrain
 - steel posts at 6 metre centres
 - steel droppers, one at centre of span between steel posts
 - one 4.0 mm high tensile, high visibility PVC coated wire on top ('horse sighter' or similar)
 - one carry 2.5mm high tensile wire at least 300mm below the top wire
 - one bottom 2.5 mm high tensile wire at least 150mm above the ground
 - 6/70/30 hinged joint netting with each horizontal wire tied to each post and dropper
 - one standard galvanised steel farm gate with steel mesh (minimum 3.65 metres) at an approved entrance.
3. Modification application MOD.2011.077.B at Lot 3 DP 1063771, No.7123 Nerriga Road, Corang be granted conditional approval, subject to the original conditions of consent imposed TSC/80/2002/DA and MOD.2011.077.A as amended.

The resolution was carried unanimously.

Having declared a less than significant non-pecuniary interest in the following item, Cr Webster remained in the Chamber and voted.

9.2 DA.2022.1610 - 26 Farrer Place Queanbeyan - Installation of a shade structure

MOVED (Willis/Grundy)

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure not be supported for the following reasons:
 - a. The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its direct members and bowls visitors to the club. This is not a wider general community benefit.
 - b. The submission is not supported by a clear financial case for the waive. The absence of impact on Council's capital and services does not lead to the case for the levy to be waived.

AMENDMENT (Wilson/Biscotti)

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure be supported as The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its members and bowls visitors to the club.

The amendment (of Crs Wilson and Burton) was PUT and CARRIED.

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

Against: Crs Burton, Grundy, Macdonald and Willis

The amendment became the motion.

292/23

RESOLVED (Wilson/Biscotti)

That:

1. Council grant conditional consent for the installation of a shade structure on Lot 1 Sec 57 DP 758862, Lot 2 Sec 57 DP 758862, Lot 3 Sec 57 DP 758862 and Lot 4 Sec 57 DP 758862 at 26 Farrer Place Queanbeyan.
2. The request to waive section 7.12 fixed levy development contributions for DA.2022.1610 for the installation of a shade structure be supported as The Queanbeyan Bowls Club is a not-for-profit organisation which provides valuable social and sporting activities for its members and bowls visitors to the club.

The resolution was carried.

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

Against: Crs Burton and Grundy

9.3 DA.2022.1358 - 34 Wallace St Braidwood - Construction of Dwelling with Carport and a Shed

293/23

RESOLVED (Willis/Grundy)

That:

1. Approval be granted to a variation to Clause 4.3 of the Palerang Local Environmental Plan 2014 to allow for the construction of a dwelling house with attached carport and installation of a shed on Lot 2 DP 778801, No 34 Wallace Street Braidwood for the following reasons:
 - a. The height of the proposed dwelling is compliant with the height controls prescribed under Braidwood Development Control Plan 2006.
 - b. The proposed development is consistent with the existing bulk, scale and form of developments in the local area
 - c. The subject site is constrained by a flood hazard that requires the dwelling to be built on a raised floor level to ensure it is not impacted during flood events, without which, the proposed dwelling would have complied with the height standard prescribed under Clause 4.3 of PLEP 2014.
 - d. The proposed development is suitably setback from the front, side and rear boundaries and it is unlikely to result in any adverse impacts on the solar access, visual privacy and residential amenity of the adjoining properties and the immediate locality.
2. Council grant conditional consent for the construction of a dwelling house with attached carport and installation of a shed on Lot 2 DP 778801, No 34 Wallace Street Braidwood.

The resolution was carried unanimously.

9.4 Jerrabomberra Dog Park

294/23

RESOLVED (Wilson/Taskovski)

That Council note the Review of Environmental Factors and endorse the South Jerrabomberra Dog Park design for construction.

The resolution was carried unanimously.

9.5 Post Exhibition Report, Naming of Lawn South Jerrabomberra Town Park

MOVED (Wilson/Macdonald)

That Council endorse the name 'Robert Winnel Village Lawn'.

AMENDMENT (Winchester/Taskovski)

That Council endorse the name 'Robert Winnel Oval'.

The amendment (of Crs Winchester and Taskovski) was PUT and LOST.

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

AMENDMENT (Macdonald/Burton)

That Council endorse the name 'Robert Winnel Lawn'.

The amendment (of Crs Macdonald and Burton) was PUT and LOST.

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

AMENDMENT (Webster)

That Council endorse the name 'Robert Winnel Green'.

The amendment (of Cr Webster) LAPSED for want of a seconder.

The motion (of Crs Wilson and Macdonald) was brought forward.

295/23

RESOLVED (Wilson/Macdonald)

That Council endorse the name 'Robert Winnel Village Lawn'.

