



Ordinary Meeting of Council

AGENDA

22 November 2023

Commencing at 5.30pm

**Braidwood Community Centre -
Opposite Library
4 Park Lane, Braidwood**

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

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

Statement of Ethical Obligations

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

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

On-site Inspections - Nil

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

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

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 Purchase of portion 17 Gibraltar Street Bungendore <i>Item 16.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
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17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

Item 9.1	DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys)
Attachment 1	<i>Redacted Combined Submissions - DA.2022.1397 - 11 Buttle Street Queanbeyan East (Under Separate Cover)</i>
Attachment 2	<i>4.15 Assessment Report - DA.2022.1397 - 11 Buttle Street Queanbeyan East (Under Separate Cover)</i>
Attachment 3	<i>Draft conditions of consent - DA.2022.1397 - 11 Buttle Street Queanbeyan East (Under Separate Cover)</i>
Attachment 4	<i>Plans - DA.2022.1397 - 11 Buttle Street Queanbeyan East (Under Separate Cover)</i>

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- Item 9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre
Attachment 1 Site Plan (Under Separate Cover)
Attachment 2 Architectural Plans (Under Separate Cover)
Attachment 3 Site Management / Water Management Plan (Under Separate Cover)
Attachment 4 S4.15 Report (Under Separate Cover)
Attachment 5 Draft Notice of Determination (Under Separate Cover)
Attachment 6 RFS Conditions (Under Separate Cover)
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- Item 9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan
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- Item 9.6 QPRC Local Heritage Places Grants 2023-24
Attachment 1 QPRC Local Heritage Grants Application Form 2023-24 (Under Separate Cover)
Attachment 2 QPRC Local Heritage Places Grants 2023-24 Guidelines (Under Separate Cover)
Attachment 5 Minutes of the Extra Meeting of the QPRC Heritage Advisory Committee - Local Heritage Grants Assessment - 2 November 2023 (Under Separate Cover)
- Item 9.8 QPRC Cultural Assistance Grant Application
Attachment 1 Cultural Grants Application - Canberra Tamil School (Under Separate Cover)
Attachment 2 QPRC Cultural Grants Guidelines (Under Separate Cover)
- Item 9.9 Draft License Agreement - Lions Club Queanbeyan
Attachment 1 Draft Licence - QPRC and Lions Club for 1 Lowe St - Updated 16 November 2023 (Under Separate Cover)
- Item 9.10 Annual Report 2022-23
Attachment 1 Annual Report 2022-23 (Under Separate Cover)
- Item 9.11 Investment Report - October 2023
Attachment 1 Investment Report Pack - October 2023 (Under Separate Cover)
- Item 9.12 Draft Roadside Vegetation Management Policy and Plan
Attachment 1 Draft Roadside Vegetation Management Policy (Under Separate Cover)
Attachment 2 Draft QPRC Roadside Vegetation Management Plan (Under Separate Cover)
- Item 9.13 Data Breach Policy
Attachment 1 Data Breach Policy (Under Separate Cover)
- Item 9.14 Crown Road Management Policy - Post Exhibition Report
Attachment 1 Crown Road Management Policy - new (Under Separate Cover)
Attachment 2 Submissions (Under Separate Cover)

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- Item 10.4 Minutes of the Cultural Development and Public Art Advisory Committee July 2023
Attachment 1 CDPA Committee Minutes - 13 July 2023 (Under Separate Cover)
Attachment 2 CDPA 2023-24 Committee Terms of Reference (Under Separate Cover)
Attachment 3 Revive - National Cultural Policy (Under Separate Cover)
- Item 11.1 Minutes - QPRC Sports Council Meeting - 6 November 2023
Attachment 1 Draft Minutes - QPRC Sports Council - 6 November (Under Separate Cover)
- Item 11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes - 16 October 2023
Attachment 1 Draft Bungendore Town Centre and Environs Advisory Committee Meeting Minutes - 16 October 2023 (Under Separate Cover)
Attachment 2 Bungendore Town Centre and Environs Advisory Committee - Terms of Reference - 12 October 2022 (Under Separate Cover)

Closed Attachments

- Item 9.6 QPRC Local Heritage Places Grants 2023-24
Attachment 3 QPRC Local Heritage Grants Applications 2023-24 and Recommended Grant (Under Separate Cover)
Attachment 4 Powerpoint Presentation for QPRC Heritage Advisory Committee - Local Heritage Grants Applications 2023-24 (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 8 November 2023 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti
Cr Burton
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: C Flint (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

462/23

RESOLVED (Winchester/Preston)

That the apology for non-attendance from Cr Grundy be received and that leave of absence be granted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 25 October 2023**

463/23

RESOLVED (Winchester/Wilson)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 25 October 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

464/23

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.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.31pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

465/23

RESOLVED (Winchester/Macdonald)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.31pm and resumed at 5.34pm.

7. MAYORAL MINUTE

A Mayoral Minute for the General Manager's Annual Performance Review will be considered in Closed Session.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 Development Application - DA.2023.0160 - 10-24 Saltbush Parade Tralee - Construction of 8 two storey dwellings**

466/23

RESOLVED (Macdonald/Burton)

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.

The resolution was carried.

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

Against: Cr Willis

9.2 Braidwood Heritage Centre Request for Donation to cover S64 Contributions

467/23

RESOLVED (Biscotti/Macdonald)

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

The resolution was carried unanimously.

9.3 Capital Expenditure Review Bungendore Pool

468/23

RESOLVED (Preston/Wilson)

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.

The resolution was carried unanimously.

9.4 Waterwise Policy

469/23

RESOLVED (Willis/Taskovski)

That Council adopt the Waterwise Policy.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Road Asset Management Capability

470/23

RESOLVED (Biscotti/Taskovski)

That the report be received for information.

The resolution was carried unanimously.

10.2 Responses to Councillor Questions - Management of Cats

471/23

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.3 Responses to Councillor Questions - Net Zero Emissions Project

472/23

RESOLVED (Willis/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

10.4 Correspondence from the Office of the Hon Paul Scully MP, Minister for Planning and Public Spaces

473/23

RESOLVED (Willis/Taskovski)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 Access Committee Meeting - 9 October 2023****MOVED (Biscotti/Wilson)**

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.

AMENDMENT (Willis/Preston)

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 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.

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

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

Against: Crs Biscotti, Burton, Macdonald and Wilson

The amendment became the motion.

474/23

RESOLVED (Willis/Preston)

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 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.

The resolution was carried unanimously.

11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes

475/23

RESOLVED (Preston/Winchester)

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.

The resolution was carried unanimously.

11.3 QPRC Heritage Advisory Committee Minutes of 5 October 2023

476/23

RESOLVED (Willis/Winchester)

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.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 SoE Reporting**

477/23

RESOLVED (Willis/Wilson)

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.

The resolution was carried unanimously.

12.2 Palliative Care Services in Southern NSW**MOVED (Macdonald/Burton)**

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.

AMENDMENT (Wilson/Preston)

That Council write to the New South Wales (NSW) Treasurer, Minister for Health, and Member for Monaro, the Hon Steve Whan MP, noting the importance of palliative care to our community and seek an update on how these care services will continue to be delivered in the Southern NSW Local Health District.

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

For: Crs Livermore, Preston, Taskovski, Wilson and Winchester
Against: Crs Biscotti, Burton, MacDonald and Willis

The amendment became the motion.

478/23

RESOLVED (Wilson/Preston)

That Council write to the New South Wales (NSW) Treasurer, Minister for Health, and Member for Monaro, the Hon Steve Whan MP, noting the importance of palliative care to our community and seek an update on how these care services will continue to be delivered in the Southern NSW Local Health District.

The resolution was carried.

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

13. REPORTS TO COUNCIL - DELEGATES REPORTS**13.1 Attendance at Cities Power Partnership Conference**

479/23

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

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, were there 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

480/23

RESOLVED (Winchester/Preston)

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

Item 16.1 Sale of Council Land

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

Item 16.2 General Managers Annual Performance Review 2022/23 and Performance Agreement 2023/24

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

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.00pm to discuss the matters listed above.

16.1 Sale of Council Land

481/23

RESOLVED (Wilson/Biscotti)

That Council:

1. Subdivide 40A Severne Street being Lot 6/DP872684, into three lots with one lot containing the current dwelling and one of the other lots to be retained in Council's ownership as operational land for the purposes of preserving physical and utility access to the existing reservoir site at Lot 7/DP872684.
2. As part of the subdivision process, undertake a boundary adjustment for existing Lot 7/DP 872684 (the reservoir lot) to better secure its extent for current and future water supply purposes.
3. Authorise the General Manager to facilitate the public sale of the dwelling lot and retain the land remaining as Biodiversity Offset.

The resolution was carried unanimously.

16.2 General Managers Annual Performance Review 2022/23 and Performance Agreement 2023/24

482/23

RESOLVED (Winchester/Biscotti)

That Council:

1. Receive and note the General Manager's Performance Review Panel Report for the Annual Performance Review 2022/23.
2. Endorse the General Manager's Performance Agreement with Council's Strategic Objectives and Priorities 2023/24.

The resolution was carried unanimously.

483/23

RESOLVED (Preston/Willis)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.17pm.

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 7.18pm, 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.

File Reference: 22 November 2023 motions

Recommendation

That Council approve the Leave of Absence application submitted by Councillor Bryce Wilson for the 13 December 2023 Council meeting.

Summary

Councillor Wilson is seeking Council approval for a Leave of Absence for the 13 December 2023 Council Meeting.

Report

Councillor Wilson will be an apology for the 13 December 2023 Council meeting and has submitted an application to Council for this Leave of Absence.

Risk/Policy/Legislation Considerations

This request is in accordance with clause 5.4 and 5.6 of Council's Code of Meeting Practice and S234(1)(d) of the Local Government Act (1993), whereby Council may grant leave prior to or at any of the meetings concerned.

Financial, Budget and Resource Implications

Nil

Attachments

Nil

9.1 DA.2022.1397 - 11 Buttlet Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans)

File Reference: DA.2022.1397

Recommendation

That:

1. Approval be granted to a variation to the controls of the Queanbeyan Development Control Plan 2012 to allow the development for the following reasons:
 - (a) Apartment Design Guide Part 4D Apartment Size and Layout – minor variation to recognise 15.8% of units do not achieve direct sunlight between 9am – 3pm in mid winter as opposed to 15% as sought by the Guide. The development control cannot be met due to the orientation of the lot. The variation is also minor and the Architect has certified that the objectives of the Apartment Design Guide have been met.
 - (b) Part 3C5.2 Queanbeyan Development Control Plan - Site Size and Design – seeks 40% site coverage with the proposal at 43.4 %. The variation is minor, all other controls for height and setbacks are met and the minor increase will have no impact on streetscape nor neighbouring amenity. The variation is able to be supported.
 - (c) Part 3C5.3 Queanbeyan Development Control Plan – Building Setbacks – seeks floors above 2 storeys to be setback 7m. The proposal includes a setback to levels 3 and 4 consistent with levels 1 and 2 at 6m. The proposed upper floor setbacks are consistent with 3-4 storey development in the local area. The site is not a commercial area where a human scale at street level is required and supported by stepped back upper levels. The variation for upper floor setbacks to 6m is able to be supported.
 - (d) Part 3C5.7 Queanbeyan Development Control Plan – Open Space – seeks 25% to be available for deep root planting. Deep root planting cannot be achieved on much of the site due to the basement car park. Land next to the western side property boundary provides communal open space with medium trees proposed. The Landscape Plan offers an acceptable suitable solution and is supported.
 2. Development application DA.2022.1397 for Residential Flat Building (63 units over 4 storeys), 11 Buttlet Street Queanbeyan East be granted conditional approval.
-

9.1 DA.2022.1397 - 11 Buttlet Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

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

This application has been referred to Council because it is for a major development exceeding \$5 million in value.

Proposal:	Residential Flat Building
Applicant/Owner:	SMEC Australia / Braturn Pty Ltd
Subject Property:	Lot 101 DP557555 11 Buttlet Street Queanbeyan East
Zoning and Permissibility:	R4 under Queanbeyan Local Environmental Plan 2022 Residential Flat Building is a consent use.
Public Submissions:	4 x submissions (3 individual submitters)
Issues Discussed:	Planning Requirements
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

Background***Proposed Development***

The proposed development consists of a four (4) storey residential flat building comprising sixty-three (63) apartments, including one level basement car parking, associated landscaping, servicing and site works.

