



Ordinary Meeting of Council

AGENDA

8 November 2023

Commencing at 5.30pm

**Council Chambers
253 Crawford St, Queanbeyan**

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

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

Statement of Ethical Obligations

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

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

On-site Inspections - Nil

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

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SUPPLEMENTARY CLOSED SESSION REPORTS:

- **16.1: SALE OF COUNCIL LAND - 40A SEVERNE STREET, GREENLEIGH**
- **16.2: GENERAL MANAGER’S ANNUAL PERFORMANCE REVIEW**

LIST OF ATTACHMENTS

Open Attachments

- Item 9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings
- Attachment 1 DA.2023.0160 - S4.15 Matters for Consideration - Assessment Report - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Attachment 2 DA.2023.0160 - Architectural Plans - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Attachment 3 DA.2023.0160 - SEE - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Attachment 4 DA.2023.0160 - Application to vary the DCP forms - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Attachment 5 DA.2023.0160 - Site Photos - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Attachment 6 DA.2023.0160 - Draft Conditions of Consent - 10-24 Saltbush Parade TRALEE (Under Separate Cover)*
- Item 9.3 Capital Expenditure Review Bungendore Pool
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- Item 9.4 Waterwise Policy
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- Item 10.1 Road Asset Management Capability
- Attachment 1 Council Workshop March 2023 - Council Road Maintenance and Construction Capability (Under Separate Cover)*
- Attachment 2 Transport Service Statement (Under Separate Cover)*
- Attachment 3 Report on Infrastructure Assets - Annual Financial Statements (Under Separate Cover)*
- Attachment 4 Unsealed Road Grading Policy (Under Separate Cover)*
- Attachment 5 Unexpended Roads Works Budgets carried forward to 2023-24 (Under Separate Cover)*

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

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- Item 10.2 Responses to Councillor Questions - Management of Cats
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Attachment 2 Suburban Wild Cat Control Pamphlet (Under Separate Cover)
Attachment 3 Responsible Cat Ownership Pamphlet (Under Separate Cover)
- Item 10.4 Correspondence from the Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces
Attachment 1 Letter QPRC from Minister Planning (Under Separate Cover)
- Item 11.1 Access Committee Meeting - 9 October 2023
Attachment 1 Access Committee Minutes 9 October 2023 (Under Separate Cover)
Attachment 2 Inclusive Advertising Campaign Proposal & Response (Under Separate Cover)
Attachment 3 DIAP Reporting for QPRC 22-23 Annual Report (Under Separate Cover)
Attachment 4 Updated Terms of Reference - QPRC Access Committee October 2023 (Under Separate Cover)
- Item 11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes
Attachment 1 Bungendore Towns Centre and Environs Advisory Committee Minutes - 18 September 2023 (Under Separate Cover)
- Item 11.3 QPRC Heritage Advisory Committee Minutes of 5 October 2023
Attachment 1 Minutes of QPRC Heritage Advisory Committee 5 October 2023 (Under Separate Cover)
- Item 12.1 SoE Reporting
Attachment 1 End of Term Report 2017-2021 (Under Separate Cover)
Attachment 2 Community Strategic Plan 2042 (Under Separate Cover)
- Item 13.1 Attendance at Cities Power Partnership Conference
Attachment 1 Council Attendee List (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, 25 October 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 Willis
Cr Wilson

Staff:

R Ryan, General Manager
J Richards, Director Community, Arts and Recreation
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment
G Cunningham, A/Director Infrastructure Services

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

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

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 11 October 2023**

432/23

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 11 October 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

433/23

RESOLVED (Winchester/Preston)

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

The resolution was carried unanimously.

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

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

434/23

RESOLVED (Winchester/Grundy)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.32pm and resumed at 5.54pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 435/23
- 9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra**
RESOLVED (Willis/Wilson)
- That development application DA.2023.0326 for construction of light industrial and commercial building, parking for 44 cars, solar infrastructure, and associated works on Lot 7 DP 1288362, No.19 Wolseley Place Jerrabomberra be granted conditional consent.
- The resolution was carried unanimously.
- 436/23
- 9.2 Jerrabomberra Pump Track Project**
RESOLVED (Wilson/Biscotti)
- That Council adopt Jerrabomberra Creek Park, on Waterfall Drive, as the location for the construction of the pump track, ensuring the protection of wombat habitat and native vegetation are factored into the design.
- The resolution was carried.
- For: Crs Biscotti, Burton, Livermore, Macdonald, Preston, Taskovski, Wilson and Winchester
Against: Crs Grundy and Willis
- 437/23
- 9.3 QPRC Annual Community Donations for Rates, Fees and Annual Charges**
RESOLVED (Biscotti/Wilson)
- That Council approve Category C 'Rates, Fees and Charges' donations for 2023/24 totalling \$66,731 in accordance with the attached summary of applications.
- The resolution was carried.
- For: Crs Biscotti, Livermore, Macdonald, Preston, Taskovski, Willis, Wilson and Winchester
Against: Crs Burton and Grundy

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope

438/23

RESOLVED (Biscotti/Wilson)

That Council:

1. Place the proposed amended scope of the Googong Indoor Sport and Aquatic Centre, including concept plans, on exhibition for public consultation for a period of 28 days and that the consultation be extended to schools and school groups.
2. Authorise the General Manager to review and endorse a draft deed of variation to the Googong Urban Development Voluntary Local Planning Agreement associated with the proposed change in scope to the Googong Indoor Sport and Aquatic Centre and then place on exhibition for public consultation for a period of 28 days.

The resolution was carried unanimously.

9.5 Annual Review of Climate Change Action Plan, Baseline and Targets

439/23

RESOLVED (Willis/Macdonald)

That:

1. Council Adopt the 2017/2018 baseline data for greenhouse gas (GHG) emissions and energy consumption.
2. Council Reaffirm QPRC energy consumption and emission reduction targets in the QPRC Climate Change Action Plan: Council Operations Plan Period 2020-2030:
 - 20% reduction in energy use in 2030 compared with 2017-2018 baseline levels.
 - 45% reduction in emissions in 2030 compared with 2017-2018 levels.
3. Council Receive and note the annual review of the QPRC Climate Change Action Plan: Council Operations Plan Period 2020-2030 and support resourcing actions in the adopted Action Plan.
4. The targets be reviewed by 30 June 2025 to determine whether they need to be revised based on Council's progress towards achieving the targets, the state of climate knowledge and technological developments.
5. Resources needed to undertake this review be considered in the 2024/25 Operational Plan.

The resolution was carried unanimously.

- 440/23 **9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan**
RESOLVED (Willis/Wilson)
That Council:
1. Adopts the Contaminated Lands Policy, Contaminated Lands Guideline and Standard Remediation Action Plan.
 2. Continue to investigate possible financial compensation from the State Government for private landowners in the Captains Flat Lead Abatement Area.
- The resolution was carried unanimously.
- 441/23 **9.7 Sister City and Friendship City Policy**
RESOLVED (Wilson/Taskovski)
That Council adopt the Sister City and Friendship City Policy.
- The resolution was carried unanimously.
- 442/23 **9.8 Pesticide Use in Public Places Policy**
RESOLVED (Willis/Wilson)
That Council place the Agricultural Chemical Use in Public Places Policy on public exhibition for 28 days and if no submissions are received the Policy be adopted.
- The resolution was carried unanimously.
- 443/23 **9.9 Audit, Risk and Improvement Committee Charter**
RESOLVED (Wilson/Biscotti)
That Council adopt the Audit, Risk and Improvement Committee (ARIC) Charter.
- The resolution was carried unanimously.
- 444/23 **9.10 Draft Financial Statements 30 June 2023**
RESOLVED (Grundy/Biscotti)
That Council:
1. Refer the 2022/23 Financial Statements to audit in accordance with section 413(1) of the Local Government Act 1993.
 2. Note that the 2022/23 financial statements have been prepared in accordance with:
 - a. The Local Government Act 1993 and regulations made there under
 - b. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board

- c. The Local Government Code of Accounting Practice and Financial Reporting.
3. Note that the 2022/23 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
4. Is not aware of any matter that would render these statements false or misleading in any way.
5. Delegates authority to the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements.
6. Delegate authority to the General Manager to issue the financial statements upon receipt of the audit report.
7. Note the time extension received for the lodgement of the financial statements to 30 November 2023.

The resolution was carried unanimously.

9.11 Investment Report - September 2023

445/23

RESOLVED (Willis/Preston)

That Council:

1. Receive the Investment Report for the month of September 2023.
2. Note the investment return for September 2023 was \$228,860.
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.

9.12 Vacancies on Committees

446/23

RESOLVED (Wilson/Winchester)

That Council nominate a Councillor delegate for each of the vacant Committee positions for the remaining term of Council:

- Lake George Bushfire Management Committee
- Lake George District Liaison Committee

The resolution was carried unanimously.

The following Councillors were appointed as delegates for the remaining term of Council for the Committee vacancies created by Cr Webster's resignation.

Committee	Name
Lake George Bush Fire Management Committee	Cr Macdonald
Lake George District Liaison Committee	Cr Preston
Disability Access Committee	Cr Wilson
Bungendore Floodplain Risk Management Committee	Cr Grundy
Sports Council	Cr Taskovski – as alternate

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Revolving Energy Fund

447/23

RESOLVED (Willis/Wilson)

That the report be received for information.

The resolution was carried unanimously.

10.2 Furlong House Queanbeyan Update

448/23

RESOLVED (Willis/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

10.3 Update on Design Review Panel for Queanbeyan

449/23

RESOLVED (Willis/Wilson)

That the report be received for information.

The resolution was carried unanimously.

10.4 Investing In Our Communities Grant Funding - Bungendore Sports Hub

450/23

RESOLVED (Biscotti/Wilson)

That the report be received for information.

The resolution was carried unanimously.

10.5 Summary of Road Renewal and Maintenance Activities (July - Sept 2023/24)

451/23

RESOLVED (Macdonald/Preston)

That the report be received for information.

The resolution was carried unanimously.

- 452/23 **10.6 WHS Quarterly Report**
RESOLVED (Preston/Livermore)
That the report be received for information.

The resolution was carried unanimously.
- 453/23 **10.7 Local Emergency Management Committee Heatwave Plans**
RESOLVED (Willis/Livermore)
That the information report be noted.

The resolution was carried unanimously.
- 454/23 **10.8 Resolution Action Sheet**
RESOLVED (Wilson/Preston)
That the report be received.

The resolution was carried unanimously.
- 455/23 **10.9 Responses to Councillor Questions**
RESOLVED (Willis/Grundy)
That the report be received for information.

The resolution was carried unanimously.
- 456/23 **10.10 Councillor Workshops**
RESOLVED (Preston/Livermore)
That the report be received for information.

The resolution was carried unanimously.
- 11. REPORTS OF COMMITTEES**
- 457/23 **11.1 Audit, Risk and Improvement Committee Minutes and Annual Report**
RESOLVED (Wilson/Biscotti)
That Council:

 1. Note the minutes of the Audit, Risk and Improvement Committee held 18 September 2023.
 2. Note the Audit, Risk and Improvement Committee Annual Report 2023 provided for information.
 3. Note the resolution of the ARIC special meeting held 9 October 2023 endorsing the QPRC Financial Statements for the approval of Council.
The resolution was carried unanimously.