The resolution was carried.

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

- 296/23 **9.6 Investment Report - June 2023**
RESOLVED (Willis/Preston)
That Council:
 1. Receive the Investment Report for the month of June 2023.
 2. Note the investment return for June 2023 was \$1,012,126.
 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.
- 297/23 **9.7 Icon Water Bulk Water Pricing Agreement and Service Level Agreement**
RESOLVED (Taskovski/Willis)
That Council authorise the General Manager to execute the Service Level Agreement and Pricing Agreement with Icon Water for the supply of potable water to the Queanbeyan Water Supply, with the term of the agreement to be effective from 1 July 2023 to 30 June 2028.

The resolution was carried unanimously.
- 298/23 **9.8 Annual Fire Safety Statement Policy**
RESOLVED (Willis/Grundy)
That Council adopt the Annual Fire Safety Statements Policy.

The resolution was carried unanimously.
- 299/23 **9.9 Council-Related Development Application Conflict of Interest Policy**
RESOLVED (Willis/Grundy)
That Council:
 1. Place the draft Council-Related Development Application Conflict of Interest Policy on public exhibition for 28 days inviting submissions.
 2. Proceed to adopt the Policy if no submissions are received.

The resolution was carried unanimously.
- 10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**
- 300/23 **10.1 Resolution Action Sheet**
RESOLVED (Willis/Livermore)
That the report be received.

The resolution was carried unanimously.

- 301/23 **10.2 Responses to Councillor Questions**
 RESOLVED (Preston/Willis)
 That the report be received for information.

 The resolution was carried unanimously.
- 302/23 **10.3 Compliance Reporting**
 RESOLVED (Wilson/Livermore)
 That the report on Compliance and Reporting Activities for the six-month period from 1 January 2023 – 30 June 2023 be noted.

 The resolution was carried unanimously.
- 303/23 **10.4 Summary of Road Renewal and Maintenance Activities - Quarter 4 2022/23**
 RESOLVED (Livermore/Grundy)
 That the report be received for information.

 The resolution was carried unanimously.
- 304/23 **10.5 WHS Quarterly Report**
 RESOLVED (Macdonald/Willis)
 That the report be received for information.

 The resolution was carried unanimously.
- 305/23 **10.6 Councillor Workshops**
 RESOLVED (Preston/Wilson)
 That the report be received for information.

 The resolution was carried unanimously.
- 306/23 **10.7 Annual Food Act Enforcement Activity Report**
 RESOLVED (Biscotti/Preston)
 That the report be received for information.

 The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

There were no Reports of Committees.

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

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

There were no presentations.

16. REPORTS FOR CLOSED SESSION

307/23

RESOLVED (Winchester/Preston)

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 Sale of Council Land - Red Hill Road, Majors Creek

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.

Cr Winchester, having declared a less than significant non-pecuniary interest in the following item, vacated the Chair and left the Chambers at 6.31pm.

Having declared a less than significant non-pecuniary interest in the following item, Cr Willis remained in the Chamber and voted.

The Deputy Mayor assumed the Chair.

16.1 Sale of Council Land - Red Hill Road, Majors Creek

308/23

RESOLVED (Preston/Wilson)

That Council proceed to sell Lots 11, 12 and 13 DP 574879, Red Hill Road Majors Creek, via public auction.

The resolution was carried unanimously.

309/23

RESOLVED (Livermore/Preston)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.08pm.

Cr Winchester returned to the meeting at 7.08pm. Cr Livermore vacated the Chair and Cr Winchester resumed the Chair.

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

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

17. CONCLUSION OF THE MEETING

The time being 7.08pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.1 Crown Road Management Policy (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council place the Crown Road Management Policy on public exhibition for 28 days.

Summary

Council has an existing Crown Road Management Policy in place which is due to be reviewed by the current Council.

Many NSW Councils navigate requests from property owners and Crown Lands to assume ownership and maintenance responsibilities for Crown Roads. The Crown Road Management Policy provides a clear approach for the ongoing management of Crown Roads and provides Council with a policy position to support communications and submissions around the future consideration of transfer of roads from Crown to Council.

Background

The existing Crown Road Management Policy was prepared in 2021.

Crown Road reserves are road reserves that are vested in the Crown and are owned and managed by the State Government. Crown Lands is the road authority for all Crown Roads.

Crown roads were originally created last century to provide legal access to individual portions of land. Many of these roads remain unconstructed and are often fenced in to adjoining properties. Crown roads are often used to access properties and may have numerous properties relying on them for access. Crown Lands do not maintain Crown roads and the maintenance burden falls to road users.