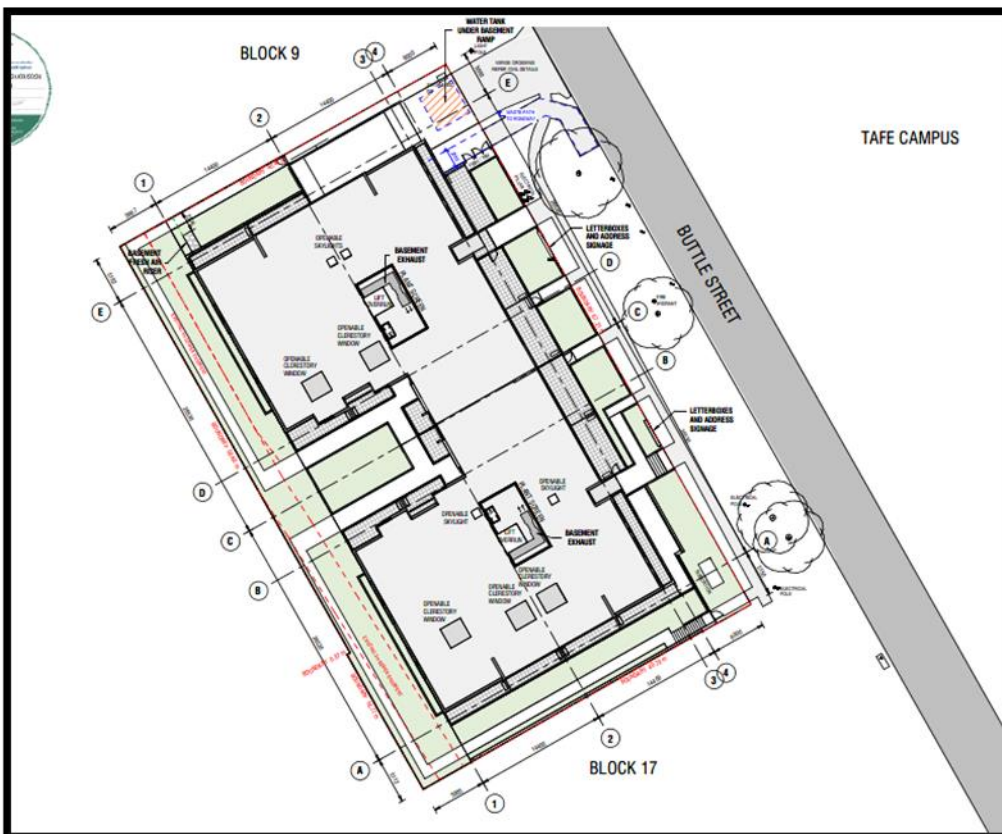
The proposal includes the construction of:

- Four-storey residential flat building comprising 40 x one-bedroom, one-bathroom units and 23 x two-bedroom, two-bathroom units,
- Single level basement car park with an access ramp containing 105 car parking spaces plus storage cages,
- Landscaping and Fencing,
- Drainage and servicing works, and
- Three (3) street trees proposed to be retained, no vegetation on site to be removed.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)



The site previous contained a 3-storey residential flat building which was approved for demolition under DA.2020.1196), approved on 10 July 2020, with demolition completed in 2021.



Subject Property

The subject site is legally described as Lot 101 DP557555 and is commonly known as 11 Buttle Street, Queanbeyan East. The site has an area of 2726m², is zoned R4 – high density residential.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)



Subject site zone R4 High Density Residential Zone (zoning image at time of lodgement)

The site has an approximate 5m slope, downwards from the southern boundary to northern boundary. Over an 80m distance from northwest to southeast the site presents a fairly gentle gradient change to the southeast corner.

The north-western end of the lot has the lowest point across the entire site with an elevation of up to 584m. The south-eastern end has an elevation of 589m and is the highest point of the site.

Vehicular access will be provided to the site via a proposed driveway along the northern boundary of the site off Buttle Street.

Existing development within the locality consists of a range of single and multi-dwelling housing. There are currently two x 3 storey Residential Flat Buildings with ground level parking to the west of the subject site. These are older developments and are narrow infill apartments and reasonably consistent with the surrounding 1 storey residential houses and single storey multi-dwelling housing due to the narrow street frontage width (Mullan Hall on Mowatt Street, and 67 Macquoid Street). All other existing multi-dwelling housing are single storey.

Further west of the site, the Queanbeyan town centre, including St Georges Primary School, Catholic Church, Queanbeyan Weir, RE1 parkland, library, RSL, Leagues Club, Art society, Riverside Plaza shopping centre and so on, are located within walking distance.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

Buttle Street looking north (property to left of image)

The Section 88B states that Lot 101 DP557555 is burdened by a 3m wide easement to drain sewage that benefits The Council of the Municipality of Queanbeyan. The easement has been avoided in the design.

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 Assessment*.

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

1. State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development
2. Queanbeyan Local Environmental Plan 2012 (LEP)
3. Draft Queanbeyan Palerang Local Environmental Plan (draft, not in force at lodgement)
4. Queanbeyan Development Control Plan 2012 (DCP)

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

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

(a) Compliance with the State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development applies to development for the purpose of a residential flat building, shop top housing or mixed-use development with a residential accommodation component if:

(a) *The development consists of any of the following:*

(i) *The erection of a new building*

(ii) *The substantial redevelopment or the substantial refurbishment of an existing building*

(iii) *The conversion of an existing building, and*

(b) *The building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for carparking), and*

(c) *The building concerned contains at least 4 or more dwellings.*

The State Planning Policy applies. The SEPP controls can be used which support affordable housing development and may override local development controls.

(b) Compliance with the State Environmental Planning Policy Apartment Design Guide

The Apartment Design Guide applies to residential flat building development under the State Environmental Planning Policy.

The architects, Dezignteam have provided a statement against the Apartment Design Guide, required by the State Environmental Planning Policy. Dezignteam Projects verifies that the intent of the design principles set out in Part 2 of the State Environment Planning Policy are mostly achieved for the proposed residential development. They note the following minor variations:

The guide seeks a maximum of 15% of units in a building receive no direct sunlight between 9am and 3 pm at mid winter. The proposal has 15.8% of units without direct sunlight between 9am and 3 pm at mid winter.

The Design Guide assessment also notes that habitable rooms are to have a height of 2.7m. These have been achieved except for the Kitchens at 2.4m min, slightly lower to provide for plumbing and air conditioning infrastructure. The National Construction Code does not specify kitchens as habitable rooms, so a formal variation is not required.

The guide also seeks the minimum dimensions of any living/dining rooms to be 4m for 2 bedroom units. Unit style 2C is measured at 3.9m. Given the slight variance and convention to round up calculations, a formal variation is also not required.

Noting the above, the Architects design statement confirms the proposal meets the objectives of the Apartment Design Guide and the proposal can be supported.

(c) Compliance with LEP

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

(d) The proposed development complies with the relevant controls of the Queanbeyan Local Environmental Plan 2012, which applied at the time at lodgement. This includes the permissibility of the use, the height is below the maximum, the development is able to be adequately serviced and there are no heritage impacts. These issues are discussed further in the attached Section 4.15 assessment. **Compliance with DCP**

Part 3C5.2 Site Size and Design. The DCP recommends that the site coverage of multi-dwelling housing and residential flat buildings should not exceed 40% of the site area. The proposal seeks to achieve 43.4% site coverage which is considered a minor variation.

The variation is considered minor, all other controls for height and setbacks are met and the minor increase will have no impact on streetscape nor neighbouring amenity. The variation is able to be supported.

Part 3C5.3 Queanbeyan Development Control Plan – Building Setbacks – seeks floors above 2 storeys to be setback 7m. The proposal includes a setback to levels 3 and 4 consistent with levels 1 and 2 below of 6m. The proposed upper floor setbacks are consistent with 3-4 storey development in the local area. The site is not a commercial area where a human scale at street level is required, and supported by stepped back upper levels. The variation for upper floor setbacks to 6m is able to be supported.

Part 3C5.7 Queanbeyan Development Control Plan – Open Space – seeks 25% to be available for deep root planting. Deep root planting cannot be achieved on much of the site due to the basement car park. Land next to the western side property boundary provides communal open space with medium trees proposed. The Landscape Plan offers an acceptable suitable solution and is supported.

(e) Other Matters

A full assessment of the proposal is available in the Section 4.15 assessment attached.

Other Comments The proposal was referred to NSW Police for advice however a response was not received. The applicant has provided a 'crime prevention through environmental design' assessment which has informed the design.

The proposal was referred to Essential Energy who have provided advice, which is attached to the draft conditions of consent.

(a) Building Surveyor's Comments

The submitted BCA report address most of the non-compliance with BCA and it will be required at the CC stage. The submitted plans have a NaTHERS certification stamp. Standard conditions are suggested to manage the impacts of the development.

(b) Development Engineer's Comments

Council's Development Engineer has confirmed all relevant services are able to be provided to the development.

A total of 103 parking spaces are required for dedicated resident parking and additional 25 spaces for visitors. The basement parking layout provides 105 car parking spaces for residents and Visitors, including one disabled parking space.

Car parking, access and servicing arrangements are able to be supported including by the Local Traffic Committee as discussed below.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

Standard conditions are suggested to manage the impacts of the development.

(c) Environmental Health Comments

Validation of any potential asbestos impacts was received as part of the Complying Development Certificate process for the demolition of the previous building on site. Standard conditions are suggested to manage the potential impacts of the development.

(d) Trade Waste Officer Comments

Councils Trade Waste Officer has confirmed there are no liquid trade waste requirements.

(e) Waste Collection Officer

During discussions on the assessment of the application Council Waste Officer requested that waste collection occur on-site with forward-in, forward-out truck movement. The applicant proposed on-street collection of mobile-garbage bins.

Agreement was reached that:

1. A service/loading bay be provided with a path (separated from the driveway) to the collection point,
2. Council will operate a walk-in/walk-out service, however, additional annual charges will be payable by residents to reflect the extended period of time that the waste collection vehicle will be on-site, and
3. Charges will be set each year through Council's normal processes.

Although the development in its current form is not supported by Utilities, if the Determining Authority decides to grant consent, draft conditions have been developed for inclusion in the Notice of Determination. Draft conditions are attached.

(f) Heritage Advisor's Comments

The proposed four storey multi-unit development at 11 Buttle Street will not impact on the heritage listed cottage at 21 Buttle Street as it is a considerable distance downslope from the cottage. There will be no overshadowing and minimal if any visual impact as two dwellings and additional setbacks separate the proposal and the listed dwelling.

There are no other heritage listed places within the vicinity that would be impacted. There is no heritage objection to the development at 11 Buttle Street.

(g) Local Development Committee Comments

At the Local Development Committee meeting on 4 April 2023, a report was presented on the development proposal emphasizing the impact on vehicular traffic and connectivity to Ellerton Drive, Atkinson Street and Bungendore Road.

LDC advised including disability parking as per QPRC Development Control Plan 2012 and recommended updating the traffic study for Ellerton Drive, Mowatt and Buttle Streets, as the data may have Covid-19 factors affecting traffic flow.

The response letter from SMEC dated 01 May 2023 mentioned that the report was completed by Indesco (2022) to support the proposed development. The traffic data was obtained from QPRC specifically for the subject DA. Furthermore, a revised plan was submitted to QPRC

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

showing one (1) Accessible Car Parking in the basement meeting Apartment Design Guide (2015) and Queanbeyan Development Control Plan (DCP).

Financial Implications

Should the proposal be approved, conditions will be imposed on the developer to make developer contributions under both Section 64 of the Local Government Act and Section 7.12 of the Environmental Planning and Assessment Act.

Section 64 of the Local Government Act 1993 allows contributions to be levied towards the provision of water, sewerage and stormwater infrastructure.

The following Section 64 contributions are required for this location. Contributions were calculated by the creation of the 63 apartments with reference to the NSW Water Directorate Section 64 Determinations of ETs Guidelines - April 2017. The water and sewer headworks contributions are calculated as follows.

Unit Type	Water ET	Sewer ET
23x Two Bedroom Apartment	23 x 0.6 = 13.8	23 x 0.75 = 17.3
40x One Bedroom Apartment	40 x 0.4 = 16	40 x 0.5 = 20
Totals	29.8 ET	37.3 ET

The water and sewer contribution will be credited for the existing residential lots and will be only applied for the additional demands.

Unit Type	Water ET	Sewer ET
36x Two Bedroom Apartment	38 x 0.4 = 15.2	38 x 0.5 = 19.0
Totals	15.2 ET	19.0 ET

The net water and sewer headworks contribution for the proposed development will be 14.6 ET for Water (\$75,102.62) and 18.3 ET for Sewer (\$31,582.74).

Section 7.12 of the Environmental Planning & Assessment Act 1979 permits councils to require as a condition of development consent the payment of monies to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).

Section 7.12 Contributions are not applicable and will be levied at a rate of 1% of the cost of works being \$13,215,400 (\$132,154).

Engagement

The proposal required notification under Queanbeyan DCP 2012. The application was first notified from 13 – 29 September 2022 where three (3) submission were received. The proposal was renotified following some amendments from 25 October 2023 – 8 November 2023 and one further submission was received, from an original submitter. Four (4) submissions were received from 3 separate submitters.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

The relevant issues raised are as follows:

- 1) Is there any consideration on the extra traffic that will be using the surrounding roads. There are 105 car parking spaces, which will have enormous impact on the traffic in the area.

Response: A Traffic Impact Assessment was prepared by Indesco (2022) which conclude the impact on minor roads would be minor. On site car parking complies with the Apartment Design Guide and

- 2) This DA is non-compliant with the DCP Part 3C.5.2 b) Site Density.