11.2 Local Traffic Committee Meeting - 3 October 2023

458/23

RESOLVED (Grundy/Livermore)

That Council:

1. Note the minutes of Local Traffic Committee held on 3 October 2023.
2. Adopt recommendations LTC 24/2023 and LTC 32/2023 to LTC 38/2023 from the meeting held on 3 October 2023:

LTC 24/2023: Proposed Solution: Event Supported. Under Roads Act 1993 approve the amended traffic control plan as per minutes for the Diwali Festival of Lights.

LTC 32/2023: Proposed Solution: Queanbeyan Community Christmas Party not supported in current form, changes required as per minutes.

LTC 33/2023: Proposed Solution: Bungendore Community Christmas Party not supported in current form, changes required as per minutes.

LTC 34/2023: Proposed Solution: Braidwood Community Christmas Party not supported in current form, changes required as per minutes.

LTC 35/2023: Proposed Solution: Googfest not supported in current form, changes required as per minutes.

LTC 36/2023: Proposed Solution: Queanbeyan Rodeo not supported in current form, changes required as per minutes.

LTC 37/2023: Proposed Solution: Approve the Traffic Control Devices plan in the report provided amendments are made to the "No Stopping" zone.

LTC 38/2023: Proposed Solution: Approve the signage and line marking plan for Bus Zone and On-Street Carparking along Lexcen Avenue, Jerrabomberra.

3. Note the attachment of amended traffic control devices plan as per LTC 37/2023.
4. Receive a further report on the out of session meeting regarding Items 32, 33, 34, 35 and 36.

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 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

459/23

RESOLVED (Winchester/Macdonald)

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 Proposal to Install EV Charging Infrastructure in the Lowe Street Carpark

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.

The resolution was carried unanimously.

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

16.1 Proposal to Install EV Charging Infrastructure in the Lowe Street Carpark

460/23

RESOLVED (Preston/Willis)

That the report be received for information.

The resolution was carried unanimously.

461/23

RESOLVED (Taskovski/Preston)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.44pm.

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 7.45pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee -
Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi)

File Reference: DA.2023.0160

Recommendation

That:

1. Approval be granted to vary zero lot line requirements under Table 6.3 of Part 6 and under Table 1 of Part 7 of South Jerrabomberra Development Control Plan 2015 to allow for the construction of 8 dwelling houses on Lot 332, 333, 334, 335, 336, 337, 338 and 339 of DP 1269547 for the following reasons:
 - (a) Strict compliance with the controls would result in a development with varying built form outcomes and would result in a non-harmonious development of the land and the resultant functional living areas of the dwelling would be severely impacted;
 - (b) Unlikely to result in any adverse impacts on visual privacy, view sharing and overshadowing on adjoining lots;
 - (c) The proposed development is found to be consistent with the relevant objectives of the plan and consistent with the character of the local area.
 2. Approval be granted to vary principal private open space requirements as prescribed under Section 7.11 and Section 6.8 of South Jerrabomberra Development Control Plan 2015 to allow for the siting the PPOS in front of building line on 7 proposed dwellings on Lot 332, 333, 334, 335, 336, 337 and 339 of DP 1269547 for the following reasons for the following reasons:
 - (a) Siting the PPOS behind the building line would severely restrict the usability of the PPOS as it would be surrounded by two storey walls thereby rendering the space unusable;
 - (b) Siting the PPOS forward of the building line is found to have a planning and an environmental merit as it will have a northerly aspect to it and receive sufficient amount of sunlight throughout the day.
 3. Approval be granted to vary front setback controls as prescribed under Table 6.1 of Part 6 of South Jerrabomberra Development Control Plan 2015 to allow for the construction of a two storey dwelling on Lot 339 DP 1269547 for the following reasons:
 - (a) Given the eight lots are integrated in design, the dwelling on Lot 339 merges holistically with the remaining seven dwellings and results in a cohesive and a harmonious development of land;
 - (b) Unlikely to result in any adverse impacts on visual privacy, overshadowing of adjoining lots.
 4. Development application DA.2023.0160 for the construction of 8 dwellings on Lot 332, 333, 334, 335, 336, 337, 338, 339 of DP 1269547 at 10-24 Saltbush Parade Tralee be granted conditional consent.
-

**9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee -
Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)**

Summary

Reason for Referral to Council

This application has been referred to Council because the application involves a number of significant variations to a requirement in a Development Control Plan and the Director Development and Environment has indicated that it is in the public interest to have the matter determined by Council.

Proposal:	Construction of 8 two storey dwellings
Applicant/Owner:	Roman Development Holdings Pty Ltd/ Roman Development Holdings Pty Ltd
Subject Property:	Lot 332 DP 1269547, Lot 333 DP 1269547, Lot 334 DP 1269547, Lot 335 DP 1269547, Lot 336 DP 1269547, Lot 337 DP 1269547, Lot 338 DP 1269547, Lot 339 DP 1269547 (No.10 Saltbush Parade Tralee, No. 12 Saltbush Parade Tralee, No. 14 Saltbush Parade Tralee, No. 16 Saltbush Parade Tralee, No. 18 Saltbush Parade Tralee, No. 20 Saltbush Parade Tralee, No. 22 Saltbush Parade Tralee, No. 24 Saltbush Parade Tralee, NSW 2620 respectively)
Zoning and Permissibility:	R2 Low Density Residential under Queanbeyan-Palerang Regional Local Environmental Plan 2022
Public Submissions:	0
Issues Discussed:	Zero Lot Line Principal Private Open Space Front Setbacks
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 construction of eight two storey development with attached garages to each dwelling and associated site works. The specific elements of the proposal are as follows:

Street No	Property Description	Proposed development	Height
10 Saltbush Corner lot	Lot 332 DP 1269547	2 storey; 4 bedroom; double garage with storage	7.9m
12 Saltbush	Lot 333 DP 1269547	2 storey; 4 bedroom; double garage with storage	8.2m
14 Saltbush	Lot 334 DP 1269547	2 storey; 4 bedroom; double garage with storage	8.24m
16 Saltbush	Lot 335 DP 1269547	2 storey; 4 bedroom; double garage with storage	8.319m
18 Saltbush	Lot 336 DP 1269547	2 storey; 4 bedroom; double garage with storage	8.3m

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

20 Saltbush	Lot 337 DP 1269547	2 storey; 4 bedroom; tandem garage with storage	7.58m
22 Saltbush	Lot 338 DP 1269547	2 storey; 4 bedroom; tandem garage with storage	7.62m
24 Saltbush Corner lot	Lot 339 DP 1269547	2 storey; 4 bedroom; double garage with storage	7.04m

For Lots 332-336, garage access is proposed from Liriopé Lane at the rear (south) and for Lot 337 and Lot 338, access is proposed from Saltbush Parade and for Lot 339 access is proposed from Tassel Terrace on the east.



Figure 1: Overall elevation on Saltbush Parade (Lot 339 on left and Lot 332 on right)



Figure 2: View of the proposed development from the north west corner at the intersection of Saltbush Parade and Storksbill Terrace on the west



Figure 3: View of the proposed development from the intersection of Saltbush Parade and Tassel Terrace on the east.

**9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee -
Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)**

Subject Property

The subject sites are legally described as Lots 332-339 of DP 1269547 and commonly known as 10-24 Saltbush Parade Tralee NSW 2060, respectively. The lots are located on the southern side of Saltbush Parade with the following attributes:

<i>Street No</i>	<i>Property Description (DP 1269547)</i>	<i>Site Area</i>	<i>Lot Dimensions</i>	<i>Garage Access</i>
<i>10 Saltbush (Corner Lot)</i>	Lot 332	229.60 m ²	Length: 22.49m Width: 7.415m	Liriope Lane (south)
<i>12 Saltbush</i>	Lot 333	134.9 m ²	Length: 22.49m Width: 6.0m	Liriope Lane (south)
<i>14 Saltbush</i>	Lot 334	134.9 m ²	Length: 22.49m Width: 6.0m	Liriope Lane (south)
<i>16 Saltbush</i>	Lot 335	134.9 m ²	Length: 22.49m Width: 6.0m	Liriope Lane (south)
<i>18 Saltbush</i>	Lot 336	161.3m ²	Length: 22.49m Width: 7.18m	Liriope Lane (south)
<i>20 Saltbush</i>	Lot 337	179.9 m ²	Length: 22.49m Width: 8.0m	Saltbush Parade (north)
<i>22 Saltbush</i>	Lot 338	179.9 m ²	Length: 22.49m Width: 8.0m	Saltbush Parade (north)
<i>24 Saltbush (Corner Lot)</i>	Lot 339	339.9 m ²	Length: 22.49m Width: 12.32m	Tassel Terrace (east)

All the lots are vacant in the new urban release area and vegetated with grass. 10 Saltbush, 24 Saltbush Parades (Lot 332 and 339, respectively) are corner lots bound by Storksbill Terrace to the west and Tassel Terrace to the east respectively. Lots 332 – 338 have direct access from Saltbush Parade in the north.

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)



Figure 4: Locality Plan

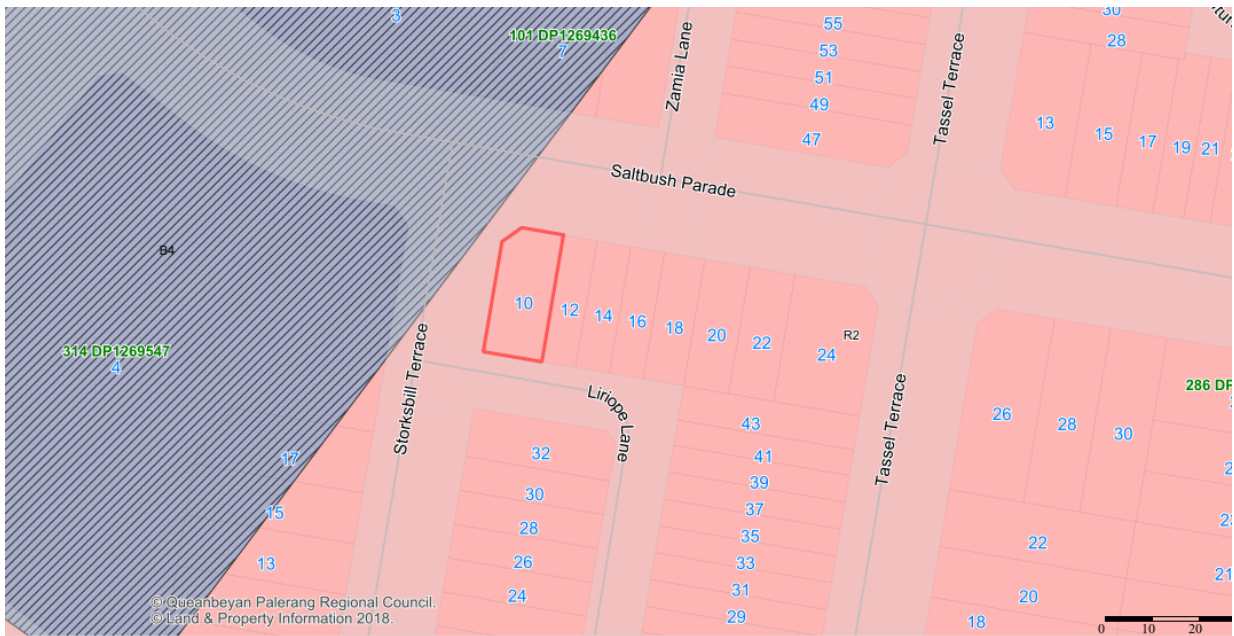


Figure 5: Land use map

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)



Figure 6: Lot and DP number



Figure 7: Existing access off Liriope Lane for Lots 332-334

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)



Figure 8: Access for Lot 339 off Tassel Terrace



Figure 9: Existing access for Lot 335 and 336 off Liriope Lane in the south

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

Planning Requirements

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

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

1. State Environmental Planning Policy (Resilience and Hazards) 2021
2. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
3. Queanbeyan-Palerang Regional Local Environmental Plan 2022 (LEP).
4. South Jerrabomberra Development Control Plan 2015 (DCP)

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

(a) Compliance with LEP

The subject site is Zoned R2 Low Density Residential zone under Queanbeyan Palerang Regional Local Environmental Plan 2022.