As a result of this, Council is often requested to take over the maintenance of the Crown road.

Report

There are a number of triggers for Crown Lands to transfer Crown Roads to a local authority such as Council. The Department of Planning, Industry and Environment's (DPIE) *Administration of Crown Roads Policy* outlines the criteria for a transfer to occur. Additionally, the Policy states *"Although a Crown road transfer to council does not require consent, the department will consult with the affected council before processing a Crown road transfer. Each proposed road transfer will be considered on a case by case basis."*

Council requires its own Crown Road Management Policy to participate in this process.

Crown Roads may initiate transfer of a road to Council for any of the following reasons:

- Road works on the Crown road are proposed by someone other than the department, and those works require development consent under the Environmental Planning and Assessment Act 1979.
- Development consent has been granted by a council that requires use of the Crown road to service a traffic generating development.

9.1 Crown Road Management Policy (Ref: ; Author: Ryan/Flint) (Continued)

- The Crown road is required to be maintained to a standard specified as a condition of development consent.
- The Crown road was constructed, has or is being maintained by a council to facilitate access, as part of its local road network, which may include drainage structures such as bridges or culverts.
- Construction or upgrade of the Crown road is required to meet standards required by a Council.

The Crown Road Management Policy has been reviewed and the following amendments are proposed by staff:

- Clause 2.1 has been amended and clause 6.1 inserted to refer to section 152I of the Roads Act 1993 (NSW) and recognise that Crown Roads can be transferred to Council without its consent.
- Clause 6.2 has been amended and clause 6.3 inserted to remove reference to Council 'accepting' Crown Roads only where certain conditions are met, and instead set out the circumstances in which Council will 'support' or 'oppose' a proposed transfer.
- Removal of existing clause 6.1 which stated that Council *"does not maintain, construct or upgrade crown roads that were not maintained by Council prior to 1 April 2018..."* Instead, a new clause 6.6 has been added to reflect that Council will categorise former Crown Roads, and maintain those roads, in accordance with the Unsealed Road Grading Policy.

Risk/Policy/Legislation Considerations

It should be noted that the Roads Act 1993 permits the Minister to transfer a Crown Road to any other Roads Authority (Section 152I of the Roads Act 1993). It follows that any Crown Road may be transferred to Council by the Minister, however it is Crown Lands Policy to seek comment from a Council before any transfer is made.

There is no requirement for Council to amend its existing Unsealed Road Grading Policy until such time the 2024 election occurs. This Policy will remain as is, given it has already undergone a review process within the term of the existing Council.

Financial, Budget and Resource Implications

Once a Crown Road is transferred to Council, it is to be categorised in accordance with Council's Unsealed Road Grading Policy. This policy outlines the frequency of maintenance works to occur on each local road in the LGA. Council has finite resources, as identified by section 42 of the Civil Liability Act 2002, which acts as a form of protection to Council's when challenged legally regarding the use of its resources.

The proposed changes to this policy will have minimal impact on Council's maintenance obligations as many of the Crown Roads service less than two occupied residences. It is expected that most or all of the former Crown Roads would therefore fall within Category 9 or 10 of the Unsealed Road Grading Policy.

Links to QPRC/Regional Strategic Plans



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

9.1 Crown Road Management Policy (Ref: ; Author: Ryan/Flint) (Continued)

Conclusion

This policy provides direction on the acceptance of roads for the care and control of Council and consequently the addition of Crown Road to Council's asset liabilities and ongoing maintenance and depreciation burden.

Attachments

- | | |
|--|--|
| Attachment 1 | Reviewed Crown Road Management Policy (<i>Under Separate Cover</i>) |
|  Attachment 2 | Legal Advice Moray & Agnew Solicitors - Crown Road Management Policy (<i>Under Separate Cover</i>) - CONFIDENTIAL |
|  Attachment 3 | Administration of Crown Roads Policy - Department of Planning, Industry and Environment (<i>Under Separate Cover</i>) |

9.2 Review Queanbeyan Car Parking Strategy (Ref: ; Author: Hansen/Ryan)

File Reference: PJT0071

Recommendation

That Council consider the funding of a review of the Queanbeyan Car Parking Strategy (2018-2028) and a scope of works presented during budget deliberations in preparing the 24/25 Operational Plan.

Summary

In order to progress the decision by Council to develop a policy for the installation of solar PV cells on roofing of at grade and multi-level public and private car parks, Council consideration is sought to review the Queanbeyan Car Parking Strategy (2018-2028).

An update of Council's Car Parking Strategy will also provide an open and transparent discussion with the community and business about the pros and cons of Paid Parking (or not) and how we can overcome the challenges and support opportunities for installing Electric Vehicle (EV) charging stations throughout the local government area and in particular Braidwood.