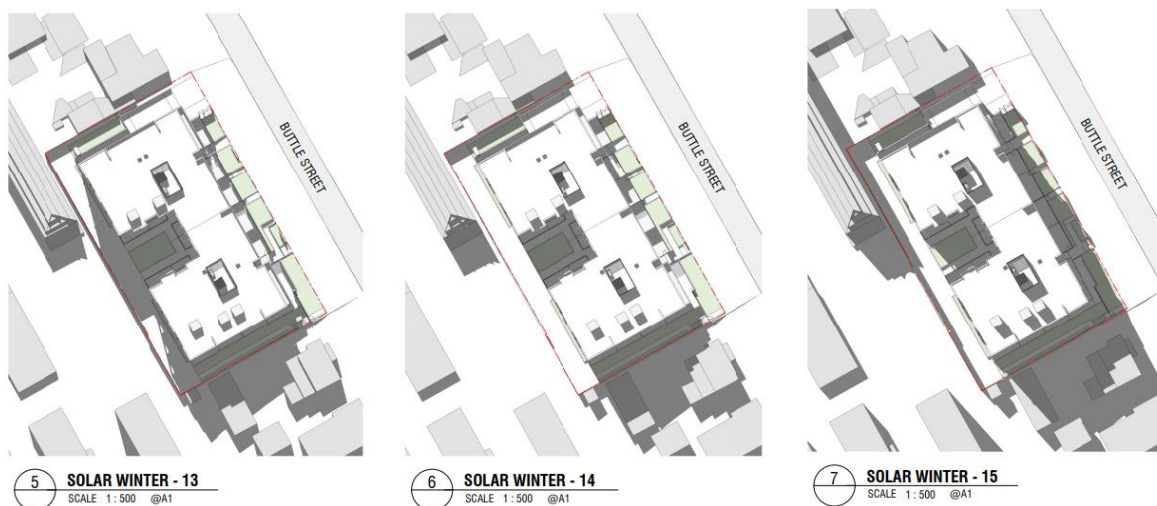
Response: The proposal complies with clause 4.1(B) of the Queanbeyan Local Environment Plan 2012 (QLEP) for minimum lot size for residential flat buildings, which overrides this DCP

- 3) There are 63 units planned in this imposing structure amongst a row of single storey houses, which is going to cause enormous traffic, noise and people movement in and out of the area.

Response: The site is located in the R4 High Density Residential zone which caters to higher density living of this kind. The surrounding land use pattern is generally one to four stories in height and is representative of a suburb going through transition.

- 4) Shadow Diagrams are not included in the DA. This plan should not be approved as it will shadow my property , estimated to be at least 40 percent along the depth of the complete block.

Response: North facing windows may be impacted on from 1pm – 3pm in mid winter on one adjoining property.



The building will cast a shadow on the ground of the adjoining property before that time.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)



The site is orientated north - south. As a result, shadow cast by the development moves throughout the day and all adjoining properties receive at least three hours of solar access between the hours of 9am and 3pm at the winter solstice and satisfies the requirements of the Apartment Design Guide.

The setbacks and height also comply.

5) Demolition of existing retaining on the common boundary fence.
Any consent will be conditioned to manage the impact of erecting retaining walls, including to be certified where over 1m in height. Also they are to be installed prior to any other work occurring.

6) Front fence detail

Response: Fences proposed along Buttle Street are situated on top of courtyard walls to provide ground floor units with private open space. These will be conditioned to be a maximum of 1.2m high forward of the building line and partly open.

7) Building occupies approximately 59.86% of the site.

Response: The development assessment planner has confirmed site coverage is 43.4%.

8) Rear setbacks were greater for the previous building.

Response: The proposal complies with the current setback requirements, is under the maximum height limit if 14m (13.4m) and is located in the R4 zone who objective is to cater to high density development.

9) Max Building depth sought in the DCP at 18m. Proposal does not comply.

Response: The building varies in depth from 11.5m – 28.8m. The building responds to the shape of the lot which is wider than it is deep.

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

10) Building Separation – 6m for habitable and 3m for non-habitable

Response: Building separation is measured between buildings. The proposal achieves a minimum setback of 6.0m from habitable rooms to the side boundary. The basement levels have a minimum setback of 3m to the southern side and rear boundaries.

11) Visual Privacy – 6m separation between habitable rooms and 3m for non-habitable spaces.

Response: Due to the difference in levels between the southern facing units and the adjoining property to the south there is no direct opportunity from overlooking toward that property. A condition has been imposed that any balcony facing towards an adjoining property include screening. Also, a 1.8m high dividing fence will be provided to clearly separate views between the properties.

12) Compliance claimed with max height of the proposal being 13.14m.

Response: The site does slope however no part of the building exceeds the maximum building height of 13.14m.

13) Basement 1 setback from the south boundary is less than 5.15m, less than 6m.

Response: The setback controls relate to building facades. Some basement elements in the front setback area does not create the same impact as a wall and are acceptable.

14) South side courtyard is 5.15m from the front boundary, and the electricity substation is near the adjoining property.

Response: Ground level courtyards on the southern side of the proposal are permitted to extend to the boundary. Basement setbacks to the southern boundary are 4.6m which is consistent with Part 3C.5.3(e) of the QDCP. The substation is not required to meet the building setback controls.

15) Site Coverage - "How much of the land area can be occupied?"

Response: The proposal has been based on the NSW Government Affordable Housing State Environmental Planning Policy and generally complies. The site coverage is slightly over that sought by Council's Development Control Plan however the increase of 3.4% of additional building is not excessive. With the overall height and setback complying the impact of the minor variation is negligible.

16) Setback requirements - The original plans did not meet the setback requirements, especially on the south side. Now the amended plans show the setback requirements are met, whereas no design change has been made.

Response: The assessment of this application has confirmed the side boundary setbacks comply.

Compliance or Policy Implications

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

9.1 DA.2022.1397 - 11 Buttle Street Queanbeyan - Residential Flat Building (63 units over four storeys) (Ref: ; Author: Ormella/Yeomans) (Continued)

Links to QPRC/Regional Strategic Plans

The proposed development will contribute to housing supply in the Queanbeyan area and supports the regional plan.

Conclusion

The submitted proposal for Residential Flat Building (63 units over 4 storeys) on Lot 101 DP DP557555, No. 11 Buttle Street Queanbeyan East is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and four (4) submissions from three (3) submitters were received.





The proposal has been assessed under Section 4.15 of the *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Queanbeyan Local Environmental Plan 2012*, relevant *State Environmental Planning Policies* and the *Queanbeyan Development Control Plan 2012*.

The development generally satisfies the requirements and achieves the objectives of these instruments with a variation to Part 4D Apartment Size and Layout (solar access), Part 3C5.2 Queanbeyan Development Control Plan - Site Size and Design (site coverage), Part 3C5.3 Queanbeyan Development Control Plan (Building Setback to upper floors) and Part 3C5.7 Queanbeyan Development Control Plan – Open Space (deep root planting) able to be supported.

A submitter raised a concern regarding overshadowing which cannot be entirely satisfied by this design. Some shadow on the ground for part of the day will be cast, and on part of the building to the south as a consequence of this development, however temporary.

The proposed development is considered suitable for the site, is compatible with the zone objectives and can be conditioned to mitigate any potential planning impacts as far as the design can achieve.

Attachments

- | | |
|---|---|
| Attachment 1
 | Redacted Combined Submissions - DA.2022.1397 - 11 Buttle Street Queanbeyan East (<i>Under Separate Cover</i>) |
| Attachment 2
 | 4.15 Assessment Report - DA.2022.1397 - 11 Buttle Street Queanbeyan East (<i>Under Separate Cover</i>) |
| Attachment 3
 | Draft conditions of consent - DA.2022.1397 - 11 Buttle Street Queanbeyan East (<i>Under Separate Cover</i>) |
| Attachment 4
 | Plans - DA.2022.1397 - 11 Buttle Street Queanbeyan East (<i>Under Separate Cover</i>) |

9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre (Ref: ; Author: Ormella/Reich)

File Reference: DA.2023.0267

Recommendation

That:

1. Development application DA.2023.0267 for Construction of Emergency Services Facility / Community Centre on Lot 1 DP 1166327 and Lot 1 DP 1096374, 5 Galway Street Mongarlowe be granted conditional approval.
 2. The Department of Industry, Science and Resources be forwarded a copy of Council's Notice of Determination.
-

Summary

Reason for Referral to Council

This application has been referred to Council because the subject land is owned by Council and accordingly, an independent assessment of the application has been procured in accordance with Council's Guidelines for Referral of Development Applications to Council and Independent Assessment of Development Applications.

Proposal:	Construction of Emergency Services Facility / Community Centre
Applicant/Owner:	Mr Olaf Thiele for and on behalf of Mongarlowe Area Community Association Incorporated / Queanbeyan-Palerang Regional Council
Subject Property:	Lot 1 DP 1166327 & Lot 1 DP 1096374 (DP101 DP1297461 as consolidated) 5 Galway Street Mongarlowe
Zoning and Permissibility:	SP2 – Infrastructure Emergency Services Facility under Queanbeyan-Palerang Regional Local Environmental Plan 2022
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Permissibility
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 an Emergency Services Facility / Community Centre at 5 Galway Street Mongarlowe. The development will incorporate amenities and kitchen facilities and will be a multi-functional public assembly building (class 9b) incorporating a smart hub to address the poor communication issues known in the area.

9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre
(Ref: ; Author: Ormella/Reich) (Continued)

The development is intended to provide the Mongarlowe Community with increased emergency management capability and a safe refuge centre during natural disasters such as the Black Summer Bushfires.

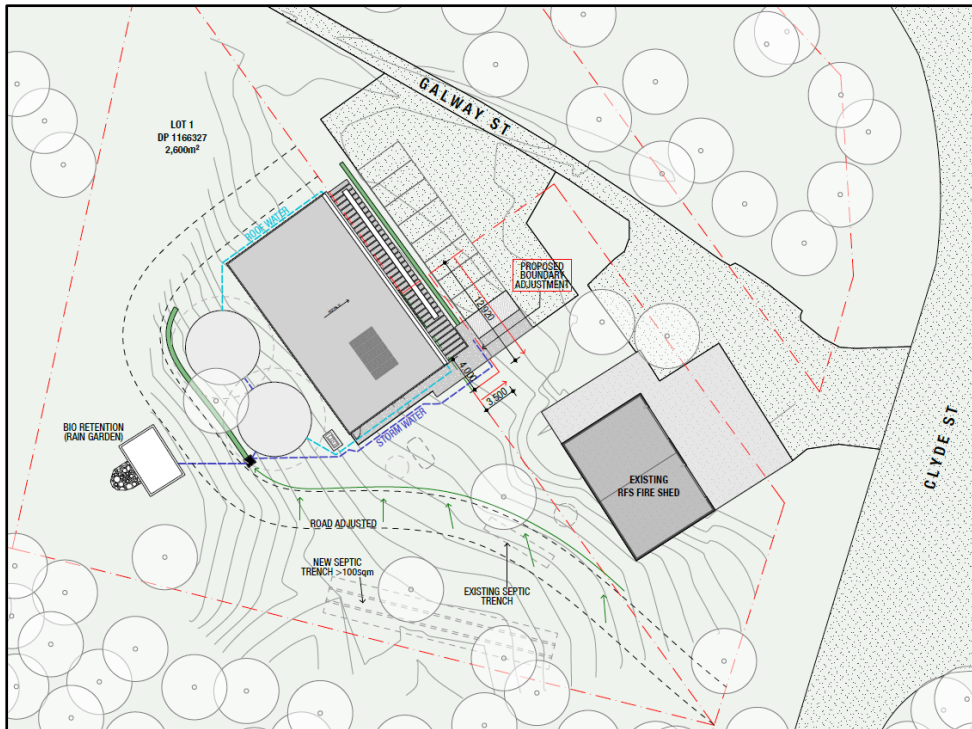


Figure 1 - Extract from proposed site plan.

Subject Property

The development site consists of Lot 1 DP 1166327 and Lot 1 DP 1096374 with a combined area of 3,598m². Both lots are classified as “Operational Land” under the Local Government Act 1993 in accordance with resolution 356/2010 of the former Palerang Council from Ordinary Meeting held 2 December 2010. The land is zoned SP2 Infrastructure Emergency Services Facility under Queanbeyan-Palerang Regional Local Environmental Plan 2022.

The lots have recently been consolidated and the new legal description is Lot 101 DP1297461.

9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre
(Ref: ; Author: Ormella/Reich) (Continued)



Figure 2 - Looking south-eastward. The subject site behind orange flagging with RFS shed at left for context.

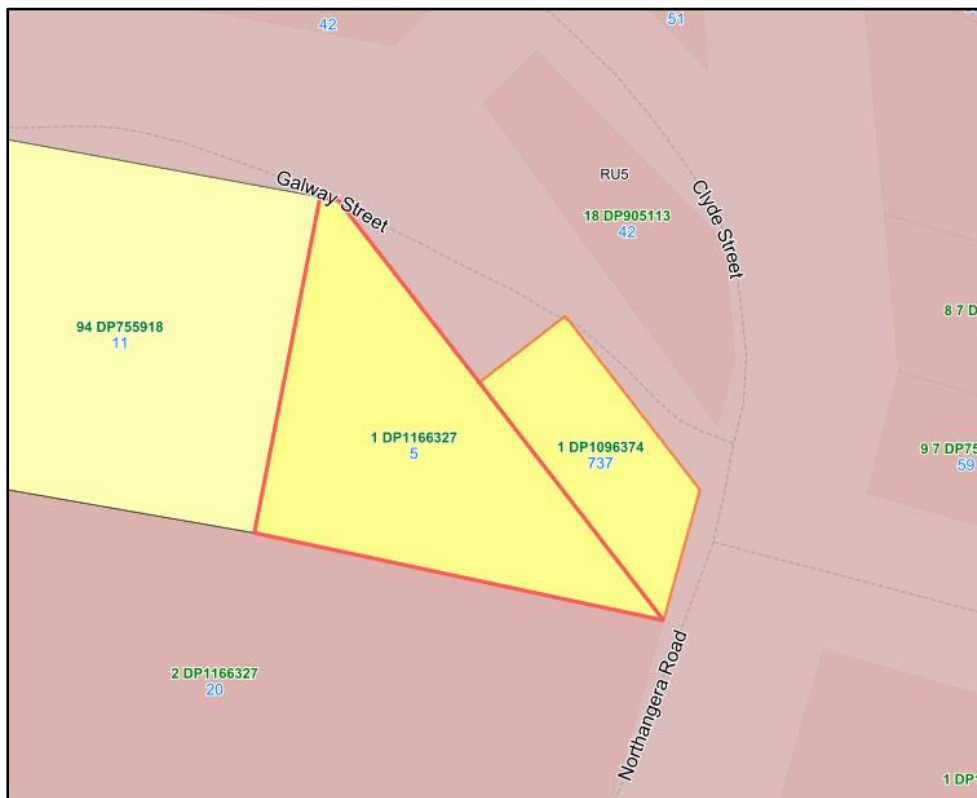


Figure 3 - Subject site in red/orange outline (pre consolidation).