Development for the purposes of a dwelling such as is proposed is permissible within the R2 Low Density Residential zone with consent and is defined under QPRLEP 2022 as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

The objectives of the zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that new development complements the scale, density and form of existing development.*

The proposed development consists of eight two storey developments which is generally consistent with the aims of the plan and objectives of the zone as it supports the long term economic sustainability of the local community and does not unreasonably increase the demand for public services or facilities and it provides for the housing needs of the community within a low density residential zone.

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

(b) Compliance with DCP

The South Jerrabomberra Development Control Plan 2015 apply to all eight lots. The proposed development contravenes controls relating to zero lot line provisions and location of principal private open space and front setback for the proposed dwelling on Lot 339. The relevant controls are as follows:

i. Zero Lot Line Requirements

Table 6.3 under Part 6 of South Jerrabomberra DCP 2015 prescribes development standards for zero lot line provisions for lots greater than 330-450m² and Table 1 under Part 7 of SJDPC 2015 for lots between 130-330m². The relevant controls for zero lot line length based on lot size is as follows:

Lot Size	Controls
130-170m ²	<p><i>Zero lot line to both side boundaries is accepted for internal lots but must only extend 60% of the lot length for the ground floor.</i></p> <p><i>The zero-lot line for the 2nd storey will be assessed on merit.</i></p> <p><i>Note: Detached garages are not included in calculations.</i></p>
170-250m ²	<p><i>70% of the depth of the lot for single storey.</i></p> <p><i>The zero-lot line for the 2nd storey will be assessed on merit.</i></p> <p><i>For lots that have a width measured at building line of at least 6m but less than 8m, the building may be built to both side boundaries.</i></p>
250-330m ²	<p><i>70% of the depth of the lot for single storey.</i></p> <p><i>The zero-lot line for the 2nd storey will be assessed on merit.</i></p> <p><i>For lots that have a width measured at building line of at least 6m but less than 8m, the building may be built to both side boundaries</i></p>
330m ² -450m ²	<p><i>50% of the depth of the lot for the single storey portion of two storey dwelling, and, 30% of the depth of the lot for second storey portion of the dwelling</i></p>

Lot No	Site Area (in m²)	Lot length (m)	Controls	Max Zero Lot Length	Proposed zero-lot line length	% of variation	Complies ?
Lot 332	229.60	22.49	70% depth for single storey	15.7	16.5m	3.4%	Variation requested
Lot 333	134.9	22.49	60% of the lot length for single storey	13.5	15.65	9.5%	Variation requested
Lot 334	134.9	22.49	60% of the lot length for single storey	13.5	17.7	17%	Variation requested
Lot 335	134.9	22.49	60% of the lot length for single storey	13.5	15.65	9.5%	Variation requested
Lot 336	161.3	22.49	60% of the lot length for single storey	13.5	18.1m	20.5%	Variation requested
Lot 337	179.9	22.49	70% depth for single storey	15.7	17.7	12.7%	Variation requested

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

Lot 338	179.9	22.49	70% depth for single storey	15.7	18.1	10.5%	Variation requested
Lot 339	339.9	22.49	50% depth for the single storey portion of dwelling	11.245 (ground)	13.7m (ground)	11% (ground)	Variation requested
			30% depth for the second storey portion of the dwelling	6.75 (upper storey)	8.2m (upper storey)	6.6% (upper storey)	

As observed in the table above, the proposed development involves zero-lot line variations for all eight dwellings. The applicant has requested which provides the following justification:

Lots 332-338 range in area between 134.9 – 229.6 sqm. Consistent along all lots is the 22.49m length. With a garage of 6.3m, front setback of 4m leaves a 12m functional living area. Review of the plan allows for functional (and not excessively large) kitchen, dining, lounge, stairs, laundry and WC on ground level along with services court. To comply with the 70% lot line, only allows for a 15.74m wall along boundary of which 6.3m would be garage and as a result, the functionality of living areas taken precedence over wall length.

The 22.49m length is less than many small lots within the estate, making 15.74m zero lot line control difficult to achieve without severely impacting the dwelling functionality.

The applicant submitted an illustrative design concept which indicates the potential building footprint if it were to comply with the relevant controls and as observed from Figure 10 below, the compliance with the relevant controls severely restricts the amount of usable living space and could potentially end up creating a non-harmonious streetscape character.

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

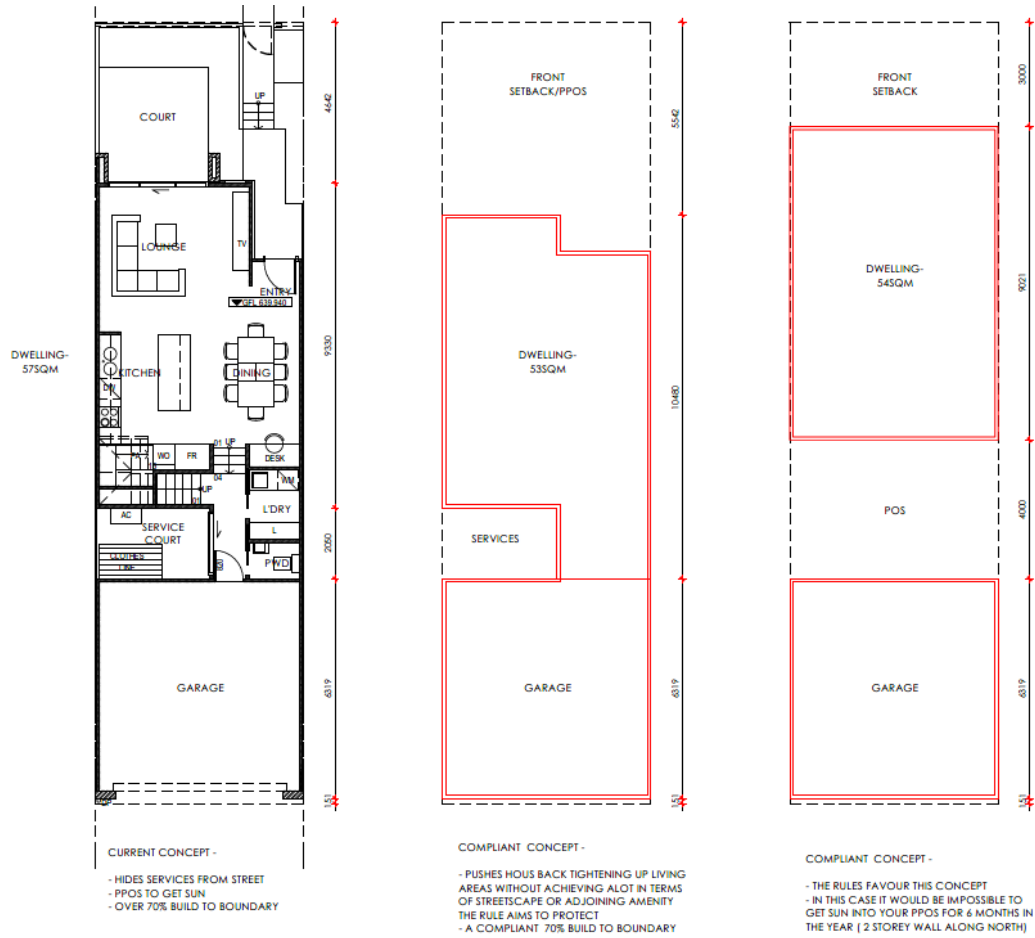


Figure 10: Comparison of proposed (left), compliance with zero lot line (centre) and compliance with PPOS (right)

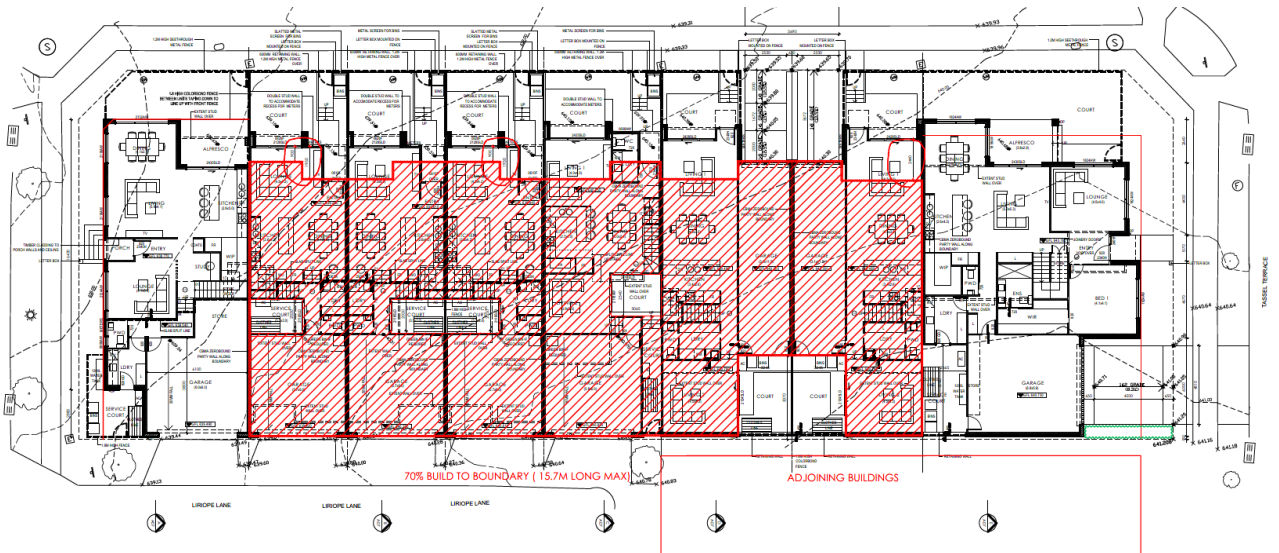


Figure 11: Development compliant with relevant controls (marked in red)

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

Despite non-compliance with the zero lot line controls under Table 1 of Part 7 of SJDCP 2015 and Table 6.3 of SJDCP 2015, the variation to the control is unlikely to result in any adverse impacts on privacy, amenities and overshadowing on adjoining lots. Considering that the development meets the relevant objectives as discussed above, the variation to the zero-lot line control is found to have a planning as well as an environmental merit.

ii. Principal Private Open Space

Under section 6.8 of Part 6 of SJDCP 2015 and section 7.11 of Part 7 of SJDCP 2015, the applicable controls for principal private open space is as follows:

Controls

- a) PPOS shall be provided in accordance with Tables 1, 2 and 3.
- b) The PPOS is to be:
 - i. Located behind the building line.
 - ii. Directly accessible from, and adjacent to a habitable room, other than a bedroom,
 - iii. Located to have a northerly aspect where practical.