Background

At the June 2023 meeting, Council endorsed a proposal to develop a policy to facilitate the installation of solar photovoltaic cells on roofing over at grade and multi-level public and private car parks in Queanbeyan-Palerang.

In undertaking an assessment of how this policy could be implemented, the Queanbeyan Car Parking Strategy (2018-2028) was referenced as a document that was a good baseline from where this conversation should start. The Strategy, attached for Council information is available on Council's website under Strategies and Plans/Economic Development tab <https://www.qprc.nsw.gov.au/Policies-Strategies-and-Plans/Strategies-and-Plans>.

The Car Parking Strategy included a number of initiatives and consideration of additional reports relating to smart parking, aggregation of car spaces in the Morisset and Crawford Car Park, effects of higher or lower s94 contributions and analysis of timed parking on patronage and business. This Plan, read in conjunction with the CBD Transformation Strategy and CBD Spatial Masterplan; outlines the importance of revitalising and activate the CBD, and promoting the accessibility of Queanbeyan to visitors and workers.

Report

In addition to the installation of solar PV on car park roofing, there are number of other Car Park matters that could do with an objective assessment and investigation.

During the Special Rate Variation (SRV) proposal process, the Organisational Service Review and subsequent community consultation highlighted the importance of Council increasing its own source revenue. A recurrent theme for improving finances and income was a proposal to introduce on and off streets paid parking.

Whilst the introduction of Paid Parking is viewed as an opportunity for additional income that was not sourced from rates, it will incur a cost to implement and is viewed by local businesses as not supporting retail activity. A robust and open discussion is necessary to assess the

**9.2 Review Queanbeyan Car Parking Strategy (Ref: ; Author: Hansen/Ryan)
(Continued)**

benefit of income received versus the costs to implement, perceived and real imposts local business and the effect on workers who park in the CBD.

Prior to Council being in a position to make an informed decision, it would be necessary to undertake a business case, with an economic and social impact analysis on Paid Parking.

Then the matter of EV Charging, underground or at grade car parks is another opportunity that must be addressed for the local government area.

There are a number of projects in Queanbeyan that have progressed since the 2018 Strategy was written, and these will contribute to this review. This included; the completion of the new Council offices and main administration building with underground car park, Lowe Street car park renewal and plans for installation of EV Charging Stations; the development proposal in Rutledge Street and soon to be vacant Council Offices in Crawford Street. The redevelopment proposal for Wallace Street and car park in Braidwood, and new Council offices planned for Bungendore it is timely that all aspects of car parking, accessibility, renewable energy, EV charging and solar panels on roof tops are considered.

As reported by the ABC in April 2023 (<https://www.abc.net.au/news/2023-04-26/businesses-rush-to-install-electric-vehicle-charging/102246716>) the ACT has the highest uptake of EV's in in Australia. However, the number of new EVs is outpacing the number of public chargers, according to the NRMA. The shift of private business, rest stops or fuel companies to provide EV public charging stations is not keeping up with demand. Council needs to play an active facilitating role in enabling the installation of EV charging stations or our local businesses will miss out.

Risk/Policy/Legislation Considerations

Council is responsible for many car parks, accessibility to retail, shopping and work precincts. Council collects developer contributions and requires developers to plan for car parking, which then may become a Council asset.

Financial, Budget and Resource Implications

There is no budget or resources available within the 23/24 Operational Plan for this project. It is important that a brief and scope of works be developed and a detailed proposal presented during budget deliberations in preparing the 24/25 Operational Plan.

As a guide a budget of at least \$150,000 would be necessary to complete this review and additional funds required to design PV collection systems that may be installed. Planning is needed for a comprehensive community engagement strategy and independent assessment of selected sites for PV suitability will be required.

Links to QPRC/Regional Strategic Plans

The CBD Transformation Strategy (2018), CBD Spatial Masterplan (2020) and Braidwood CBD Opportunities and Initial Concepts (2018) feature the lack of parking and consideration of timed and accessible parking to ensure economic growth and investment.

QPRC Community Strategic Plan (2032) noted Connection: A safe, resilient and well connected community with good infrastructure enhancing quality of life, with Strategic Objective 4.1 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 strategy to support and maintain urban and rural roads, traffic

**9.2 Review Queanbeyan Car Parking Strategy (Ref: ; Author: Hansen/Ryan)
(Continued)**

management systems, car parking in a sustainable manner and advocate and promote safe road user behaviour.

Conclusion

Council determined to develop a policy for the installation of solar PV cells on roofing of at grade and multi-level public and private car parks (**Resolution No 225/23**).