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

**9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre
(Ref: ; Author: Ormella/Reich) (Continued)**

are of relevance under Section 4.15 are summarised in the *Section 4.15 Assessment Report included at Attachment 1*.

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

1. State Environmental Planning Policy Biodiversity and Conservation 2021
2. State Environmental Planning Policy Resilience and Hazards 2021
3. State Environmental Planning Policy Transport and Infrastructure 2021
4. Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP).
5. Palerang Development Control Plan 2015 (PDCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. A complete assessment against these planning instruments is included in the attached S4.15 report.

Other Comments The development proposal was referred to Council staff for comment.

(a) Building Surveyor's Comments

Council's Building officer offered no objections to the proposal, subject to recommended conditions of consent.

(b) Development Engineer's Comments

Council's Development Engineer offered no objections to the proposal, subject to recommended conditions of consent.

(c) Environmental Health Comments

Council's Environmental health officer offered no objections to the proposal, subject to recommended conditions of consent.

Financial Implications

The proposal is subject to Federal Grant funding through the Black Summer Bushfires Recovery Grants Program administered through the Department of Industry, Science & Resources. The funding deadline for the project is mid-March 2024.

Engagement

The proposal required notification under Council's Community Engagement and Participation Plan and in accordance with the requirements of the Palerang Development Control Plan 2015. No submissions were received.

Conclusion

The submitted proposal for the construction of an Emergency Services Facility / Community Centre on Lot 1 DP 1166327 & Lot 1 DP 1096374, 5 Galway Street Mongarlowe is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.








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

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

**9.2 DA.2023.0267 - Construction of Emergency Services Facility / Community Centre
(Ref: ; Author: Ormella/Reich) (Continued)**

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

Attachments

- Attachment 1  Site Plan (*Under Separate Cover*)
- Attachment 2  Architectural Plans (*Under Separate Cover*)
- Attachment 3  Site Management / Water Management Plan (*Under Separate Cover*)
- Attachment 4  S4.15 Report (*Under Separate Cover*)
- Attachment 5  Draft Notice of Determination (*Under Separate Cover*)
- Attachment 6  RFS Conditions (*Under Separate Cover*)
- Attachment 7  Water NSW Conditions (*Under Separate Cover*)

**9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan
(Author: Ormella/Adsett)**

File Reference: PJT0060-01-01

Recommendation

That Council:

- 1. Receive the submissions report on the exhibited Discussion Paper for the Braidwood Structure Plan.**
 - 2. Update the Discussion Paper to correct identified errors and provide clarification as identified in Submissions Assessment (Attachment 2).**
 - 3. Consult with Aboriginal communities associated with the Braidwood area to ensure a greater understanding of sites of significance and First Nations associations to Country to inform and input into the draft Braidwood Structure Plan.**
 - 4. Prepare the draft Braidwood Structure Plan taking into consideration the issues raised in submissions from the Braidwood community and stakeholder agencies, as identified by theme in Figure 1 of this report and in the attached Submissions Assessment (Attachment 2).**
-

Summary

The purpose of this report is to provide a summary of the submissions received in response to public exhibition of the Discussion Paper for the Braidwood Structure Plan, together with feedback received from the community drop-in sessions with Council staff and community meetings/workshops held in Braidwood during March and April 2023. Feedback has also been received from key government agencies and stakeholders, including Heritage NSW.

This report is also to recommend that a draft Braidwood Structure Plan be prepared which takes the submissions into consideration.

Background

The preparation of a Structure Plan to manage land use change and future growth in Braidwood is a strategic planning priority in Council's Local Strategic Planning Statement Towards 2030. In addition, Resolution 407/17 from Council's meeting of 13 December 2017 specifically required development of concept options for road bypasses of Braidwood and that the concept options be included as key elements as part of the Braidwood Structure Plan as it is developed.

Council at its meeting on 21 December 2022 (Resolution No 503/22) endorsed the Discussion Paper for the Braidwood Structure Plan and its background material on public exhibition for 60 days, not to commence prior to 30 January 2023. The Discussion Paper (Attachment 1) was placed on exhibition from 6 February 2023 to 28 April 2023. Its purpose was to facilitate discussions within the community on key issues which, in turn, will assist in forming the basis of the proposed Braidwood Structure Plan.

The Braidwood Structure Plan (BSP) will deliver a strategic vision for the area which reflects community and government priorities, and a development framework to guide future planning initiatives and coordinate the efficient delivery of key infrastructure. It will set out the proposed future land uses, the mix and type of uses, road patterns, staging and infrastructure delivery

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

for the area. Once finalised, land within the Braidwood Structure Plan can be progressively rezoned to keep pace with demand. Until the land is rezoned, current planning controls remain in effect and existing lawful activities may continue.

Report

Advertising and Community Participation

The Discussion Paper for the Braidwood Structure Plan was advertised for a period of 60 calendar days from 8 March 2023 to 28 April 2023. Advertising was undertaken in the following manner:

- Exhibition material was available for viewing on the QPRC's 'Your Voice' community engagement web page (<https://yourvoice.qprc.nsw.gov.au/discussion-paper-braidwood-structure-plan>) from 6 February 2023 until 4:30 pm on 28 April 2023 with the Draft Discussion Paper and summary for download, and Frequently Asked Questions (FAQs).
- Advertisements in consecutive issues of the Braidwood Bugle.
- QPRC Q&A Fact Sheet – Discussion Paper – Braidwood Structure Plan – Feb 2023.
- Discussion Paper for the Braidwood Structure Plan (BSP) document together with large copies of the key maps were available for viewing at the Braidwood QPRC Office, 144 Wallace Street, Braidwood.
- Letters sent to landowners of property in the Braidwood area advising them of the Discussion Paper for the Braidwood Structure Plan (BSP) process, where to find information, inviting them to an information session and/or make further enquiries and inviting them to make a submission.
- Referrals were sent to the following six State government agencies:
 - Department of Planning and Environment – Biodiversity and Conservation,
 - Transport for NSW,
 - School Infrastructure NSW,
 - Heritage NSW,
 - Health,
 - Water NSW.
- Two drop-in Q&A sessions were held on 15 March and 20 April 2023 with QPRC staff at the QPRC Braidwood office to allow owners/residents to discuss any issues of concern regarding the Discussion Paper. A total of 24 people came to the drop-in sessions (12 per session).
- Two Community Workshop & Information Sessions held at the Braidwood Theatre on:
 - Thursday 16 March 7:00pm-8:20pm; and
 - Thursday 30 March 7:00pm-8:20pm.

A total of 31 people registered in advance to attend the meetings.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

Total Number of Submissions

A total of 32 written submissions were received during the advertising period. The submissions were comprised of:

- 10 community submissions via email / counter;
- 17 submissions lodged via Council's 'Your Voice' web page;
- 5 state government submissions.

Of the 10 written community submissions received:

- 8 were from residents of Braidwood;
- 2 were from community-based organisations or associations.

Of the 10 written community submissions received, the primary areas of interest were:

- provision of additional and various types of housing;
- traffic, transport and bypass issues;
- where future growth could best be accommodated.

A further 250+ comments from community members were recorded from workshop/meetings and drop-in sessions facilitated by Council.

Summary of Community Submissions and Recommended Modifications

Following the closing date for submissions, all comments were collated and summarised (Attachment 2). The 32 written submissions and the comments noted from private individuals attending workshop/meetings and drop-in sessions were grouped into planning themes for the purpose of analysis and recommended modifications. Agency and government submissions have also been recorded. Additional time was provided to NSW Heritage for their submission to be lodged.

Council officers have reviewed all the submissions and commented on each relevant matter raised. A detailed summary and response to each written submission is also contained in Attachment 2.

Figure 1 shows the major themes of the issues raised in the submissions. Of these themes the broad-based Planning issues generated the highest number of submissions (26%), closely followed by transport related issues (21%) and infrastructure related issues (15%).

Each of these categories include a range of subcategories, which are listed in **Table 1** below. Consideration of a bypass received mixed reviews with 42% of responses in support of a bypass, 25% against, and 13% were neutral (refer to **Graph 1** below). Of the responses which supported a bypass, there was no strong leaning towards a preferred option. A number of submissions expressed the view that there was not enough data to support the need for a bypass or that would lend support to one particular option over another.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan
(Author: Ormella/Adsett) (Continued)