Figure 12: Applicable controls for PPOS under SJDCP 2015

The principal private open space for Lots 332-228 is proposed to encroach the building line in contrary to the control (b)(i) above. The applicant has submitted a written request to vary this control which provided the following justification:

The lots are 22.49m long. To comply with the requirements, we would lose 6.3m for garage, 3m for the front setback and then another 4m for PPOS (13.3m) which would leave a 9.19m x 6m building/dwelling footprint (55sqm), which seem unreasonable and locating the PPOS behind the building line in the middle of the building, surrounded by two storey walls would never see any sunlight. The ground floor front setback has been increased from 3m to 4.1m and 4.6m to allow for PPOS and screening landscaping within the front setback with a perfect northern orientation.

Given the site constraints and the nature of the proposed development and provisioning of additional front setbacks, the request to vary the PPOS is found to have a planning and an environmental merit as the siting the PPOS behind the building would severely restrict the amount of sunlight for the PPOS as it would likely be surrounded by two storey walls on all sides. With the positioning of the PPOS forward of the building line, it provides sufficient open space at the northern frontage for the residents for recreational needs and is likely to receive sufficient amount of sunlight throughout the day.

iii. Front Setback for proposed dwelling on Lot 339

Under Table 6.1 of SJDCP 2015, the minimum front setback requirement for the lot is 4m. The dwelling on Lot 339 (eastern corner lot) is proposed to have dwelling and garage access from Tassel Terrace and therefore considered as having Tassel Terrace as the primary street frontage. The building is setback at a minimum of 2.0m from Tassel Terrace. The setbacks along Tassel Terrace varies from a minimum of 2.0m to 5.5m (for garage). The applicant has submitted a written request seeking a variation to this control and the justification provided is follows:

9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)

Given all eight lots are integrated as a single design, the complying setback of 2m & 4m would be inconsistent with the remaining 7 lots. As a result of the proposed encroachment, the primary frontage of Lot 339 (max 2m for a 5m length and 1m for a 5m length) along the 22.49m frontage will not adversely impact streetscape whilst maximising the northern frontage and sun into dwelling.

Considerable amount of thought has been undertaken in designing the entire development. It is agreed that the proposed development complements the overall development of the area, and the applicant has provided additional side setback (along Saltbush Parade) to ensure the dwelling on Lot 339 merges holistically with the other 7 dwellings. The proposed variation is unlikely to result in any adverse impacts in terms privacy and overshadowing on adjoining lots as its bound by Tassel Terrace on the east which provides a natural buffer for any impact.

Despite the non-compliance, the proposed development meets the relevant objectives of SJDCP 2015 and is generally found to add to the character of the area in a positive manner.

(c) Other Matters

Nil

(a) Other Comments/Development Engineer's Comments

Councils Development Engineer does not object to the proposed development subject to the recommended conditions of consent. The proposed development is able to be connected to existing water supply, sewer and stormwater services.

Financial Implications

Nil

Engagement

The proposal required notification under Councils Community Engagement and Participation Plan from 21/04/2023 to 10/05/2023. Zero (0) submissions were received.

Conclusion







The submitted proposal for the construction of 8 two storey dwelling on Lots 332, 333, 334, 335, 336, 337, 338, 339 of DP 1269547, No. 10 to 24 Saltbush Parade Tralee, respectively, is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and zero (0) submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan-Palerang Regional Local Environmental Plan 2022* and *South Jerrabomberra Development Control Plan 2015*.

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

**9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee -
Construction of 8 two storey dwellings (Ref: ; Author: Ormella/Ravi) (Continued)**

Attachments

- Attachment 1  DA.2023.0160 - S4.15 Matters for Consideration - Assessment Report - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*
- Attachment 2  DA.2023.0160 - Architectural Plans - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*
- Attachment 3  DA.2023.0160 - SEE - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*
- Attachment 4  DA.2023.0160 - Application to vary the DCP forms - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*
- Attachment 5  DA.2023.0160 - Site Photos - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*
- Attachment 6  DA.2023.0160 - Draft Conditions of Consent - 10-24 Saltbush Parade TRALEE *(Under Separate Cover)*

9.2 Braidwood Heritage Centre Request for Donation to cover S64 Contributions
(Ref: ; Author: Monaghan/Sligar)

File Reference: 26.5.1-16

Recommendation

That Council decline the request for financial assistance in the form of a loan or deferral of payment of water and sewer contributions.

Summary

At the Council meeting on 23 August 2023, Council resolved (**Resolution 001/23**) to decline the request for a donation to the Braidwood Heritage Centre Project.

The Council requested the General Manager to review the options for a loan or deferral of payment of the Water and Sewer contributions, and to bring a report back to Council for consideration.

This report considers the options for a loan or deferral of payment.

Background

On 23 November 2022 the Council considered the development application DA.2022.1184 being the Alterations and Additions to the Braidwood Heritage Museum located at 186 Wallace Street Braidwood.

The proposal was granted conditional consent for alterations and additions to the existing museum, new visitor accommodation, café, office, sales area, artisan studios, landscaping and associated infrastructure works.

Conditions included developer contributions under s7.11 of the EP&A Act being water and sewer contributions under s64 of the Local Government Act 1993.

Braidwood and District Historical Society have made a submission to the Council requesting relief from the payment of the s64 charges relating to water and sewerage, refer to Attachment 2. The Historical Society is a volunteer run organisation with a passion for celebrating, protecting and sharing the heritage of Braidwood and surrounding region.

The Braidwood Heritage Centre project is an initiative of the Historical Society which has been awarded funding under the Australian and NSW Government's Bushfire Local Economic Recovery Fund. Funds secured cover the cost of the capital project, with limited contingency for over run. The Department of Public Works and Services are the project managers, with Council Officers providing in kind project and tender assessment support.

Of relevance to this report, is Council's decision made at the Council Meeting on 11 October to accept the negotiated tender price and award the construction contract for the project, subject to the funding body approving the modified scope of works (**Resolution No 428/23**). Additional funding of \$1.25M provided a total funded project budget of \$3.75M.

From this total budget, preconstruction costs which includes power supply and Council Developer Contributions (water and sewerage charges) and project management costs are

**9.2 Braidwood Heritage Centre Request for Donation to cover S64 Contributions
(Ref: ; Author: Monaghan/Sligar) (Continued)**

estimated to cost a little over \$1M. There remains an allocation for contingencies after the awarding of the contract.

Report

Developer contributions have been correctly charged to the development, in accordance with Council's adopted Development Servicing Plans. The calculations have been made with regard to the equivalent tenement raised from the development. The chargeable amount totals \$159,423.

Council's Development Servicing Plans do not have provisions for these fees to be waived and this development is not exempt from the charges.

Deferral of Payment

The Palerang Community Development Servicing Plan for Water Supply, section 2.6 Method of Payment indicates that Developers may seek Council's agreement and approval on payment deferment. Deferral of payment will be subject to the following requirements:

- The applicant is to arrange for a Bank Guarantee to be prepared to the value of the contributions payable as agreed to by Council (this is to include indexation where applicable)
- The Bank Guarantee is to be made in favour of Council and shall not be the subject of an expiry date
- Council is to be the custodian of the original Bank Guarantee
- The maximum time frame granted for deferment is six months. Should the contributions not be paid but this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice. Should the approved deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.

Upon Council's approval, the charges will be recorded as a debt against the property and payable at a rate applicable at the time of payment.

Loan

Section 356 of the Local Government Act (1993) (the Act) prescribes the requirements when Councils provide financial assistance to others (including charitable, community and sporting organisations and private individuals). Financial assistance includes loans provided for the purpose of assisting organisations.

Financial assistance must be for the purposes of exercising the Councils' functions. Section 356(2) requires Council to give at least 28 days public notice of a proposal to pass a resolution to grant financial assistance prior to doing so.

Council could agree to a low interest loan the Braidwood Heritage Centre to be repaid in annual instalments over 10 years. The Museum operational budget would need to cover the cost of loan repayments of \$15,942 per annum plus interest.

Council would need to budget for the upfront cost of funding the total contribution amount, \$159,423 in its current budget. Council does not have the funding available to make an additional financial commitment to any new project. If Council does make an additional

9.2 Braidwood Heritage Centre Request for Donation to cover S64 Contributions (Ref: ; Author: Monaghan/Sligar) (Continued)

financial commitment to a new project, Council should identify another budget to reduce by the same amount.

If Council does choose to provide a loan, in accordance with section 356 of the Act, the proposal that Council will be providing this loan must be placed on public exhibition for a period of 28 days. This has the potential to hold up development as all fees need to be paid prior to the issuance of a construction certificate.

Risk/Policy/Legislation Considerations

Council has maintained and adopted Palerang Community Development Servicing Plan for Sewerage (June 2020), and Palerang Community Development Servicing Plan for Water Supply June (2020).

The purpose of these Development Servicing Plans is to ensure that water supply and sewerage developer charges are levied on developments that use the council infrastructure.

Development is charged to ensure that users pay and that infrastructure is developed and maintained to keep pace with need and demand. In the absence of developer contributions there would be a deficit in funds for infrastructure planning.

Section 356 of the Act prescribes the requirements when councils provide financial assistance to others (including charitable, community and sporting organisations and private individuals).

Financial assistance must be for the purposes of exercising the Councils' functions. Section 356(2) requires council to give at least 28 days public notice of a proposal to pass a resolution to grant financial assistance prior to doing so.

Council adopted the Donations Policy on 28 June 2023, for donations under s.356 of the Local Government Act. This policy sets out an equitable, transparent, and accountable management framework for the assessment of donation requests. This project or funding thereof has not been identified or noted in the Donations Policy, nor the Operational Plan (23/24)

Financial, Budget and Resource Implications

The report before the Council is listing options for providing financial assistance to the Braidwood Heritage Centre for the payment of \$159,423 in s64 contributions. The financial assistance would help with the cashflow and contingency management of the project.

The sums for the development are as follows:

Project	Contribution	Schedule	E.T.	Amount
Braidwood	\$7,953	2022	6.79	\$54,001
Braidwood	\$11,144	2022	9.46	\$105,422

The total chargeable amount is \$159,423.

**9.2 Braidwood Heritage Centre Request for Donation to cover S64 Contributions
(Ref: ; Author: Monaghan/Sligar) (Continued)**

These contributions are required to be paid prior to the issue of a Construction Certificate, which is anticipated to be made prior to December 2023. It has been noted that time will be of the essence to ensure there are no delays for the main contractor.

Deferral of payment will provide the Braidwood Heritage Centre an additional six months to make this payment, however this will delay the development.

A loan will need to be funded from Council's current budget. The current available funding in the donations budget is not sufficient to cover this expense. Alternative budget savings will need to be identified to fund the initial loan amount. This will result in reduced services in another area of council's overall budget.

In previous years, Council has run down its internal reserves and borrowed from its advance payment of the annual Financial Assistance Grant. Council has now taken action to increase revenue through an SRV and reduce expenses through budget cuts, and these actions will correct the financial position after 3 years.

It is recommended that Council should not make an additional financial commitment to any new project. If Council does make an additional financial commitment to a new project, Council should identify another budget to reduce by the same amount.

Links to QPRC/Regional Strategic Plans

Relevant to this is Strategic Objectives 1.1 and 2.1 of the Queanbeyan-Palerang Community Strategic Plan, which states that:

Our community is strengthened through connection and participation that enhances our community and cultural life.