It is proposed that a review of the Queanbeyan Car Parking Strategy (2018-2028) be undertaken that encompasses the whole local government area. A scope of works will include development of a policy for the installation of solar PV cells on roofing of at grade and multi-level public and private car parks, a business case analysis of the pros and cons of Paid Parking and an investigation into the opportunities for installing EV Charging Stations.

Attachments

Attachment 1 Car Parking Strategy 2018-2028 (*Under Separate Cover*)



10.1 Road Asset Management Capability (Ref: ; Author: Ryan/Hansen)

File Reference: 36.4.1-08, 31.1.1, 31.1.2

Recommendation

That the report be received for information.

Report

In January 2022, Council requested a report on:

- a) The current state of Council's road building, maintenance and repair capability (i.e. staffing, budget, portfolio organisation, assets etc).
- b) All current road building and maintenance projects with timeframes and budgets.
- c) The current outstanding road projects and maintenance requirements in the forward work program.
- d) An analysis of the community's road needs and our capability/capacity to service this, as well as any other threats to this capability.
- e) How repairs and maintenance are prioritised for unsealed roads for school bus routes.

A workshop with Councillors was held on 29 March 2023 as detailed below.

- a) The current state of Council's road building, maintenance and repair capability (i.e. staffing, budget, portfolio organisation, assets etc).**

Transport Assets

	Quantity	Cond 1	Cond 2	Cond 3	Cond 4	Cond 5
Total Sealed Road	952 Km	84%	12%	3%	1%	0%
Total Unsealed Road	732 Km	52%	1%	47%	0%	0%

10.1 Road Asset Management Capability (Ref: ; Author: Ryan/Hansen) (Continued)

	Quantity	Cond 1	Cond 2	Cond 3	Cond 4	Cond 5
Path - Pedestrian	240 Km	46%	31%	22%	2%	0%
Path - Shared	37 Km	74%	19%	6%	1%	0%
Vehicular Bridge - Timber	5	8%	0%	56%	36%	0%
Vehicular Bridge - Non- Timber	157	47%	21%	31%	2%	0%
Pedestrian Bridge	5	53%	0%	0%	47%	0%
K&G	576 Km	44%	31%	25%	1%	0%
Carpark	403,000 Sqm	46%	16%	36%	2%	0%

Council's road building capacity consists of the following plant and operators:

Caterpillar	140M	Grader
Caterpillar	140B	Grader
Caterpillar	CS-68B	Rollers, Smooth Drum Self Propelled
Caterpillar	CS-68B	Rollers, Smooth Drum Self Propelled
Mitsubishi	FV 51 6x4	Water Tank
Mitsubishi	FV 51 6x4	Water Tank
Isuzu	NPR 65-190	Tipper
Isuzu	FXZ 1500 6x4	Tipper
Isuzu	FXZ 1500 6x4	Tipper
Isuzu	FXZ 1500 6x4	Tipper

10.1 Road Asset Management Capability (Ref: ; Author: Ryan/Hansen) (Continued)

Council's Road Maintenance capacity consists of the following plant and operators:

Caterpillar	140M	Grader
Caterpillar	140B	Grader
Caterpillar	CS-68B	Rollers, Smooth Drum Self Propelled
Caterpillar	CS-68B	Rollers, Smooth Drum Self Propelled
Mitsubishi	FV 51 6x4	Water Tank
Mitsubishi	FV 51 6x4	Water Tank

Staffing resources for both construction and maintenance activities fluctuate and maintaining core staff numbers has been challenging. Council has experienced difficulties with recruiting appropriate staff and has been affected by the wider resource shortages and employment pressures being felt by the industry. Recruitment of vacant position is ongoing.

Reports are provided annually to Council on projects that were incomplete within the reporting period as revotes. Staff are working to reduce the level of revotes that occur each year by examining resource allocations to match works programs.

A list of the assets owned by Council is contained within the 2023-24 Operational Plan (Page 8 and 9).

b) All current road building and maintenance projects with timeframes and budgets.

All current road building and maintenance projects are listed in the 2023-24 Operational Plan (Page 24-28).

c) The current outstanding road projects and maintenance requirements in the forward work program.

Progress of work against the budget is reported to Council quarterly as a Budget Review report.