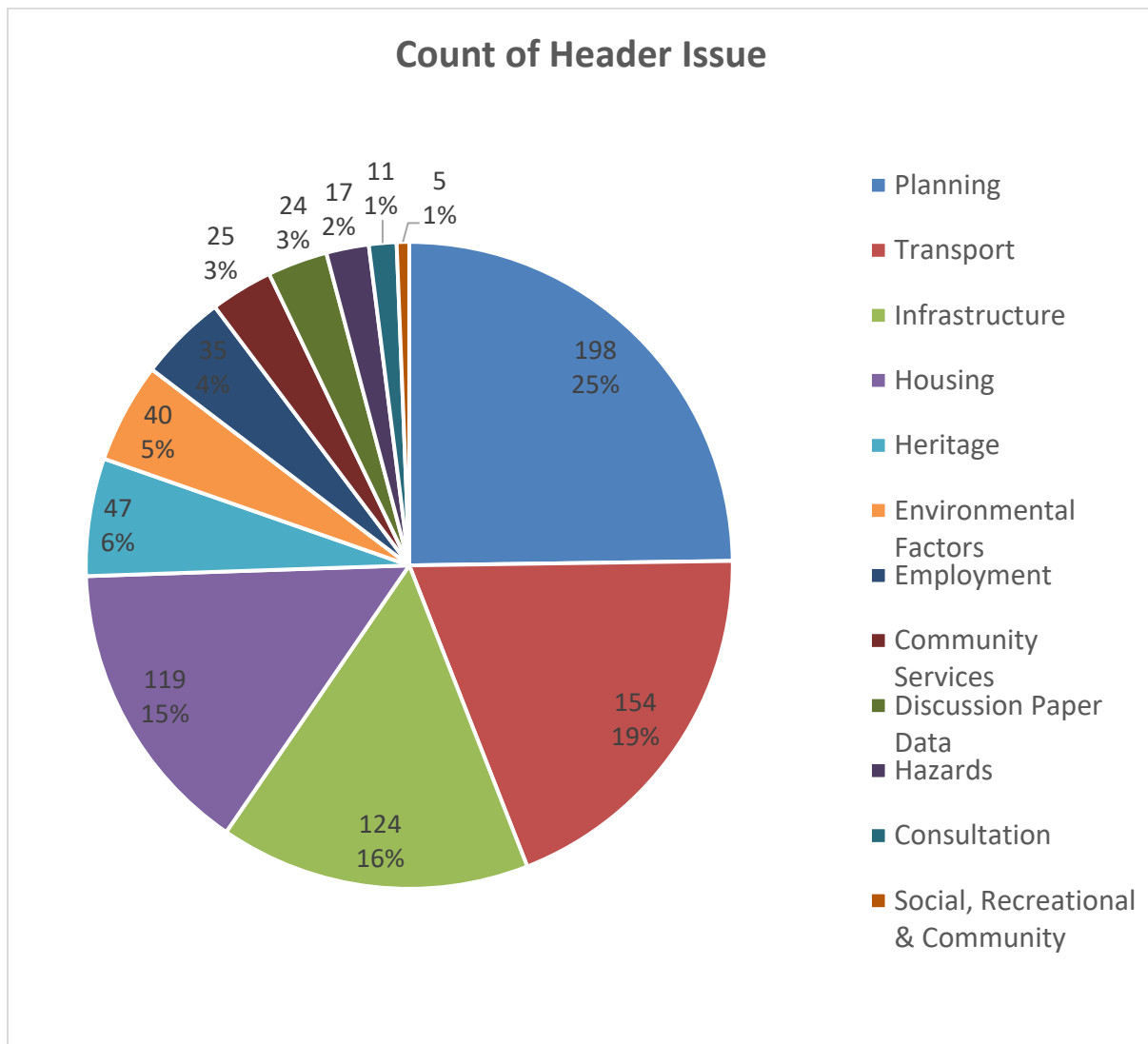


Figure 1 – Submission Responses Grouped by Theme

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

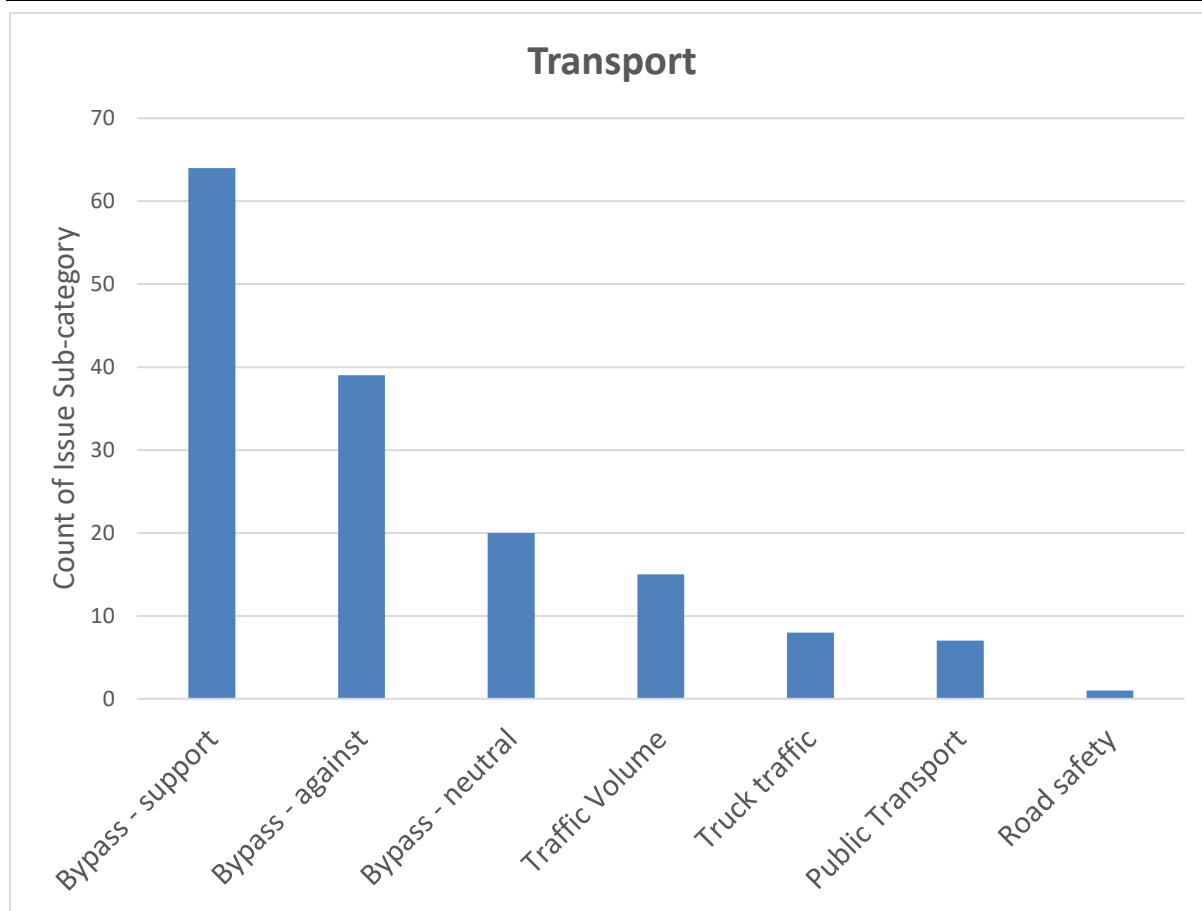
Issues and Sub-Categories	Count of Issue Sub-category
Planning	198
Precinct	46
Development Activity and Opportunities	46
Vision and Principles	29
Impediments to development	27
Not recommended for development	14
Zoning	13
Draft Land-Use Development Principles	8
Local Environmental Plan	5
Scope and Purpose	4
Strategies for implementation	3
Legislative Context	3
Transport	154
Bypass - support	64
Bypass - against	39
Bypass - neutral	20
Traffic Volume	15
Truck traffic	8
Public Transport	7
Road safety	1
Infrastructure	124
Infrastructure	45
Planning for Schools	19
Parking	18
Water Supply	12
Funding	11
Cemeteries	11
Telecommunications	8
Housing	119
Growth	54
Housing	31
Infill development opportunities	12
Caravan park	9
Housing Design	8
Density	5
Heritage	47
Heritage	38
Aboriginal heritage	9
Environmental Factors	40
Natural Environment	34
Urban cooling	4

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

Issues and Sub-Categories	Count of Issue Sub-category
Drinking water catchment	2
Employment	35
Economy	23
Industrial land	8
Commercial	3
Smart hub	1
Community Services	25
Facilities	25
Discussion Paper Data	24
Mapping request	13
Criteria	11
Hazards	17
Natural Hazards	15
Flooding	2
Consultation	11
Engagement of First Nations Peoples	11
Social, Recreational & Community	5
Parks and Reserves	5
Grand Total	799

Table 1 – Breakdown of Submission Issues by Category and Sub-category

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)



Graph 1 – Submission Responses regarding Bypass Option and other Transport Issues

Detailed comments, recommended inclusions and modifications for the draft Braidwood Structure Plan were provided in responses from agency and government submissions. In particular, the Department of Planning and Environment – Biodiversity and Conservation Branch had concerns regarding the protection of High Environmental Value Lands (HEV), biodiversity, riparian land and the protection of specific flora and fauna. It noted that flooding is generally well covered in the Discussion Paper and has been considered as a constraint for future development.

Transport for NSW advised that its primary focus is to enhance the existing Kings Highway corridor through Braidwood but, in the context of preserving a future road corridor for a bypass, it wants to be consulted at the beginning of any investigations. It also encouraged consideration of a scenario where the Kings Highway is retained along the current alignment through the town centre and Council seek ways to minimise local trips on the Highway, reduce the amount of private vehicle usage, and mitigate the impact of heavy vehicle traffic through land use planning and controls.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

Heritage NSW had numerous comments and recommendations which are detailed in Attachment 2. While it stated that the guiding principles for heritage strategies in the Discussion Paper were generally acceptable, there were some notable omissions, such as:

- a lack of engagement and detail regarding Indigenous heritage;
- protection of any Aboriginal Cultural Heritage Values;
- consideration of the State Heritage Register (SHR) curtilage of Braidwood and its Setting and Bedervale as factors in the mapping for suitability of future growth areas;
- incorporation of the key findings and recommendations of Heritage NSW's 15 Year Management Review of Braidwood and its setting (*Officer comment – this has not yet been finalised*).

In consideration of all submissions received from the public, government agencies, and to progress the drafting of the Braidwood Structure Plan, the following actions are the main ones recommended:

1. Bypass – Council liaise with Transport for NSW to further explore the merits of potential locations for a future road corridor for a bypass.
2. Housing – undertake a thorough review of land use zones to identify development opportunity locations for higher density housing.
3. Affordable Housing – investigate ways to facilitate opportunities for development.
4. In keeping with the recommendations of Heritage NSW, Council undertake further consultation with local Aboriginal communities to ensure that there is a greater understanding of sites of significance and First Nations associations to Country.

For a complete list of recommended actions, please refer to Attachment 2. The break up of the broad types of actions are shown in **Figure 2**.

It is noted that the third point dovetails with Council's Affordable Housing Strategy which recommended that application of Affordable Housing Development Contributions for land release areas be explored.

Some future actions may have cost implications, such as assessing potential bypass corridors or implementing Affordable Housing Development Contributions for land release areas. These may be future consultancy projects for which quotations would be obtained and further report provided to Council.

The Land Use Planning Team undertakes regular reviews of the Queanbeyan-Palerang Regional Local Environmental Plan 2022, Council Development Control Plans, relevant structure plan and other strategic land use policies.

For a complete list of recommended actions, please refer to Attachment 2. The break up of the broad types of actions are shown in **Figure 2**.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan
(Author: Ormella/Adsett) (Continued)

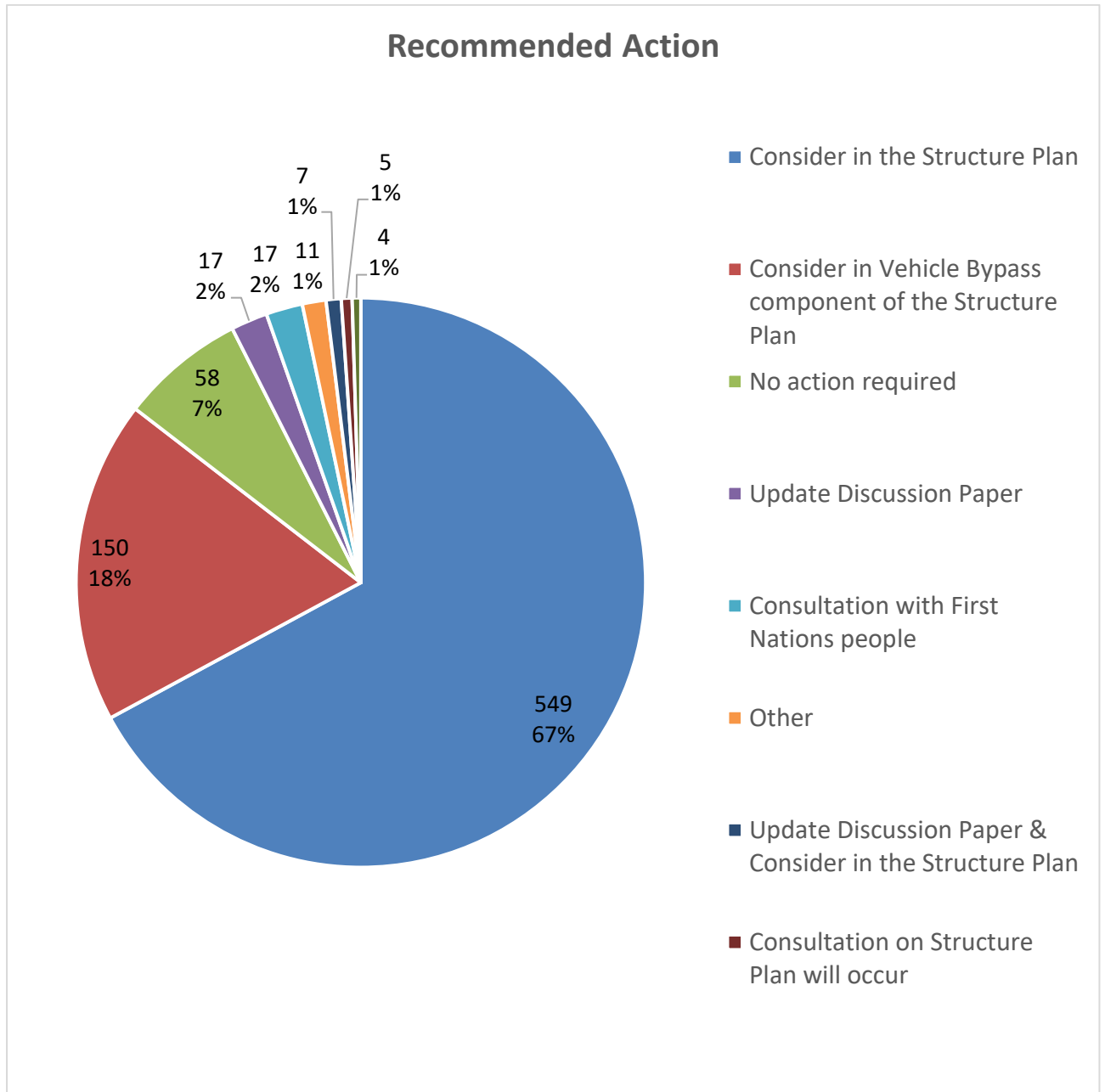


Figure 2 – Recommended Actions for issues raised

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)

Risk/Policy/Legislation Considerations

The purpose of the Discussion Paper was to inform the community and key stakeholders of the initial stage in preparing the Braidwood Structure Plan, which will be a policy of Council to guide land use planning decisions for the next 30 years for Braidwood. The BSP is not a statutory document but rather a strategic plan that provides direction for growth and changing land use within the community. Preparation of the draft Braidwood Structure Plan is a strategic objective of Council's Local Strategic Planning Statement (LSPS).

Financial, Budget and Resource Implications

The project is funded from the budget of the Land Use Planning branch. Staff resources were used in the preparation of the Discussion Paper, mapping, and overseeing the consultation period, including the running of public workshops and meetings.

Expenditure for the next stage of the project - drafting the Braidwood Structure Plan - will also be covered by internal staff resources.

Some future actions arising from the consideration of submissions may have cost implications, such as implementing Affordable Housing Development Contributions for land release areas. This may be a future consultancy project for which quotations would be obtained and further report provided to Council.

Links to QPRC/Regional Strategic Plans

The preparation of the Braidwood Structure Plan is also an identified action in the Delivery Program 2022-26 (Action DP3.1 Develop Braidwood Structure Plan).

Preparation of the draft Braidwood Structure Plan is a strategic objective of Council's Local Strategic Planning Statement (LSPS) and is consistent with the Community and Character Strategic Pillars of the Queanbeyan-Palerang Community Strategic Plan 2042.