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

Conclusion

The Local Government Act envisages through section 356 that Council will look to contribute money or otherwise grant financial assistance. The water and sewerage contributions that are required to be paid prior to issue of a Construction Certificate cannot be waived, as they are a requirement for the development. While these fees can be deferred for a period of six months, this will result in a delay to the development work.

Council's Donations Policy does consider and provide for donations like that requested, however the total Donations budget is less than the whole amount being requested by this one applicant.

In considering this request the funds would need to be paid from Council's unrestricted cash to the Water and Sewerage fund, it would not be a relief for payment, rather a donation to cover those charges. This has wider implications in relation to the Council's finances as an SRV was implemented to improve Council's unrestricted cash position.

Attachments

Nil

9.3 Capital Expenditure Review Bungendore Pool (Ref: ; Author: Richards/Richards)

File Reference: 36.1.3-38

Recommendation

That Council:

1. **Approve the Capital Expenditure Review for the Bungendore Pool for submission to the Office of Local Government.**
 2. **Proceed to the tendering of works for preparation of a complete design, specifications and plans for the Bungendore Swimming Pool, including Quantity Surveyor estimates and staged delivery options.**
-

Summary

The Office of Local Government requires Councils to prepare a capital expenditure review before committing to any major capital project. Detailed guidelines are in place to assist this process. The capital expenditure review for the Bungendore Pool project is attached for Council endorsement.

Background

The Bungendore Pool was officially opened on 30 November 1991. The area includes a 25 metre swimming pool with five lanes, a shaded toddlers pool, two change rooms, other shaded areas and a BBQ and kiosk. The site of the current Bungendore swim facility situated in Bungendore Park, has been acquired by the Department of Education for the construction of a new high school. This will result in the demolition of Bungendore's only outdoor aquatic facility, more than likely at the end of the summer swim season in 2023, making this project time sensitive. A new pool is to be constructed in accordance with the NSW Government Swimming Pools Regulation 2018 and the SEPP (Transport and Infrastructure) 2021 at the Bungendore Sports Hub.

Report

The attached Capital Expenditure Review is provided in line with Office of Local Government guidelines. It notes that the project is to be funded through a combination of compensation received for the compulsory acquisition of the existing Bungendore pool, government and private grants and Developers contributions. It notes that confirmed funding for the pool is \$5.2M with a shortfall of nearly \$12M expected to be covered by grant funding.

Whilst the original intention was to replicate the existing 25 metre and toddlers pools with associated amenities, the Bungendore community has been active in lobbying for an improved year-round facility. At its meeting of 28 June 2023, it was agreed (**Resolution 239/23**) that Council:

1. Endorse the concept plans for the new Bungendore Pool as an enclosed aquatic facility, with an 8 lane 25m heated swimming pool, a wet play area, amenities, canteen/café area, playground and shade structures at the new Bungendore Sports Hub on Halfway Creek Road.
2. Receive a Capital Expenditure Review Report for the Bungendore Pool project.

**9.3 Capital Expenditure Review Bungendore Pool (Ref: ; Author: Richards/Richards)
(Continued)**

3. Prepare a Design and Construct Tender with the option for the project to be delivered in two stages.
4. Subject to confirmation and availability of the required funding, Council proceed to a Design and Construct Tender for the new Bungendore Pool Project.

Given that Council cannot proceed to tender without full funding, the project has stalled waiting on the outcome of grant submissions. Separating the design and construct phases enables Council to determine a staged design for the project and to cost it with increased certainty. In addition to reducing this cost risk, it means the design and plans, necessary approvals if applicable and full quantity surveyor estimates can proceed.

It should be noted that an addition of a hydrotherapy/program pool would have strong community support. If grant funds were sufficient to support construction of the additional pool, this would return to Council for a decision. The estimate to include a hydrotherapy/ program pool is \$6.3M including contingency, project management and escalation of 40%, 10% and 20% respectively. It is difficult to determine the increased revenue for a hydrotherapy pool as demand is unknown. However, best estimates predict that additional revenue would be in the order of \$158K with additional expenses at \$110K.

Risk/Policy/Legislation Considerations

Proceeding to design phase will allow a better understanding of costs and what can be delivered in a staged approach to the project. It will provide a better level of certainty around project timing. Operational costs for an outdoor pool would match current costs for running the Bungendore pool. An enclosed facility would incur additional costs for year 'round operations that would not be fully offset by additional funds. The impact of an enclosed pool on the Queanbeyan Aquatic Centre is unknown.

The Capital Expenditure Review has been prepared in accordance with the Director General's Guidelines issued pursuant to section 23A of the Local Government Act (1993) <https://www.olg.nsw.gov.au/councils/council-finances/capital-expenditure/>

Financial, Budget and Resource Implications

The project will be funded by compensation received from the Department of Education, Developer contributions and grant funding. Some of this funding is confirmed, however the outcome of grant submissions is currently unknown. The compensation payment from DoE noted in the table below, is the current value received to date which represents 90% of the Valuer General valuation. The final amount, is subject to the matter being heard in the Land and Environment Court; QPRC vs Minister for Education and Early Learning.

The 'whole of life' costs for the new pool are detailed in the attached CAPEX review on page 13. Providing an indoor, year-round facility is likely to add \$60K to the net operating expenses each year which are currently \$120K.

9.3 Capital Expenditure Review Bungendore Pool (Ref: ; Author: Richards/Richards) (Continued)

Funding Source	Timing	Amount \$	Status
CONFIRMED			
Compensation from Dept of Education	Received and held in reserve	3,132,000	Received
Grant – Bendigo Bank	To match project cashflow	1,000,000	Confirmed
Developer Contributions	Received and held in reserve from Bungendore Section 7.11 Development Contributions Plan for Community and Recreation Facilities 2022	1,105,000	Received
UNCONFIRMED			
Complete Growing Regions- Grant R 1	If EOI successful Stage 2 required by 12 December 2023. Outcome by January 2024.	5,000,000	EOI Submitted
Grant – Veolia Mulwaree Trust		100,000	Not submitted
Club Infrastructure Grants	Outcome expected December 2023	300,000	Submitted
Regional Precincts and Partnerships Program	Outcome expected Jan-Feb 2024	6,305,770	Submitted
TOTAL FUNDING APPLICATIONS		16,942,770	

Links to QPRC/Regional Strategic Plans

The QPRC Community Strategic Plan includes the following section under pillar one, Community. Provision of Aquatic Centres and Pools deliver on this strategy.

- 1.2 Our health, wellbeing and resilience is supported by strong partnerships and access to services.
- Health and quality of life are improved through access to a range of recreation and leisure opportunities.
 - Active recreational, sporting and health pursuits are supported by the availability of programs, events and assets in the Queanbeyan-Palerang region.

Conclusion

Council is asked to approve the Capex Expenditure Review Report for the Bungendore Pool to allow it to be forwarded to the Office of Local Government.

In addition, Council approval is sought to proceed to the tender for design only to allow the project to proceed with full design and consultation. The designs would be the subject of a tender for construction of the facility at time when a clear budget and funding has been established.

Attachments

- Attachment 1  Capital Expenditure Review for Bungendore Pool (*Under Separate Cover*)

9.4 Waterwise Policy (Ref: ; Author: Ryan/Flint) (Continued)

File Reference: 52.5.4

Recommendation

That Council adopt the Waterwise Policy.

Summary

The Waterwise Policy has undergone a review by the Utilities Business Unit and as a result, some amendments have been made. The intent of the Policy as it currently exists has not changed, but rather reflects updated best practice and timely revisions. Councillors were presented with this amended policy at the Meeting of 27 September 2023 however determined to defer consideration pending a Workshop taking place.

Report

The Waterwise Policy was last reviewed and adopted in August 2020. No significant changes are proposed, save the updating of monetary amounts. Given no changes have been made to the Policy, no exhibition period is required.

Risk/Policy/Legislation Considerations

There is no legislation which governs this policy. The implementation of this policy is a non-mandated initiative, however all plumbing fixture works must be conducted in accordance with AS3500.1 and AS3500.2.

Financial, Budget and Resource Implications

Subsidies claimed under the Waterwise Policy will be debited to the relevant water supply scheme in keeping with past arrangements.

Links to QPRC/Regional Strategic Plans

Strategic Pillar 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

Conclusion

Within 12 months of an election, Council must look to review all policies. This process is a continuing body of work and it is recommended that the Waterwise Policy be re-considered and subsequently re-adopted by Council.

Attachments

Attachment 1 Waterwise Policy (*Under Separate Cover*)



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

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 resolved to receive a report on its Road Asset Management Capability to provide Councillors with the understanding and options to enhance our roads. (**Resolution 043/22**).

A workshop with Councillors was held on 29 March 2023 and the workshop slides form an attachment to this report.

Council owns and manages:

- 1,693km road network comprised of sealed roads, unsealed roads, bridges and culverts
- A pedestrian network
- Enabling infrastructure including stormwater channels and drains
- Retaining walls
- Safety infrastructure comprised of streetlights road signs and barriers.

Council supports the safe and equitable movement of commuters, visitors and freight into and through the local government area through maintained and renewed roads, bridges, path infrastructure and public transport facilities.

Transport Assets

	Quantity	Cond 1	Cond 2	Cond 3	Cond 4	Cond 5
Total Sealed Road	977 km	84%	12%	3%	1%	0%
Total Unsealed Road	716 km	52%	1%	47%	0%	0%
Path - Pedestrian	240 km	46%	31%	22%	2%	0%
Path - Shared	37 km	74%	19%	6%	1%	0%
Vehicular Bridge - Timber	14	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%
Carparks	403,000 Sqm	46%	16%	36%	2%	0%

We provide this service to ensure that we have well planned transport infrastructure which provides for good levels of connection and ease of movement. We also ensure transport infrastructure is maintained to the agreed standards as set out in the Asset Management Strategy and Asset Management Plans. This service is provided through a combination of internal staff and plant, external contractors, consultants and panel contracts.

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

Transport infrastructure benefits all road users including local ratepayers, travellers and users of freight routes across the state and country. The service makes an operating deficit in years when depreciation expense is underfunded. Regional Roads provide links between towns and within major urban centres and are managed by Council and funded by the State Government through 'regional road block grant' funding.

The Federal Government also has a responsibility for road maintenance and pays some contributions toward road renewal through the Roads to Recovery Grant and other infrastructure grant programs.

The Transport Service Statement forms an attachment to this report.

Council reports on its infrastructure assets annually with the Financial Statements. The draft 30 June 2023 Report on Infrastructure Assets has been provided as an attachment to this report.

As at 30 June 2023 the gross value of transport infrastructure is \$1,371,387,000 (or \$1.4 Billion).

The required annual maintenance cost is estimated as \$6M per annum, and the actual maintenance cost is \$12.3M. The actual road maintenance figure has been inflated by the value of natural disaster recovery work that Council has carried out over the past several years. Natural disaster repair and maintenance is grant funded and Council could not continue to support that level of work without continued external funding. Council's road maintenance budget (excluding natural disasters) is \$5.9M in the 2023-24 operational plan across regional and local roads. Council's long term financial plan and Asset Management Strategy target a maintenance ratio in the range of 80%-100%, in favour of 100% asset renewal.