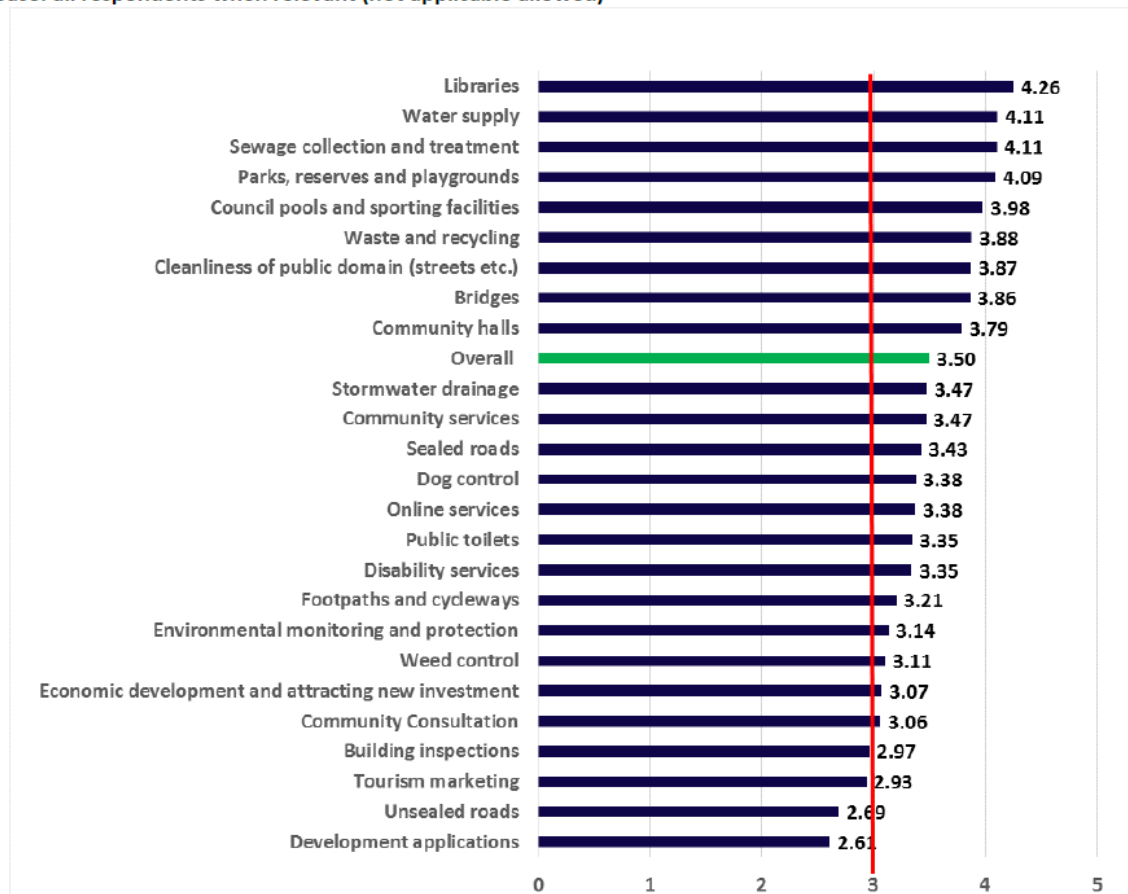
d) An analysis of the community's road needs and our capability/capacity to service this, as well as any other threats to this capability.

Results from customer satisfaction and wellbeing surveys detail the level of community satisfaction for a variety of services provided by Council. The survey undertaken in 2020 is summarised as follows:

10.1 Road Asset Management Capability (Ref: ; Author: Ryan/Hansen) (Continued)

Graph 1.1: Satisfaction ratings

Base: all respondents when relevant (not applicable allowed)



It is evident from this work and from ongoing community feedback, most recently during the consultation undertaken for the Special Rate Variation, that the community are not satisfied with the current level of unsealed road maintenance. The satisfaction level for sealed roads also indicates a level of dissatisfaction with sealed road maintenance.

Whilst exacerbated over the past few years of very wet winters and flood damage, our road crews have been stretched with the emergency repair work and high grant works programs. Our road network is seen as very important for providing access to employment, health, education and agricultural transport.

The above detail was considered during the preparation of the current budget.

e) How repairs and maintenance are prioritised for unsealed roads for school bus routes.

10.1 Road Asset Management Capability (Ref: ; Author: Ryan/Hansen) (Continued)

Councils Unsealed Road Grading Policy details the maintenance approach taken by Council for unsealed roads. The policy sets the grading frequency for the various roads as they are classified. Maintenance grading is then scheduled in accordance with this program as follows:

Category	Grading Frequency	Criteria
1	Once every month	AADT > 440 vpd
2	Once every 2 months	340 vpd < AADT < 460vpd
3	Once every 3 months	240 vpd < AADT < 360vpd
4	Once every 4 months	180 vpd < AADT < 260vpd
5	Once every 6 months	80 vpd < AADT < 200 vpd
6	Once every 12 months	50 vpd < AADT < 100 vpd
7	Once every 18 months	20 vpd < AADT < 60 vpd
8	Once every 2 years	19 vpd < AADT < 40 vpd
9	Once every 3 years	AADT < 20 vpd
10	Not maintained	Public or Crown Roads not maintained by Council at 1 April 2018 including rights of way and roads less than 4 metres wide and/or servicing only 1 dwelling.