Of relevance is Strategic Objective 3.2 of the Community Strategic Plan 2042 which states:

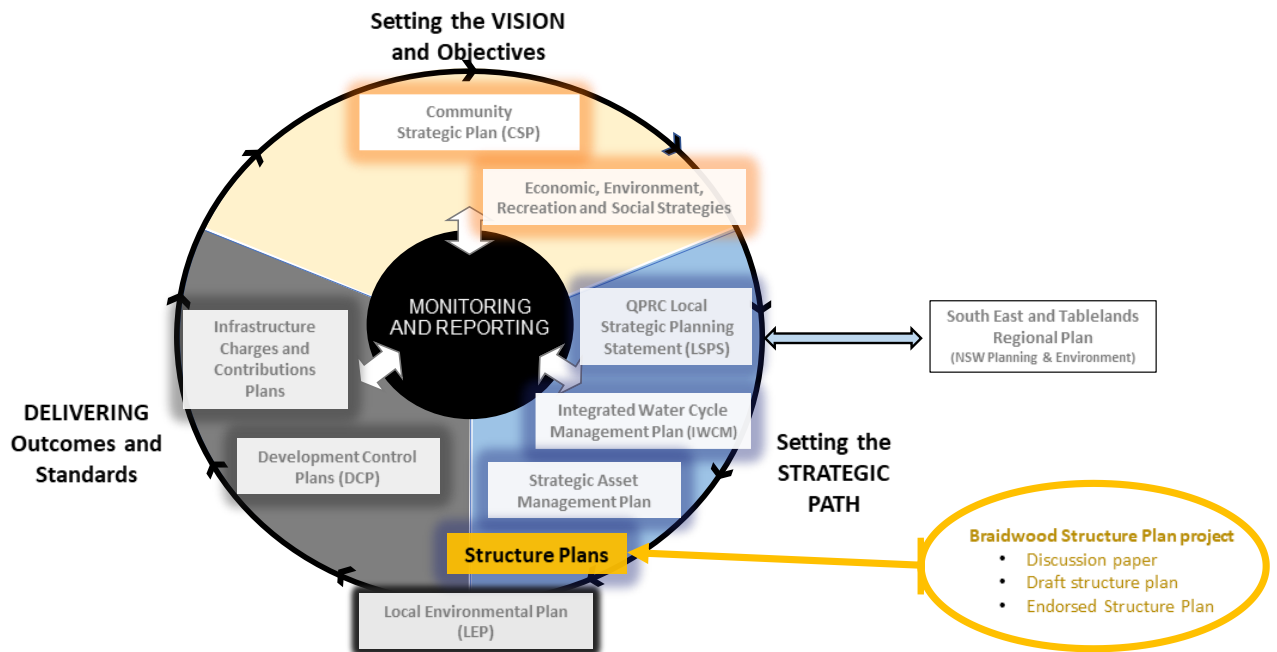
"3.2 We have robust planning systems that provide zoned and serviced land that supports affordability and choice to liveability of the area";

and the following strategies:

- support a diversity of housing stock, including affordable housing, by identifying strategies in collaboration with Council, the community, and other levels of Government and stakeholders.
- Support the sustainable growth of the Local Government Area through land and infrastructure strategic planning, assessment, determination and certification of development, subdivision and building, and manage risk through monitoring and compliance.
- Protect, promote and enrich the heritage and traditional values of our area.

The context of the Discussion Paper and the draft Braidwood Structure Plan project with the QPRC and Regional Strategic Plans is shown in the following diagram:

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan (Author: Ormella/Adsett) (Continued)



Context of Strategic Land-Use Planning at QPRC

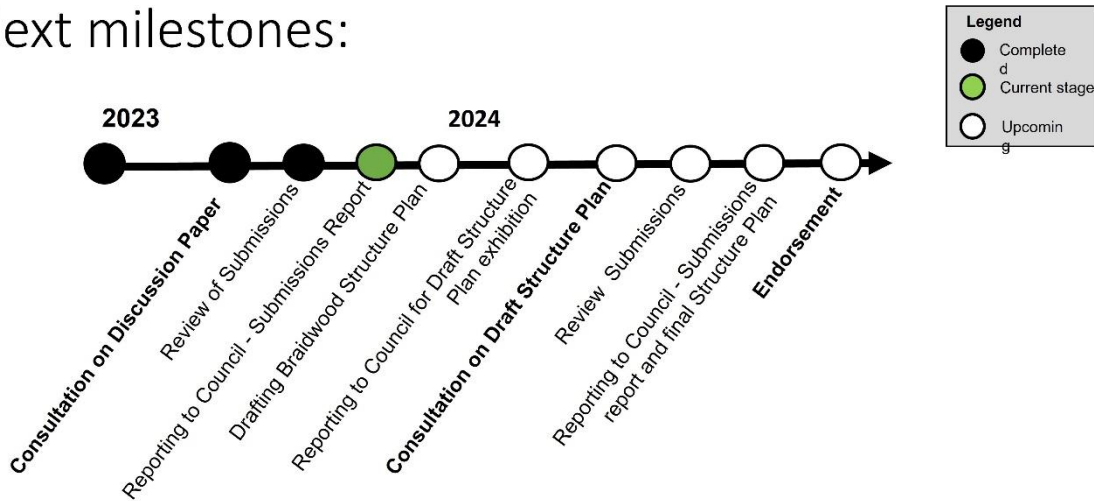
Conclusion

The Braidwood Structure Plan has been identified as a priority in the QPRC Local Strategic Planning Statement and an action in Council’s current Delivery Plan. The Discussion Paper for the Braidwood Structure Plan was exhibited for public comment from 6 February 2023 to 28 April 2023 and was generally well received by the community. There were a number of very detailed submissions and many relevant issues raised. Submissions were constructive and, for the most part, supportive.



It is recommended that this report be received by Council and drafting of the Braidwood Structure Plan commence, taking into consideration the issues raised as outlined in Attachment 2. The preparation of the draft Braidwood Structure Plan is the next milestone for the project. The diagram below outlines the main steps for the rest of the project.

9.3 Submissions Report on the Discussion Paper for the Braidwood Structure Plan
(Author: Ormella/Adsett) (Continued)

Braidwood Structure Plan Project - Next milestones:



Attachments

- Attachment 1  Discussion Paper for the Braidwood Structure Plan *(Under Separate Cover)*
- Attachment 2  Submissions Assessment Table for Discussion Paper Braidwood Structure Plan *(Under Separate Cover)*

9.4 Road Naming - Proposed New Road Name - Marland Court (Ref: ; Author: Ormella/Knight)

File Reference: 26.4.1-4 / DA.2021.1153

Recommendation

That Council:

1. **Adopt in principle the name 'Marland Court' as the proposed name for the first of two new roads located off Environa Drive, Environa created under Condition #69 Development Consent DA.2021.1153 and DA.2021.1153.A.**
 2. **Advertise the proposed road name for public comment for 28 days.**
 3. **Publish a notice in the NSW Government Gazette for the road name 'Marland Court' if no objections are received during the advertising period.**
-

Summary

Council has received a request to name the first of two new roads created as part of a 61-lot subdivision off Environa Drive, Environa. The proposed road name is '*Marland Court*'. The name has been assessed and meets the requirements of the QPRC Road Names Policy 6.2.2 and is recommended to be supported by Council and advertised for public comment.

Background

Council has received a request to name the first of two new roads created as part of a 61-lot subdivision off Environa Drive, Environa as required under Condition #69 of Development Consent DA.2021.1153 and DA.2021.1153.A. The proposed road name is '*Marland Court*' and is located off Environa Drive, Environa as identified in *Figure 1*. A name will be considered for the second proposed road in this development at a later date.

Report

Council has worked in conjunction with the developer to name the first of two new roads to be created as part of a 61 lot subdivision off Environa Drive, Environa as required under condition #69 of the development consent DA.2021.1156 and DA.2021.1153.A. The proposed name '*Marland Court*' has been put forward.

In accordance with Clause 6.2.2 of Councils Road Names Policy, staff and the developer worked through the Register of Proposed Road Names and from a short-list of 4 Indigenous and 3 commemorative road names, the developer requests to proceed with their choice of commemorative road name. The developer suggests that this name has no shortage of historical relevance in the Queanbeyan area.

Hope **Marland** was a Queanbeyan City Councillor for 30 years (1965-1995) and for more than 50 years volunteered her time with numerous charity and community groups such as the Queanbeyan Hospital Auxiliary, the Good Neighbours Association, the Friendship Force and the Queanbeyan Special Needs group. A Certified Accountant, Hope moved to Queanbeyan in 1963 with her husband Ken, and within two years she was serving on Council, the second female alderman (terminology of the time) ever to do so, when elected.

Hope was also instrumental in the creation of the Karabar Cooperative Housing Association, a key charity organisation in Queanbeyan still running today that helps low-income families

9.4 Road Naming - Proposed New Road Name - Marland Court (Ref: ; Author: Ormella/Knight)

find homes. Her dedication to the community was recognised in 1976 with an MBE from Queen Elizabeth II at Buckingham Palace and in 1988 with an OAM. Hope passed away in June of 2014, aged 91, and holds a spot on the Crawford Street Honour Walk of Queanbeyan.

Council staff have submitted these names to the Geographical Names Board (GNB) for approval and they have found no issues with the proposal.

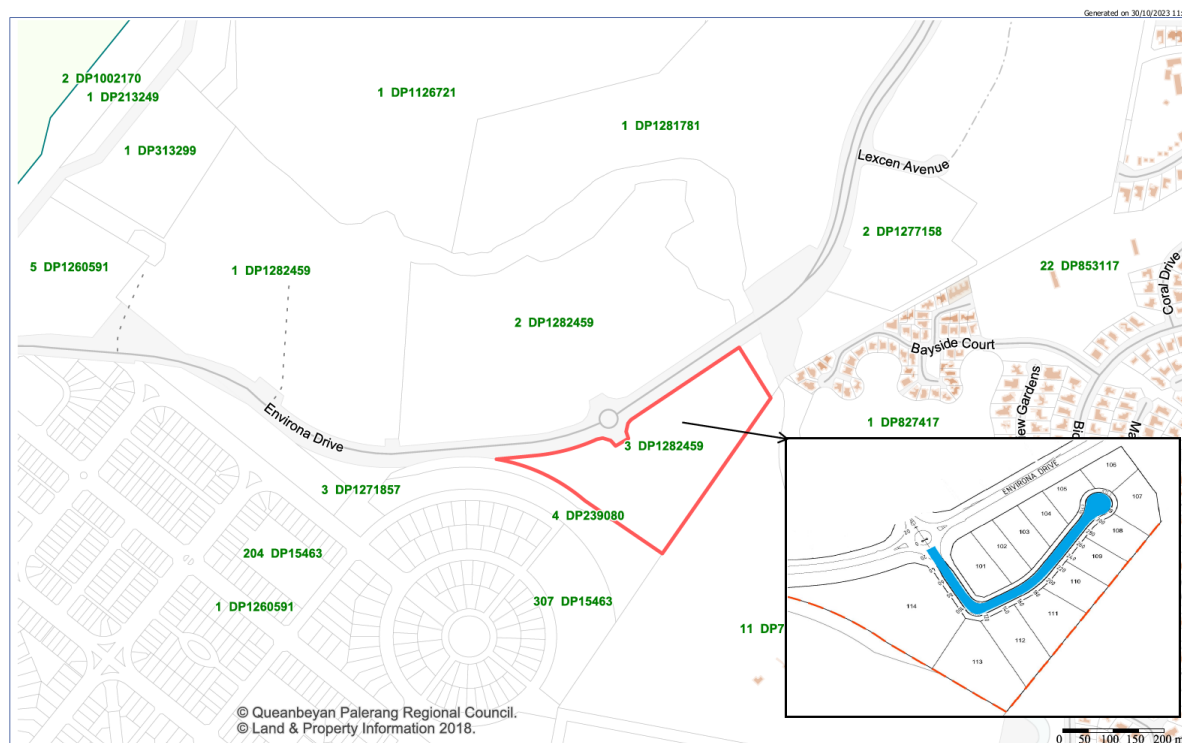


Figure 1

Risk/Policy/Legislation Considerations

The QPRC Road Names Policy, the NSW Road Names Policy applies, NSW Address Policy and User Manual apply.

The road name '*Marland Court*' has been assessed under these policies and meet the requirements.

The QPRC Roads Name Policy Clause 6.2.2 specifies that at the land subdivision stage where three or fewer new roads are created, a property developer may select road names from the Register of Proposed Road Names or propose other names in accordance with GNB policies and the criteria referenced in 6.2.1 for consideration and approval.

The criteria in clause 6.2.1 of the policy states: Community members with connections to the local government area and property developers are encouraged to submit proposed road names to Council in accordance with NSW Government guidelines as set out by the GNB for inclusion in the Register of Proposed Road Names.

Criteria for proposed road names can include (but is not limited to) the following:

- (a) Promotion and recognition of local First Nations Peoples' language
- (b) Recognition of local First Nations People
- (c) Recognition of eminent persons connected to the area
- (d) Recognition of local history and events

9.4 Road Naming - Proposed New Road Name - Marland Court (Ref: ; Author: Ormella/Knight)

- (e) Recognition of the natural environment
- (f) Recognition of Australian heritage

This subdivision will create two new roads and the developer has submitted the name '*Marland Court*' for the first road which meets criteria (c).

The Code of Practice for addressing premises requires the recommended road names be reported to Council and then advertised for public comment. If supported by Council and the Geographical Names Board and there are no objections received from notifications, the notice will be published in the NSW Government Gazette. If any objections are received, a further report will be put to Council. Consultation The proposed names will be exhibited for 28 days for public comment.

Financial, Budget and Resource Implications

All costs associated with advertising of the road names and supply of road name plates are to be borne by the developer of the subdivision.

Links to QPRC/Regional Strategic Plans

The QPRC Road Names Policy is directly linked to Strategic Pillar 1.1 Community, our community is strengthened through connection and participation that enhances our community and cultural life.