The ratios on page 2 and 3 of the June 2023 Infrastructure report measure Council's Asset Renewal, Infrastructure Backlog and Asset Maintenance. They have been developed by the Office of Local Government and QPRC currently performs well compared with the industry benchmarks. Council's target and forecast performance measured by these standard ratios is a key component of Council's long term financial plan.

The Infrastructure Backlog ratio is calculated as a proportion of the total value of the assets that are currently below condition 3 "satisfactory". The industry benchmark is <2%, which council meets.

Workforce Structure

The construction and maintenance of Council's transport infrastructure is the responsibility of the Transport and Facilities Branch, which is headed by the Manager of Transport and Facilities.

The Manager is supported by the Coordinator of Transport Construction who is responsible for the construction of roads and bridges in addition to the delivery of State Road maintenance contracts for Transport NSW. The transport construction team includes three fulltime construction engineers, a technical officer to oversee the State Road contract and two team leaders of construction who are based at the Bungendore and Braidwood depots. Each team leader has leading hands reporting to them for tasks such as construction grading, earthworks, pavement construction, installation of pipes and culverts, land acquisition, traffic control and other project work.

The Manager is also supported by the Coordinator of Transport Maintenance who manages Council's programs for bitumen resealing, heavy patching, pothole repairs, gravel re-sheeting, maintenance grading and all other sealed and unsealed road maintenance. Maintenance tasks are determined by Council's asset management plans, scheduled maintenance, customer requests and asset inspections. On call roads teams are in place in Queanbeyan,

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

Bungendore and Braidwood to respond to after hours emergencies such as traffic control, motor vehicle accidents, storm damage, trees across roads, livestock control and other incidents.

The Transport Maintenance team includes a Roads Project Officer, street sweepers, three team leaders for the three depots and a range of leading hands for maintenance grading, concreting, footpaths, patching truck, bridge and concreting, pipes and culverts, lines and signs and general maintenance.

The transport construction and maintenance teams share pools of General Equipment Operators (GEOs) who operate out of the three depots. These GEOs are assigned to Leading Hands depending upon the roads program tasks that are to be undertaken.

The construction team has 43 full time equivalent positions with 30 currently occupied and the maintenance team has 22 full time equivalent positions with 17 currently occupied. 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.

Council's road building capacity consists of the following major 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

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

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Mitsubishi	FV 51 6x4	Water Tank

Council's current road building and maintenance projects with timeframes and budgets

Council's levels of service is noted in the Service Level Statements. Sealed roads are resealed very 15 years, with a target service level of this reaching 80%. The annual target for grading unsealed roads is 749km per annum. A total of 4 timber bridges are replaced each Council term, and 30% of Bridges are inspected annually.

The road maintenance budget for 2023-24 is \$4.8M for local roads maintenance and \$1.1M for regional roads maintenance.

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

The capital road budget is listed by project in the 2023-24 Operational Plan (Page 24-28) and updates are provided on the status of all projects at each quarterly budget review.

Service	Project No.	Project description	Total expenditure 2023-24	Source of Funds								
				General Revenue (Rates)	Fees and Other Revenue	Grants (\$,000)	Internal Reserves (\$,000)	External Reserves (\$,000)	Developer Cont (\$,000)	Sale of Assets (\$,000)	New Loans (\$,000)	
31. Transport	Program 31.1 - Roads											
	101297	BGD - Tarago Road rehab - Mt Fairy to Goulburn Mulwaree boundary	2,080	0	0	0	0	0	2,080	0	0	
	102002	NRG - Nerriga Rd	461	18	0	443	0	0	0	0	0	
	100133	QBN - Old Cooma Road Stage 2 - Googong Rd - ELP	76	0	0	0	0	76	0	0	0	
	104519	QBN - Williamsdale Rd Extend Seal	900	0	0	900	0	0	0	0	0	
	100150	QBN - Ellerton Drive Extension	450	0	0	0	0	450	0	0	0	
	101002	QPR - Local roads renewal	2,106	2,106	0	0	0	0	0	0	0	
	101004	QPR - Local road resheeting program	500	500	0	0	0	0	0	0	0	
	101013	QPR - Roads to Recovery	1,589	61	0	1,528	0	0	0	0	0	
	101001	QPR - Local Roads and Community Infrastructure Program	916	35	0	881	0	0	0	0	0	
	101300	QPR - Local roads rehabilitation	1,560	1,560	0	0	0	0	0	0	0	
	102013	QPR - Regional roads repair program	800	0	0	800	0	0	0	0	0	
		Total Roads		11,438	4,280	0	4,552	0	526	2,080	0	0
		Program 31.2 - Bridges										
		104710	BWD - Honeysuckle Creek Bridge Replacement: Majors Creek	686	0	0	653	0	0	33	0	0
		104711	BWD - Jembaicumbene Bridge 1 Replacement	1,380	0	0	858	0	522	0	0	0
		104712	BWD - Jembaicumbene Bridge 2 Replacement	2,211	0	0	1,356	0	854	0	0	0
		104713	BWD - Jembaicumbene Bridge 3 Replacement	896	0	0	568	0	328	0	0	0
		104729	BWD - Jerrabattgulla Creek Bridge (Hereford Hall Rd)	814	0	0	518	0	295	0	0	0
		104730	BWD - Tantulean Creek Bridge (Little River Road)	1,347	0	0	838	0	509	0	0	0
		104731	BWD - Bedding Ground Creek Bridge (Reidsdale Road)	1,061	0	0	667	0	394	0	0	0
		104732	BWD - Jerrabattgulla Creek Bridge (Jerrabattgulla Rd)	1,848	0	0	1,139	0	709	0	0	0
		Total Bridges		10,242	0	0	6,596	0	3,612	33	0	0

Service	Project No.	Project description	Total expenditure 2023-24 \$,000	Source of Funds							
				General Revenue (Rates)	Fees and Other Revenue (\$,000)	Grants (\$,000)	Internal Reserves (\$,000)	External Reserves (\$,000)	Developer Cont (\$,000)	Sale of Assets (\$,000)	New Loans (\$,000)
31. Transport	Program 31.4 - Traffic/safety										
	104723	BWD - Elrington Street Footpath (Wilson St to Keder St)	29	0	0	29	0	0	0	0	0
	104724	BWD - Lascelles St Footpath (Wallace St to Monkittie St)	34	0	0	34	0	0	0	0	0
		Total Traffic/Safety		63	0	0	63	0	0	0	0

An additional \$4.9M of capital road works were identified in the 4th Quarter Budget review and the budget has been carried forward into the current financial year for inclusion with the 2023/24 works program (**Resolution 418/23**). The full listing is an attachment to this report.

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.

The forward work program is informed by the Transport Asset Management Plan that is due for review in 2024. The current Asset Management Plan is on Council's website, <https://www.qprc.nsw.gov.au/Policies-Strategies-and-Plans/Strategies-and-Plans>.

The update will incorporate a comprehensive review of the current asset capacity and performance and include a full condition assessment, projection of future renewal demand and development of new maintenance and renewal plans.

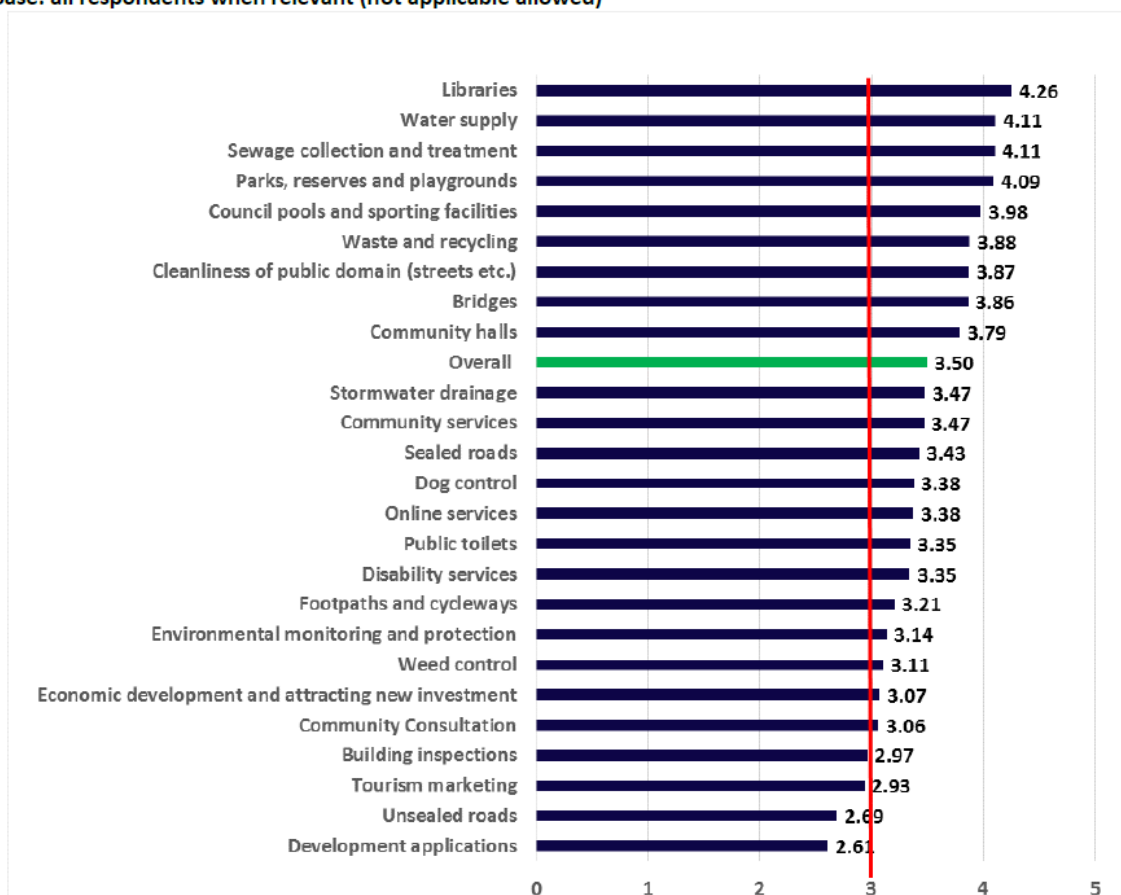
An analysis of the community's road needs and our capability / capacity to service this, as well as any other threats to this capability

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/Monaghan) (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.

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






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:

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

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

- Attachment 1  Council Workshop March 2023 - Council Road Maintenance and Construction Capability (*Under Separate Cover*)
- Attachment 2  Transport Service Statement (*Under Separate Cover*)
- Attachment 3  Report on Infrastructure Assets - Annual Financial Statements (*Under Separate Cover*)
- Attachment 4  Unsealed Road Grading Policy (*Under Separate Cover*)
- Attachment 5  Unexpended Roads Works Budgets carried forward to 2023-24 (*Under Separate Cover*)

10.2 Responses to Councillor Questions - Management of Cats (Ref: ; Author: Ryan/Flint)

File Reference: 8 November 2023 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Willis on 12 October 2023.

- 1. Given that NSW laws allow roaming domestic cats to be seized, and that QPRC policy encourages cat owners to keep their cats indoors, what advice (verbal and/or written) does Council provide to cat owners about controlling their cats in the event that their cats are handed in to the Council animal management facility?**

Cats are allowed to roam and can only be trapped and seized on private property, identified cat containment areas or prohibited areas if the cat is:

- In a food preparation/consumption area and/or a wildlife protection area.
- Seized to protect any person/animal from injury or death (EG: seen killing birds on the reporters' property/attacking, injuring and/or killing poultry/other pets.
- Defecating in children's sandbox or neighbouring vegetable patches etc.