Complaints received from the public on dangerous road conditions are inspected by staff and appropriate remediation provided until the scheduled grading can occur.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.2 Councillor Workshops (Ref: ; Author: Ryan/Ison)

File Reference: 9 August 2023 reports

Recommendation

That the report be received for information.

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.

During the period 20 July to 2 August 2023, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
01/08/2023	1. Road Naming Policy and Themes	N/A
	2. Implementation Plan and Priorities – Affordable Housing Strategy	N/A
02/08/2023	1. Queanbeyan Golf Club's proposed development	From Queanbeyan Golf Club: John Bull, President
	2. Naming of Council Facilities	N/A
	3. Scoping Proposal Complying Development Zone C4 Environmental Living Update	N/A

Attachments

Nil

11.1 QPRC Heritage Advisory Committee Minutes - July 2023 (Ref: ; Author: Ormella/Grant)

File Reference: 26.5.1-08 / 2130556

Recommendation

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee held on 13 July 2023.
2. Note recommendation 22/23 from the meeting held on 13 July 2023:

QPRC HAC 22/23 – Development Application 2023.0151 at 116 Monaro Street, Queanbeyan, for signage.

The Committee does not support the proposed signage for the following reasons:

- i. The Committee has concerns about the size and dimensions of the sign and its main street location.
 - ii. Reduction of signage in the main street should be encouraged.
 - iii. The sign's placement is inappropriate, and it is not in sympathy with the streetscape.
 - iv. The sign is not in line with SEPP 64 – *Advertisement*.
 - v. The Committee unanimously agreed that the sign was inappropriate given its size and placement and suggest that the owner be requested to remove it.
-

Summary

This was the seventh meeting of this Committee and was one of general business. There were two recommendations with one related to the Development Application 2023.0151 at 116 Monaro Street, Queanbeyan, for signage. The Committee deferred comment on Development Application 2023.0273 at 119 Wallace Street, Braidwood, to follow a proposed Committee site visit in August.

The Committee's Terms of Reference were considered and a proposed change to 6-weekly, rather than monthly, meetings was agreed to. The start time of meetings will remain at 4:30pm and hybrid meetings will continue to be offered.

Following notice of motion 014/23 at the Ordinary Meeting of Council on 18 January 2023, staff provided an update on works at Furlong House on Morisset Street in Queanbeyan. The owner of the building informed staff that improvements to the building will be completed by the end of 2023.

Attachments

Attachment 1  Minutes of QPRC Heritage Advisory Committee 13 July 2023 (*Under Separate Cover*)

11.2 QPRC Environment and Sustainability Advisory Committee Minutes - April 2023 and June 2023 (Ref: ; Author: Ormella/Corey)

File Reference: 24.2.1

Recommendation

That Council:

- 1. Note the minutes of the Environment and Sustainability Advisory Committee meetings held on 17 April 2023 and 26 July 2023.**
 - 2. Note the following recommendations:**
 - a. That QPRC submit a request to the ACT Government for 50 percent of the average annual revenue from the Water Abstraction Charge, which is attributable to residents of Queanbeyan, Jerrabomberra and Googong, to be phased in over a 3-year period. The funding would be directed to managing the catchments of the Queanbeyan River, Molonglo River and Jerrabomberra Creek, including ecological health, within the limits of Council's responsibilities and powers. And that the funds are used to supplement the capital program in relation to catchment management projects.**
 - b. The committee note the work of the Mulloon Institute on the National Code of Practice for Landscape Regeneration and agree it is worthwhile to stay informed of progress on the matter.**
-

Summary

This report tables the minutes of the QPRC Environment and Sustainability Advisory Committee for 17 April 2023 and 26 June 2023.

The minutes of the meeting of 17 April 2023 were tabled at the Council Meeting of 14 June 2023, however, the minutes contained minor errors in formatting and with the attendee list which have now been corrected. The content of the minutes as reported to the 14 June 2023 meeting remains unchanged.

At the meeting of 26 June 2023 various matters were discussed including clarification on the Water Abstraction Charge, the Roadside Vegetation Management Policy and Guideline and work of the Mulloon Institute in developing a National Code of Practice for Landscape Rehydration and Regeneration. The Committee were also provided with a brief update on Council's work in progressing implementation of the Electric Vehicle Charging Infrastructure Policy and Plan. Two items for discussion, urban street tree biodiversity and ecological outcome verification, were held over to the next meeting due to time constraints.