Conclusion

A 61-lot subdivision off Environa Drive, Environa approved in Development Application DA.2021.1153 and DA.2021.1153.A, has two new roads which require naming. This report covers the naming of the first of these two roads. The proposed name '*Marland Court*' has been selected in accordance with Council's Road Names Policy and the Geographical Names Board guidelines for the naming of roads. Staff worked closely with the developer to arrive at historically unique and relevant road name for this subdivision. The name '*Marland Court*' comprises of an unambiguous word that is easy to spell and pronounce, is supported by the applicant, and has approval for use from the GNB. It is recommended that the road name be publicly exhibited for 28 days, following which and subject to no objections being received, that it be published in the NSW Government Gazette.

Attachments

Nil

9.5 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community to Operational Land (Ref: ; Author: Ormella/Kurzyniec)

File Reference: PP.2023.0007

Recommendation

That Council:

1. Approves the progress of the draft planning proposal to reclassify Lot 8 Section 11 DP 758183 19 Gibraltar Street, Bungendore from 'community land' to 'operational land' under the *Local Government Act 1993*, and upon completion, it be forwarded to the NSW Department of Planning and Environment to seek a Gateway determination.
 2. Receive a further report, following receipt of a Gateway determination so that the draft planning proposal be placed on public exhibition in accordance with any conditions in the Gateway determination.
-

Summary

The purpose of this report is to advise Council that a planning proposal is currently being prepared to reclassify land at 19 Gibraltar Street Bungendore - Lot 8 Section 11 DP 758183 from community to operational status under the *Local Government Act 1993*, and to seek endorsement for it to progress.

The reclassification from community land to operational is required to facilitate the development of the site for Council offices. Operational land is not generally open to the public but may be used for public purposes such as work depots or council offices.

Background

All public land owned by Council must be classified as either 'Community' or 'Operational' land. Operational land has no special restrictions other than those that may apply to any piece of land. The classification of operational land is used for Council facilities including Council offices, sewage treatment plans, water treatment plants, depots, impound yards, pounds and the like.

Community land is different. Classification as community land reflects the importance of the land to the community because of its use (such as Natural Area, Sportsgrounds, Parks or General Community Use) or special features. It is land intended for public access and use, or where other restrictions apply to the land creating some obligation to maintain public access (such as a trust deed). Community land cannot be sold, or cannot be leased, licenced or any other estate granted over the land for more than 21 years and must have a plan of management prepared for it. The classification of community land is used for council's parks, community centres, sports fields, swimming pools and recreation centres and the like.

The property 19 Gibraltar Street Bungendore - Lot 8 Section 11 DP 758183 is currently vacant, and the land is intended to be used for the future construction of a new QPRC Council office which would include the library, meeting spaces and community centre rooms.

9.5 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community to Operational Land (Ref: ; Author: Ormella/Kurzyniec) (Continued)

The settlement of the purchase by Council of 19-21 Gibraltar Street Bungendore (Lot 8 Sec 11 DP 758183) occurred on 5 August 2021. Following Council's acquisition of the subject land, the status of the site defaulted to 'community' land.

Report

To facilitate the development of the 19 Gibraltar Street Bungendore - Lot 8 Section 11 DP 758183 for Council offices, the classification of the land under the *Local Government Act 1993* needs to be changed from 'community' to 'operational'. The mechanism to do this is through a Planning Proposal. As such, a draft planning proposal is being prepared to reclassify the subject land by amending the *Queanbeyan-Palerang Regional Local Environmental Plan 2022* to include the subject land in Part 1 of Schedule 4 of the plan (no interests changed). Consistent with the provisions of clause 5.2(2), this will have the effect of reclassifying the land as intended.

When the draft planning proposal is completed, the next step will be to submit it to NSW Department of Planning and Environment (DPE) to seek a Gateway determination. Once a Gateway determination is received from DPE, the proposal will be placed on public exhibition for a minimum of 28 days.

After the public exhibition period has ended, an independent chairperson will be appointed to convene a public hearing. The *Local Government Act (1993)* requires that an independent consultant is engaged to conduct and report on the outcomes of the public hearing.

Once the report is finalised by the independent chairperson, staff will prepare a further report to Council on the outcomes of the exhibition and a recommendation as to whether the reclassification should be finalised.

Risk/Policy/Legislation Considerations

The draft planning proposal is being prepared following the relevant provisions of the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulations 2021*, and the *Local Government Act 1993*.

Financial, Budget and Resource Implications

Financial implications include the staff costs to process the planning proposal including public exhibition. There will also be a cost of engaging an independent consultant to run and report on the public hearing will be covered by the relevant project budget.

The review is not identified as a project in the Delivery Program, however, is consistent with Council's ongoing obligations regarding the classification of Council-owned land and the management of assets.

Links to QPRC/Regional Strategic Plans

The draft planning proposal is considered to be consistent with the Queanbeyan-Palerang Regional Council Local Strategic Planning Statement (2020) and the Queanbeyan Residential and Economic Strategy (2031).

The draft planning proposal aligns with the Pillars in the Community Strategic Plan 2042, and specifically the strategic objective providing a robust planning system that provides for zoned and serviced land that supports affordability and choice to liveability of the area.

9.5 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community to Operational Land (Ref: ; Author: Ormella/Kurzyniec) (Continued)

Conclusion

The land at 19 Gibraltar Street, Bungendore was purchased by Council for the construction of new council offices in Bungendore. The classification of the land has defaulted to 'community land' and this is required to be changed to allow future construction of council offices. A planning proposal is the mechanism to reclassify 19 Gibraltar Street, Bungendore from 'community land' to 'operational land' under the *Local Government Act 1993*.

The net community benefit in preparing the Planning Proposal is to reclassify this land to ensure that the land is consistent with other similar Council assets. This allows flexibility in managing the land for its highest best use in the future, including the redevelopment.

Accordingly, it is recommended that Council now agree to the draft Planning Proposal being formally progressed. The draft Planning Proposal to achieve this outcome is being prepared and upon its completion, it is recommended that Council support it being sent to NSW DPE for a Gateway determination. Subject to receipt of a Gateway determination, it is also recommended that the draft planning proposal will be placed on public exhibition as per any conditions of the Gateway determination.

Attachments

Nil

File Reference: 26.5.1-26

Recommendation

That Council adopt the recommendations to provide funding under the QPRC Local Heritage Places Grant Program to the applications as listed in Attachment 3.

Summary

The purpose of this report is to consider and determine the applications received by Council for the QPRC Local Heritage Places Grants 2023-24.

Background

The QPRC Local Heritage Places Grant Program has been established by Council in conjunction with the NSW Heritage Office. Funding is provided by Council and the NSW Heritage Office. It is offered to owners of heritage properties and properties in Heritage Conservation Areas as a contribution towards costs for work being undertaken to improve or maintain the values of such properties.

The Grants are available for work on heritage properties listed in Council's Local Environmental Plan, including properties within identified Heritage Conservation Areas in Queanbeyan and Braidwood. The aim of the project is to encourage and support owners of heritage properties who undertake work to maintain and promote the values of those items.

Applicants must lodge a completed application form (Attachment 1) together with at least 2 quotes for their proposed works. Successful applicants must contribute towards the costs of any proposed works and this contribution must be at least 50% of the awarded funding amount. Applicants must also meet the criteria as outlined in Council's guidelines for the program (Attachment 2).

Report

A total of 13 applications were received following advertising in August 2023 with the closing date being 30 October 2023, which is a significant increase of applications received in recent years. 2 of the 13 applications were received after the closing date and, notwithstanding this, the assessing panel and Heritage Advisory Committee continued to assess them without prejudice. The total estimated value of the works proposed in all the applications amounted to \$366,610 and applications ranged from \$2,000 to \$122,000. A summary of the applications received for 2023/24 is provided as Attachment 3 including the recommended allocation of grant.

The applications were initially assessed against the guidelines by a panel comprised of staff from the Land Use Planning Branch and Council's Heritage Advisor. The PowerPoint presentation with images, brief details of all applications received, and recommendations for funding, as presented to the Heritage Advisory Committee is provided as Attachment 4.

Due to the large number of applications for this round of funding, the Grants were very competitive this year. Works that best satisfied the criteria and eligibility as noted in the guidelines (Clause 3.3.3) were prioritised for funding.

The panel's recommendations were taken to an extra meeting of the QPRC Heritage Advisory Committee for their consideration on 2 November 2023. The Minutes of this meeting of the Committee are provided as Attachment 5; with 7 out of the 13 applications recommended for funding in this grant round.

9.6 QPRC Local Heritage Places Grants 2023-24 (Ref: ; Author: Ormella/Grant)

Successful applicants will be notified and given a set time in which to complete their proposed works. Unsuccessful applicants will also be notified with detailed feedback.

Risk/Policy/Legislation Considerations

Applications were assessed against the *QPRC Grant Guidelines – Category E Funding - Local Heritage Grants (Attachment 2)*.

Successful applicants will be required to submit a signed Project Funding Agreement and are required to comply with a set of conditions as set out in the Guidelines, and, on an individual basis in keeping with QPRC heritage works practice.

Financial, Budget and Resource Implications

A total budget of \$25,000 is available for the 2023/24 QPRC Local Heritage Grants Program and the total amount is recommended to be allocated. It is noted that the total estimated value of the works in the applications amounted to \$366,610 and the applications ranged from \$2,000 to \$122,000.

If the recommendations are approved the grant funding for the 2023-24 year will be fully subscribed. Refer to Attachment 3 for the recommended grant allocation.

All successful projects must be completed by 21 April 2024 to claim the monies.

Links to QPRC/Regional Strategic Plans




The Local Heritage Places Grants program supports Strategy 3.2 of Council's Community Strategic Plan 2042, which seeks to protect, promote, and enrich the heritage and traditional values of the area.

Conclusion

The QPRC Local Heritage Places Grants provide funding for local property owners to use for the maintenance and repair of important local heritage items and/or items within a Heritage Conservation Area. 13 applications to the value of \$366,610 were received and were assessed against the grant funding criteria. Seven applications are recommended to receive portions of the allocated \$25,000 grant funding.

It is recommended that the proposed grants for 2023/24 be supported as contained in Attachment 3.

Attachments

- | | |
|---|---|
| Attachment 1
 | QPRC Local Heritage Grants Application Form 2023-24 (<i>Under Separate Cover</i>) |
| Attachment 2
 | QPRC Local Heritage Places Grants 2023-24 Guidelines (<i>Under Separate Cover</i>) |
| Attachment 3 | QPRC Local Heritage Grants Applications 2023-24 and Recommended Grant (<i>Under Separate Cover</i>) - CONFIDENTIAL |
| Attachment 4 | Powerpoint Presentation for QPRC Heritage Advisory Committee - Local Heritage Grants Applications 2023-24 (<i>Under Separate Cover</i>) - CONFIDENTIAL |
| Attachment 5
 | Minutes of the Extra Meeting of the QPRC Heritage Advisory Committee - Local Heritage Grants Assessment - 2 November 2023 (<i>Under Separate Cover</i>) |

9.7 Classification of Lot 106 DP 1282739 as Operational Land (Ref: ; Author: Ryan/Belcher)

File Reference: 34.2.4

Recommendation

That Council, in accordance with section 31 of the Local Government Act, classify 202 Tarago Road, Bungendore (Lot 106 DP 1282739) as Operational land upon transfer of ownership to Council.

Summary

The purpose of this report is to advise Council that land is proposed to be gifted, 202 Tarago Road, Bungendore, Lot 106 DP 1282739, and that this is from the developer of Elmgrove subdivision. The land will be used as a landscaping buffer.

This report recommends that Council classify the subject land as Operational Land in accordance with section 31 of the *Local Government Act 1993*, at the time of transfer or no later than three months following settlement.

Background

To provide additional buffer between the Bungendore Resource Recovery Facility (including the now-closed Bungendore Landfill) and future development to the south, Council and Elmslea Land Developments Pty Ltd agreed to transfer a 25m wide strip of land to Council along the southern boundary of the Resource Recovery Facility and landfill land.

All public land owned by Council must be classified as either 'Community' or 'Operational' land. Operational land has no special restrictions other than those that may apply to any piece of land. The classification of Operational land is used for Council facilities including sewage treatment plants, water treatment plants, depots impounds and the like.

Report

Upon receipt of land, either through purchase or gifting, Council is required to classify land in accordance with section 31 of the *Local Government Act 1993*. Council will shortly be gifted the land known as Lot 106 DP 1282739 and will need to classify the land as Operational Land within 3 months of transfer of ownership. If no classification is made by this date, the land will automatically be classified as Community Land and several limitations and requirements will come into effect on the subject land.

The land is to be gifted to Council by agreement with the developer of the Elmgrove subdivision to provide additional buffer distance between the waste management activities and potential future land uses of Lot 99 DP 1282739.

Although the land has not yet been transferred to Council ownership, Council has taken possession of the land by agreement with the developer. Council has since constructed a maintenance track to provide improved access to the former landfill site for future inspections and maintenance and landscaped the area with local native plants.

The location of the land is shown in the following image.