See attached advice brochures relating to responsible cat ownership and sub-wild cat management.

Council Rangers utilise the following avenues when providing education surrounding problem cats:

- The behaviour of the cat which contributed to the trapping/seizure of the cat on private property is advised to the cat owner upon release. Advice is also reiterated to the cat owner regarding safeguarding techniques to ensure the cat is not continuously being caught.
- Education is provided on deterring problem cats away from reporters' properties.
- Notification and advice to neighbours in problem cat areas or areas with high trapping rates.
- Emphasis placed on ensuring offending cats are wearing a collar and tag for reuniting and identification purposes.

- 2. Does this advice extend to alerting cat owners to the dangers to the cats themselves if they roam free, and/or the nuisance problem that cats roaming free can cause (e.g., that they can increase the problem of barking dogs)?**

Yes – along with educating on Nuisance Cat Orders being issued to ensure the cat behaviour is controlled and not continuous.

However, cats are allowed to roam. There is no offence committed by a cat being outside of a property in which they usually reside if this is a result of walking boundary fence lines, through neighbouring properties or sunning in neighbouring front yards.

The Companion Animal Act 1998 (section 30 and 32) provides guidance around lawful seizure of cats in NSW.

10.2 Responses to Councillor Questions - Management of Cats (Ref: ; Author: Ryan/Flint) (Continued)

3. In relation to the point above, what is the basis of directions given by staff working at the animal management facility to people who have trapped collar-wearing nuisance cats that these cats should not be taken to the animal management facility but should be released immediately? How do these directions help educate owners of those cats to keep their cats on their property; and how does this advice help to reduce the nuisance level for those people bothered by those cats?

If the cat is a repeat offender, the cat must be brought into the Animal Facility to assist with the collection of evidence regarding the continuing behaviour so Orders can be placed upon said cat/owner.

Repeat offenders can also be issued with Infringement Notices for failing to comply with an Order placed against a specific cat.

All owned trapped cats should be released (unless identified as the offending cat and offending under the Companion Animals Act 1998) however in the interests of welfare and safety all cats will be accepted at the facility for processing.

4. Does Council charge a release fee to owners whose cats have been handed into the animal management facility, as is this case for dog owners? If not, why? If yes, what is the fee? Is the cat release fee the same as that charged to dog owners? If there is a disparity between the fees, what is the basis for this?

In accordance with Council's Fees and Charges, the following fees apply:

Seizure Fee \$75




Maintenance Fee \$55 (daily)

Note: Seizure fees are the same for both cats and dogs however the maintenance fee is less for cats. This is because sustenance for cats costs less and overall cats are cheaper to house.

Both of the above fees are required to be paid prior to the animal being released.

Further, the Office of Local Government requires that cats born after 1 January 2020 that are not Identified or Desexed, require an Annual Permit (\$92.00) until such time they are desexed and evidence of such is provided and recorded in the Companion Animals Register. All other cats are required to have a one-off Registration fee (\$65.00) and Permanent Identification fee of (\$40.00) paid and recorded against their Microchip number in the Companion Animals Register.

Attachments

- Attachment 1  Cat Seizure Validation Form *(Under Separate Cover)*
- Attachment 2  Suburban Wild Cat Control Pamphlet *(Under Separate Cover)*
- Attachment 3  Responsible Cat Ownership Pamphlet *(Under Separate Cover)*

10.3 Responses to Councillor Questions - Net Zero Emissions Project (Ref: ;
Author: Ryan/Flint)

File Reference: 8 November 2023 Council Reports

Recommendation

That the report be received for information.

Report

The following question was submitted by Cr Willis on 30 October 2023. Staff have referred this question to the Canberra Region Joint Organisation and a response has been provided by the Net Zero Officer.

In January 2023, Councillors were advised that the Canberra Region Joint Organisation had established a net zero emissions project to:

- Establish a net zero pathway with priorities for all member councils.
- Establish a region-wide net zero pathway.
- Embed the net zero pathway strategies into relevant strategic plans.
- Prepare and embed in processes a Best Practice Procurement Policy that embraces social and sustainability procurement elements.
- Develop a concise summary or potential projects for the next 3 years including fleet transition and an electric vehicle plan, renewable street lighting, LED for outdoor public areas, conversion of infrastructure and capital equipment to energy efficient options, renewable and alternative energy options.
- Prepare and submit grant applications on behalf of member councils to support net zero targets and emissions reduction opportunities.
- Collaborate with other joint organisations in NSW to advocate for policy changes at state and national levels to support renewable energy transmission, renewable energy zones and street lighting initiatives including smart controls.

What has been the progress with this project?

Response:

The Joint Organisation Net Zero Accelerator (JONZA) program was developed by the Sustainable Council's team at the NSW Office of Energy and Climate Change (OECC) to drive support for the reduction in greenhouse gas emissions from NSW local councils.

Funding was made available from the Climate Change Fund to employ a Net Zero Officer to be hosted by the CRJO, which would implement the original objectives of the project, which entailed:

- . Establishing a net zero pathway with priorities for all members councils.
- . Establishing a region-wide net zero pathway.
- . Embedding the net zero pathway strategies into relevant strategic plans.
- . Preparing and embedding in processes a Best Practice Procurement policy that embraces social and sustainability procurement elements.

10.3 Responses to Councillor Questions - Net Zero Emissions Project (Ref: ; Author: Ryan/Flint) (Continued)

- . Developing a concise summary of potential projects for the next 3 years including fleet transition and an electric vehicle plan, renewable street lighting, LED for outdoor public areas, conversion of infrastructure and capital equipment to energy efficient options, renewable and alternative energy options.
- . Preparing and submitting grant applications on behalf of member councils to support net zero targets and emissions reduction opportunities.
- . Collaborating with other joint organisations in NSW to advocate for policy changes at state and national level to support renewable energy transmission, renewable energy zones and street lighting initiatives including smart controls.

The Net Zero Officer commenced 6 March 2023. To coordinate the project implementation, eleven working group members were nominated by the General Managers of the member Councils. The working group members represent a range of functions at the Councils to reflect the breadth and extent of reducing Council emissions.

Baseline surveys were undertaken with each Council to establish the starting point of each member. The profiles of each Council have been used to establish possible Net Zero pathways for these Councils (processes and projects). In the case of QPRC the most important emission reductions steps will be to reduce the direct methane emissions from landfills (including legacy) as well as water treatment facilities.

The Net Zero Pathway Plans for the eleven member councils are currently being drafted and will be sent to the General Managers at the beginning of December. These plans will include high level recommendations and will focus on the implementation of internal processes which will support the Council on its Net Zero journey, including embedding the net zero pathway suggestions into relevant strategic plans.

The Regional Net Zero Strategy has been put on hold, pending the responses from the General Managers about their Council-specific plans, however it is anticipated that this will be revisited in March 2024.

Sustainable Procurement is critical to the reduction in emissions from Councils. The CRJO Procurement Working Group are exploring ways for the member Councils to develop sustainable procurement frameworks that ensure that the environmental impacts of Council's purchasing decisions are minimised. It is also a key recommendation for every Council in the Net Zero Pathway Plans.

The advocacy and funding for projects is coordinated through the Sustainable Councils team at OECC. Resources have been allocated by the Sustainable Councils team to assist Councils in:

- 1) identifying funding opportunities (public EV charging facilities; council community assets such as pools and civic centres; batteries)
- 2) Assisting in the scoping necessary for grant applications; and
- 3) Assisting in the writing of the grants

To date there has not been a grant opportunity that has been suitable for QPRC.

10.3 Responses to Councillor Questions - Net Zero Emissions Project (Ref: ; Author: Ryan/Flint) (Continued)

Information and suggestions from the working group members are channelled to the OECC to affect future funding and support for member councils. It is currently anticipated that the JONZA project will be extended until June 2024 to keep supporting the member Councils on their Net Zero journeys.

Attachments

Nil

10.4 Correspondence from the Office of the Hon Paul Scully MP, Minister for
Planning and Public Spaces (Ref: ; Author: Ryan/Ryan)

File Reference: 26.1.4

Recommendation

That the report be received for information.

Report

The NSW Minister for Planning and Public Spaces, the Hon Paul Scully MP, has requested this letter addressed to the Mayor is tabled at the next Council meeting.

Attachments

Attachment 1 Letter QPRC from Minister Planning (*Under Separate Cover*)



File Reference: 2.5.2

Recommendation

That Council:

1. Note the minutes of QPRC Access Committee (QAC) held on 9 October 2023.
2. Endorse the recommendations of the QPRC Access Committee of the meeting held on 9 October 2023:

QAC 01/23 Change in the Terms of Reference that a quorum will now constitute two committee members rather than four.

QAC 02/23 Support the request from the Carer and Parents Spectrum Supports (CAPSS) and the Access Committee to provide in-kind staff support for an inclusive advertising campaign to raise awareness of disability and inclusion in our wider community.




QAC 03/23 Investigate Council's internal resource capacity and necessary funding required to undertake accessibility audits in Braidwood CBD, and QPRC event facilities across the LGA.

QAC 04/23 Note the progress of work in accordance with the QPRC Disability Inclusion Action Plan 2022-2026.

Summary

The Access committee met on 9 October 2023. The meeting was well attended with almost all members present. The committee discussed a range of issues including progress on actions in the QPRC Disability Inclusion Action Plan. There were four recommendations requiring Council endorsement.

Attachments

- | | |
|--|---|
| Attachment 1 | Access Committee Minutes 9 October 2023 (<i>Under Separate Cover</i>) |
|  Attachment 2 | Inclusive Advertising Campaign Proposal & Response (<i>Under Separate Cover</i>) |
|  Attachment 3 | DIAP Reporting for QPRC 22-23 Annual Report (<i>Under Separate Cover</i>) |
|  Attachment 4 | Updated Terms of Reference - QPRC Access Committee October 2023 (<i>Under Separate Cover</i>) |

11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes
(Ref: ; Author: Richards/Duncan)

File Reference: 52.3.3

Recommendation

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee meeting held on 18 September 2023.
 2. Consider the BTCEC supported CWA submission and implement the proposed changes as appropriate.
 3. Note the contribution made by David MacLaren to BTEC since 2008.
-


Summary

The Bungendore Town Centre and Environs Advisory Committee has submitted minutes of the meeting held on 18 September 2023 for Councils information.

The committee have put forward two recommendations for Council to consider, the first, to support the CWA submission made to Mayor Winchester and Local Member Steve Whan recommending Council consider implementing the proposed changes to the Master Plan as appropriate.

The second recommendation is for Council to note the contribution committee member David MacLaren has made to the committee over the last 15 years following his resignation.

Attachments

Attachment 1  Bungendore Towns Centre and Environs Advisory Committee Minutes - 18 September 2023 (*Under Separate Cover*)

11.3 QPRC Heritage Advisory Committee Minutes of 5 October 2023 (Ref: ; Author: Ormella/Grant)

File Reference: 26.5.1-08 / 22661151

Recommendation

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee (HAC) held on 5 October 2023 – 28/23.

2. Note recommendation 29/23 from the meeting held on 5 October 2023:

QPRC HAC 29/23 – Refurbishment of Captains Flat Station Master’s Cottage.