Attachments

- | | |
|---|--|
| Attachment 1 | QPRC Environment and Sustainability Advisory Committee - Minutes 17 April 2023 (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | QPRC Environment and Sustainability Advisory Committee - Minutes 26 June 2023 (<i>Under Separate Cover</i>) |
|  | |

11.3 Access Committee Meeting - 14 June 2023 (Ref: ; Author: Richards/Wherry)

File Reference: 2.5.1

Recommendation

That Council note the minutes of QPRC Access Committee held on 14 June 2023.

Summary

The Access committee met on 14 June 2023. Whilst there were insufficient numbers to form a quorum, the committee discussed a range of issues including progress on actions in the QPRC Disability Inclusion Action Plan. There were no recommendations requiring Council endorsement.

Attachments

Attachment 1 Access Committee Meeting Minutes - June 2023 (*Under Separate Cover*)



NOTICE OF MOTIONS

12.1 Water Abstraction Charge (Ref: ; Author: Ryan/Ryan)

File Reference: 26 July 2023 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council:

- 1. Submit a request to the Australian Capital Territory (ACT) Government for 50 per cent of the average annual revenue from the Water Abstraction Charge which is attributable to residents of Queanbeyan, Jerrabomberra and Googong, to be phased in over a 3 year period for the purpose of managing the catchments of the Queanbeyan River, Molonglo River and Jerrabomberra Creek, including ecological health, within the limits of Council's responsibilities and powers.**
 - 2. Use funds obtained to supplement the capital program in relation to catchment management projects.**
-

Comment from Cr Willis in support of this Notice of Motion

The Water Abstraction Charge (WAC) was introduced by the ACT Government in 1999 to reflect 'the true value of water as a scarce resource'. The charge is currently set at 65 cents per kilolitre and levied on residents of Queanbeyan, Jerrabomberra and Googong through QPRC rates notices. ACT residents also pay the WAC.

According to Icon Water, the WAC is "charged to recover catchment management costs and environmental costs associated with water extraction".

While there was a reasonable expectation that the revenue would be used to manage the catchments from which potable water is drawn for the residents of the ACT and Queanbeyan City, revenue raised by the WAC actually goes to ACT Consolidated Revenue.

The Office of the ACT Commissioner for Sustainability and the Environment reported in 2018 that it was unable to trace spending of the revenue raised by the WAC. In the 2018-19 financial year, the revenue raised by the WAC amounted to \$30 million. However, the amount raised by the WAC significantly exceeded the amount spent on water planning and management activities in the ACT.

The Commissioner's Office recommended that the revenue raised by the WAC be spent on catchment management, environmental protection and water policy and planning.

Note that none of the WAC revenue is allocated for spending on the catchments of Queanbeyan-Palerang Local Government Area that directly flow into the ACT and contribute to the supply of potable water.

Several years ago, Queanbeyan Landcare approached Queanbeyan-Palerang Regional Council (QPRC) with a proposal that Council seek a share of the WAC revenue paid by Queanbeyan City residents to fund catchment management in our local government area.

12.1 Water Abstraction Charge (Ref: ; Author: Ryan/Ryan) (Continued)

While there were discussions between the former Mayor, General Manager and the ACT Chief Minister, QPRC never made a formal approach in writing to the ACT Government to return a portion of the WAC revenue raised through levying Queanbeyan City ratepayers.

This motion proposes that QPRC make a formal written request for a share of the WAC revenue for the purpose of catchment management, to supplement Council's own funds allocated for catchment management projects within the Queanbeyan River, Molonglo River and Jerrabomberra Creek catchments.

The motion is supported by Council's Environment and Sustainability Advisory Committee (ESAC), as per the minutes of the committee meeting held on 26 June 2023.

Staff Comment

The WAC is a charge on those licensed to take water, as set by the ACT Government, to recover catchment management costs and environmental costs associated with water extraction.

Icon Water collect the WAC from customers via tariffs, or in the case of QPRC through charges as determined under the Icon Water and QPRC Pricing Deed/Service Level Agreement for the Supply of Potable Water. All of the WAC revenue collected is passed onto the ACT Government.

While Icon Water undertakes a broad range of catchment management activities, Icon Water does not receive any funding from the WAC.

Attachments

Nil

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 RFT 2023-16 - Construction Project Management Services – Cooma Road Water Mains Upgrade

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

Item 16.2 Tender Evaluation Report - Design & Construct Pump Track at Jerrabomberra

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