- i The Heritage Advisory Committee (HAC) have no objection to the demolition of the Station Master’s Cottage.
 - ii The HAC encourage a future articulation in which the delineation of the Station Master’s Cottage footprint be included as part of the forthcoming Heritage Trail.
 - iii The HAC are supportive of the Heritage Trail project.
-

Summary

This was the ninth meeting of this Committee and was one of general business with no Development Applications for the Committee to consider.

There were two recommendations, one being the Minutes of the previous Committee meeting, the other in response to a report on a recent *Transport for NSW’s* Community Consultation session on the future of the Captains Flat (former) Station Master’s Cottage. The cottage is a listed heritage item, however, it has widespread lead contamination and is not considered suitable for relocation due to asbestos cladding and stability issues. Based on this information and the work being done on the Heritage trail project, the Committee had no objection to the demolition of the Station Master’s Cottage and made the following further recommendations:

- The HAC encourage a future articulation in which the delineation of the Station Master’s Cottage footprint be included as part of the forthcoming Heritage Trail.
- The HAC are supportive of the Heritage Trail project

The views of the Heritage Advisory Committee were uploaded to the Transport for NSW live community consultation prior to it closing.

The Committee received staff advice regarding their involvement with the review of DCPs and were given an overview of the Land-Use Planning branch’s workplan with reference to such reviews. The Committee were advised of the retirement of the Council’s Heritage Advisor from his role and discussed the plan for his replacement. There were also updates regarding:

- the Braidwood and its Setting State Heritage Listing: 15 Year Management Review;
- the well at 12 Rutledge Street, Queanbeyan;
- planned signage for the upcoming Local Heritage Awards 2023-24.

Planned discussions for the review of the merged Committee and Committee positions were postponed to the 16 November meeting of the Committee due to time constraints.

Attachments

Attachment 1  Minutes of QPRC Heritage Advisory Committee 5 October 2023 (Under Separate Cover)

NOTICE OF MOTIONS

12.1 SoE Reporting (Ref: ; Author: Willis/Willis)

File Reference: 8 November 2023 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council receive a report on options to improve the frequency of its reporting on the state of the environment of the Queanbeyan-Palerang region and sustainability performance including:

- 1. Reporting on a more regular basis.**
- 2. Reporting Council's greenhouse gas emissions and renewable energy generation on a live basis as data becomes available.**
- 3. How to resource more frequent reporting and live reporting any related matter.**

Comment from Cr Willis in support of this Notice of Motion

Regular State of the Environment Reporting (SoE) is an established practice of all tiers of government in Australia.

Regular and accurate reporting on the state of the environment underpins sound policy development and action. SoE reporting informs decision-makers and the community about trends over time, how particular actions and investment are supporting changes, and where new measures and investment are needed to achieve desired outcomes. SoE reporting can also influence behaviours to achieve more sustainable practices that support a healthy and resilient environment.

The former Queanbeyan City Council produced an annual *Sustainability Report* in the last three years before the council merger. Reports were published for the periods 2012-13, 2013-14 and 2014-15. Each of these reports contained environmental performance data for the financial year to which each related as well as for the previous three or four financial years.

Since the council merger in May 2016, QPRC has published a single report, being a *State of the Environment Report 2017-21*. This report included environmental data for the 2020-21 financial year as well as the preceding three financial years.

Infrequent environmental reporting by QPRC, including of council and community greenhouse gas emissions, reduces council's capacity to respond effectively to trends. Without more frequent reporting, it is impossible to know, on a reliable basis, how the council and the wider community are performing against their greenhouse gas emissions benchmarks as well as other sustainability targets.

12.1 SoE Reporting (Ref: ; Author: Willis/Willis) (Continued)

Staff Comment

The Office of Local Government (OLG) Integrated Planning and Reporting (IP&R) Guidelines sets out the requirements for the State of Environment Report, this being:

A requirement to prepare a stand-alone state of environment report in the year in which an ordinary election of councillors is to be held is no longer a requirement. However, a report on the implementation and effectiveness of Council's Community Strategic Planning achieving its social, environmental, economic and civic leadership objectives must include the state of its environment.

The last End of Term Report 2017-2021 sets out the State of Environment information that has previously been reported on from page 36, with Sustainable Queanbeyan-Palerang starting from page 46, refer to Attachment 1.

The reporting is based on the measures and targets in the Community Strategic Plan. The previous End of Term Report refers to the Community Strategic Plan in place under the previous administration, however the next End of Term Report will relate to the Community Strategic Plan 2042 adopted by this Council, refer to Attachment 2.

Section 3 Character and strategic objective 3.1 in the current adopted Community Strategic Plan directly relates to climate change. The End of Term Report will include a strategic overview of what has been achieved by the current administration.

More regular reporting would not be through a more regular State of Environment Report, rather through the specific annual reporting of the Climate Change Action Plan to Council.

Officers are working on the basis of an annual report which reviews and updates the years activities against the adopted action plan.

Dynamic updates on targets and live data reporting is not an approach we are taking at QPRC.

Our focus and limited resources is ensuring we have the projects to achieve our targets and to provide transparency throughout the life of the Action Plan through annual reports into this work area.

Attachments

Attachment 1 End of Term Report 2017-2021 *(Under Separate Cover)*



Attachment 2 Community Strategic Plan 2042 *(Under Separate Cover)*



12.2 Palliative Care Services in Southern NSW (Ref: ; Author:
Macdonald/Macdonald)

File Reference: 8 November 2023 motions

Notice

Councillor Ross Macdonald will move the following motion:

Motion

That Council write to the New South Wales (NSW) Treasurer, Minister for Health and Member for Monaro the Hon Steve Whan MP expressing its concern at the \$150m cut to palliative care in NSW and calls for the funding to be reinstated to the levels of the previous Government and seek clarity on the financial impact to the Southern NSW Local Health District.

Comment from Cr Macdonald in support of this Notice of Motion

The NSW Government has announced that the previous Government's record palliative care funding has been slashed with local health districts being delivered a \$150m cut through its first budget.

There are specialist palliative care services in and surrounding our region including Bega, Eurobodalla, Cooma, Queanbeyan and Goulburn who provide a vital service to the health, treatment, and quality of life of our residents. The Australian Institute of Health and Welfare recorded 90,700 palliative care-related hospitalisations in public and private hospitals in 2020-21.

In its final budget, the previous Government committed an additional \$743m for palliative care services including an additional 600 nurses, allied health professionals, doctors and support staff and to boost hospital capacity.

Attachments

Nil

13.1 Attendance at Cities Power Partnership Conference (Ref: ; Author:
Ryan/Ormella)

Ref: 25.4.1-02

Recommendation

That the report be received for information.

The Cities Power Partnership Climate Summit was held from 6-8 September 2023 in Melbourne. Attending the event were Cr Willis, the Director, Development and Environment, Ms Ruth Ormella, and Manager Environment and Compliance, Ms Mel Corey.

The following summary is a combined report, written by Cr Willis and officers.

This was the first climate summit that Council representatives attended, after Queanbeyan-Palerang Regional Council (QPRC) joined the Cities Power Partnership in 2022. QPRC is now one of more than 180 local councils governing over 70% of the Australian population participating in the program which is an initiative of the Climate Council.

The Climate Council undertakes research, engages in advocacy and community education, and links experts, policymakers and decisionmakers to drive the changes needed to achieve net zero emissions and a safe climate for people and nature.

Mayors and Councillors as well as subject-matter experts, advisers, and state and federal government ministers were among speakers at the conference. The scale and pace of climate change were laid out by Professor Emeritus David Karoly, a contributor to IPCC reports, who said local councils need to manage the physical risks from climate change and improve the transition to net zero emissions.

Founder of the Emergency Leaders for Climate Action and a bushfire fighter Greg Mullins spoke of the challenges and financial risks local government faces as waring continues and the Australian Government withdraws the Australian Defence Forces from responding to all but the most extreme emergencies. His address highlighted the poignant issues of climate disasters across the globe and closer to home were recognised, in addition to the issues of temperature rises and forecasts associated with risks to human life and health.

There was a wide range of local government experience with numerous regional councils presenting on the work they have done or that is underway to reduce greenhouse gas emissions from council operations and save on operational costs, and to support community action to cut emissions.

The extent to which local government can influence greenhouse gas emissions reduction in the community is often overlooked. Initiatives mentioned at the conference included:

- Supporting the development of community virtual power grids that link local solar power systems and batteries which can address the misalignment of when solar energy is generated and the peak demand time, thereby reducing network costs for all users.

13.1 Attendance at Cities Power Partnership Conference (Ref: ; Author: Ryan/Ormella) (Continued)

- Helping residents and businesses to electrify their power sources by organising bulk buys of solar panels and batteries at reduced cost and offering repayment plans using the rates collection system.
- Installing electric vehicle charging units on existing power poles, as happens in Europe.
- Developing transition plans for regional economies shifting from high emission industries to low and zero net emissions industries.
- Setting ambitious local transport goals to prioritise active and sustainable transport and investing in infrastructure and rider education programs to support this.

- Trialling closure of streets to motorised vehicles including around schools to support students walking and cycling.

Some planning challenges were highlighted including the conflict between retaining tree canopy where urban intensification is underway but there was a clear message that preserving tree cover and expanding the tree canopy are critical to reducing heat especially in cities.

Awards were presented for the fifth year to councils for projects that demonstrated outstanding leadership in deploying renewable energy, improving energy efficiency and supporting local communities to reduce emissions.

There are 180 member councils in the Cities Power Partnership and that through shared knowledge and partnership working, Councils are making great strides towards delivering their target reductions in energy emission and greenhouse gas reductions. Refer to attachment 1 for the Council attendee list highlighting the representation at the Summit.

Councils presented their capital projects and how, through focussing on the sustainability of these projects, the overall operational expenditure has reduced. Aquatic centres, council civic offices, and operational machinery were some of the areas showcased.

Community Energy group power purchase agreements, battery storage projects, consortium projects, and incentivise scope 3 projects were presented. Communities across Australia are engaged in finding ways to adapt energy consumption behaviour.

The areas of governance, insurance risk, liabilities, contingencies and budget approaches were covered in workshops. There is no better business for council's than addressing climate change and reducing the operational costs over future years.

The importance of civic leadership in this area across authorities and regions was highlighted. The use of risk decision making matrix for council operational matters and assets was discussed through panels where council's and experts shared their understanding of the impacts to our infrastructure from climate events.

There are opportunities to bring experts that support communities with their climate adaptation projects to a future Councillor workshop where they can present how they have facilitated communities to access the information needed for Scope 3 projects. Hearing how other Councils have supported local communities by enabling them to access information and make informed decisions on their own expenditure could be an area of interest. The following links relate to the organisations and Summit 2023.

<https://www.climatecouncil.org.au/category/cities-power-partnership/>

<https://www.climatecouncil.org.au/>

<https://www.ipcc.ch/>

<https://citiespowerpartnership.org.au/event/2023-climate-awards-2/>

13.1 Attendance at Cities Power Partnership Conference (Ref: ; Author: Ryan/Ormella) (Continued)

This was an extremely worthwhile event to attend for the exposure to the breadth of work underway across local governments and the different tools available to support it. There are many useful examples for QPRC to draw in implementing its council and community climate action plans.

It is anticipated that Councillors and staff have the opportunity to participate in the next summit and look forward to the time when QPRC has delivered a project worthy of nominating for recognition at the awards.

Attachments

Attachment 1 Council Attendee List (*Under Separate Cover*)



15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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