9.7 Classification of Lot 106 DP 1282739 as Operational Land (Ref: ; Author: Ryan/Belcher) (Continued)

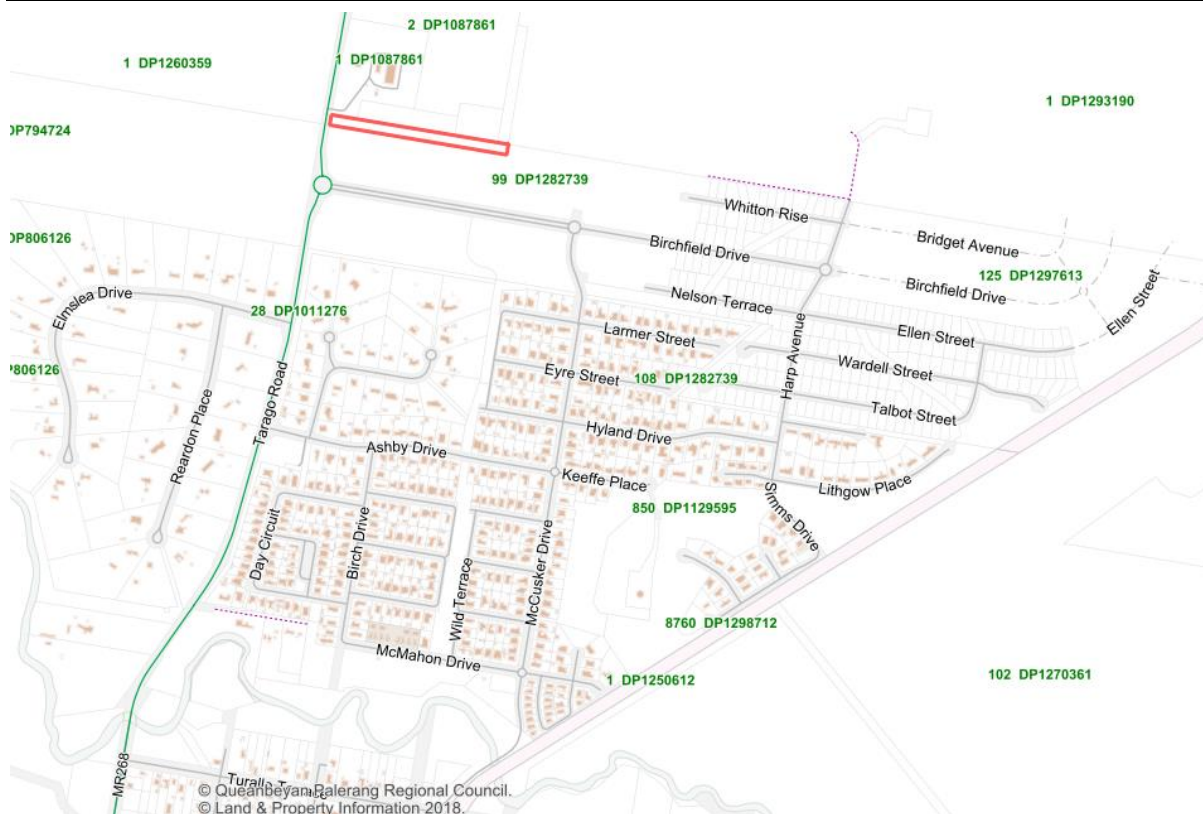


Figure 1 – Local context of Lot 106 DP 1282739 (shown by the red outline)

Risk/Policy/Legislation Considerations

Land acquired (whether purchased or gifted) must be classified as either Operational or Community land in accordance with section 31 of the *Local Government Act 1993*. If a classification is not made within 3 months of acquisition, the land is taken to be classified as Community Land.

The resolution seeks to classify the subject lot as Operational Land. Operational Land is the appropriate classification as the land will not be publicly accessible and will remain under the control of the General Waste Fund. Land related to waste operations is commonly classified as Operational Land.

Financial, Budget and Resource Implications

The resolution relates to the classification of the land that will form part of Council's assets. The resourcing implication of this will have minimal financial impact to Council, with the developer covering the costs associated with the transfer.

Management of the subject land will be undertaken by Council's Utilities branch using existing resources. The General Waste Fund has appropriate provision for funding the on-going management of the land.

Links to QPRC/Regional Strategic Plans

Classification of the land as Operational land allows Council to manage the land in accordance with Section 4.2 of the Community Strategic Plan, specifically to "manage the collection of waste and operation of waste facilities to meet community requirements".

9.7 Classification of Lot 106 DP 1282739 as Operational Land (Ref: ; Author:
Ryan/Belcher) (Continued)

Conclusion

Council is required to classify land as Operational or Community within three months of acquisition or transfer of ownership. This report recommends that Lot 106 DP 1282739 be classified as Operational Land once ownership transfers to Council.

Attachments

Nil

File Reference: 11.10 GRANTS

Recommendation

That Council approve a Cultural Assistance Grant of \$1,000 to the Canberra Tamil School of Canberra Association to provide costumes for a School dance performance at the QPRC Diwali Festival.

Summary

On 2 November 2023 Canberra Tamil School of Canberra Association applied for a Council Cultural Grant. The application seeks \$1,000 funding for costumes for their school students who will perform a 'kollywood' dance (inspired from the Tamil film industry) at the Queanbeyan QE11 Park, at Council's Diwali Festival. The date of the festival is 18 November 2023. The funding application is at Attachment 1.

Background

Diwali is a Hindu celebration of light and hope. It symbolises the spiritual victory of light over darkness, good over evil, and knowledge over ignorance.

The Diwali Festival and Lantern Parade event has been organised by QPRC in partnership with, and supported by, the High Commission to India, Queanbeyan Multicultural Centre, Queanbeyan's Hamilton Motel and Southern Tablelands Arts. The event has been preceded by free and well-attended lantern-making workshops where participants made their own lanterns for the lantern parade. The free community festival will feature performances from local groups which celebrate Diwali including a Sri Lankan Dance Troupe, Bollywood performances and a Nepali singing and dancing performance.

Report

The Canberra Tamil School is a not-for-profit association and meets the organisational eligibility criteria. The school has volunteer teachers and operates on a shoestring budget. They receive a small funding allocation from ACT Community Language Schools and charge a nominal fee to their 126 students. Although the school is located at Oaks Estate in the ACT, many of its students are from Queanbeyan, and the project meets the eligibility criteria of working in or with the Queanbeyan-Palerang community.

The project has also been assessed as meeting the Cultural Grants Guidelines selection criteria at Attachment 2. The project will involve the organisation working in partnership with other community groups and QPRC to deliver an event that will engage the LGA's broader community. It will also contain educational components which seek to advance the cultural and/or creative experiences of the LGA's community.

Risk/Policy/Legislation Considerations

Although the Diwali festival date is prior to this 25 November Council Meeting, the funding is not considered retrospective because the application was submitted more than two weeks prior to the event date.

**9.8 QPRC Cultural Assistance Grant Application (Ref: ; Author: Richards/Mirowski)
(Continued)**

Council's Cultural Assistance Grants (Category G) are administered in compliance with the QPRC *Donations Policy*. Under s.356 of the *Local Government Act 1993*, QPRC may exercise a function by resolution to provide various forms of assistance to the community through grants, donations, rental rebates, rate relief, non-financial contributions, in-kind donations and sponsorships.

Financial, Budget and Resource Implications

A total of \$15,000 Cultural Assistance Grants funds is available for distribution this financial year. None of this funding has been released yet.



Links to QPRC/Regional Strategic Plans

This project aligns very well with the QPRC *Community Strategic Plan*. It aligns with the Plan's mission, and with strategic objective 1.1 'Our community is strengthened through connection and participation that enhances our community and cultural life' and the accompanying strategies to 'Build cultural capacity through the availability and participation in arts, performance and cultural gatherings, events and exhibitions' and 'We embrace our diverse community and welcome and support new and existing residents through community development to build community connection and resilience'.

Conclusion

This project will benefit our multi-cultural LGA through promoting cultural harmony and understanding, increasing cultural connections, inclusivity, friendship, knowledge and understanding, as well as its creative benefits, and is recommended for funding.

Attachments

- | | |
|---|---|
| Attachment 1
 | Cultural Grants Application - Canberra Tamil School (<i>Under Separate Cover</i>) |
| Attachment 2
 | QPRC Cultural Grants Guidelines (<i>Under Separate Cover</i>) |

9.9 Draft License Agreement - Lions Club Queanbeyan (Author:
Richards/Duncan)

File Reference: 1.3.1

Recommendation

That Council

1. **Endorse the five-year Licence Agreement with Queanbeyan Lions Club to operate a community facility and book exchange at Queanbeyan Park.**
 2. **Approve advertising the Licence Agreement in accordance with 47A of the Local Government Act 1993.**
 3. **If no objections are received, approve the General Manager to sign the Licence Agreement.**
-

Summary

At its meeting of 9 November 2022, Council approved the relocation of the Lions Book Centre to the Treehouse facility in Queanbeyan Park, pending a successful development application (**Resolution 455/22**). It was further agreed that a lease be developed to cover a peppercorn rental, insurances, utilities, and cleaning. The attached License agreement is the final stage of this process and Council approval is sought to formalise.

Background

The Treehouse building (with an additional small building at the rear of the site known as the stables) sits on the edge of Queanbeyan Town Park. Both buildings will be part of a Masterplan that is to be developed for the park area including the adjoining buildings, Axis Youth Centre, the Heritage Museum, the Print Museum and the Depot.

Treehouse was previously occupied by an early intervention centre for children living with disabilities, under a peppercorn lease arrangement. However, the building has been vacant for approximately five years.

The Lions Club book centre is a community operation that was required to move from their previous premises in April 2023. They were notified of the impending move in the latter half of 2022 and expressed interest in the Treehouse site.

The Lions Club is aware that this is an interim location, pending the eventual outcome of the Masterplan. Following Council's approval in 2022, a Development Application requesting a change of use was lodged and a Certificate of Occupancy issued.

The Queanbeyan Lions Club sourced a \$30,000 grant for improvements to Treehouse and the stables to bring the facilities to a standard required to operate their book centre.

The Queanbeyan Lions Club offers an important service to the community. Since establishment, the book centre has donated in excess of \$160,000 to people in need. Providing community spaces is an important part of encouraging social connection and community spirit.

**9.9 Draft License Agreement - Lions Club Queanbeyan (Author: Richards/Duncan)
(Continued)**

Risk/Policy/Legislation Considerations

The Licence Agreement will be processed in accordance the provisions of the Local Government Act 1993. The proposal will be publicly advertised, and it is proposed that the matter would only come back to Council if community objections were raised.

The area is classified as Council-managed Crown Land and is managed under the *Crown Land Management Act 2016*.

Financial, Budget and Resource Implications

The current rate for peppercorn rent on Crown Land is prescribed by NSW Crown Lands and is currently \$ 523.64 (exc GST) per annum. The Lions Club will be responsible for payment of utilities, insurances and all of their operational expenses.

Links to QPRC/Regional Strategic Plans*Community Strategic Plan*


Strategic Objective 1.1 Our community is strengthened through connection and participation that enhances our community and cultural life.

Strategic Objective 1.2 Our health, wellbeing and resilience is supported by strong partnerships and access to services.

Conclusion

The relocation of the Lions Club book centre to the Tree house facility provides the opportunity for the service club to continue to provide much needed donated funds back into the community. The premises were unoccupied and run down, the Treehouse facility and associated former stables area, now have a new lease of life in an area much loved by our community.

Attachments

Attachment 1  Draft Licence - QPRC and Lions Club for 1 Lowe St - Updated 16 November 2023 (*Under Separate Cover*)

File Reference: 51.1

Recommendation

That Council endorse the Annual Report 2022-23.

Summary

Council is required to prepare an Annual Report for the 2022-23 financial year. A checklist of inclusions for the Annual Report is provided by the Office of Local Government. In addition, a number of Council policies also require reporting in the Annual Report.

Background

The Annual Report outlines the progress of projects and actions that were contained in the Operational Plan 2022-23 and Delivery Program 2022-26. The Financial Statements for 2022-23 will be attached when they are finalised.

Report

The Annual Report 2022-23 has been completed and meets all legislative requirements including:

- Section 54P, 67, 356, 428 and 508 of the *Local Government Act 1993*
- Clauses 132, 186, 217, Local Government (General) Regulations 2005
- Section 125, *Government Information (Public Access) Act 2009*
- Clause 8 of the *Government Information (Public Access) Regulation 2018*
- Section 31 of the *Public Interest Disclosures Act*
- Clause 4 of the *Public Interest Disclosures Regulation 2011*
- Section 33, *Privacy and Personal Information Protection Act 1998*
- Section 7.5, 93G(5) *Environmental Planning and Assessment Act 1979*
- Section 218 of the *Environmental Planning and Assessment Regulation 2021*
- Section 16 of the Guidelines on the Exercise of Functions under the *Companion Animals Act*.
- *Swimming Pools Act 1992 and Regulation 2008*
- Capital Expenditure Guidelines
- Section 13 of the *Disability Inclusion Act 2014*
- Office of Local Government's Integrated Planning and Reporting Guidelines
- Special Rate Variation Guidelines

The following Council policies and resolutions also state other information to be included in the Annual Report:

- Corporate Sponsorship Policy
- Privacy Policy
- Property Policy
- Resolution 322/18

Risk/Policy/Legislation Considerations

Section 428 of the *Local Government Act 1993* (NSW) requires all NSW councils to prepare an annual report that details its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken, within five months of the end of the financial year.

The Annual Report must be prepared in accordance with the guidelines under section 406; and contain a copy of the council's audited financial statements and such other information as the regulations or the guidelines under section 406 may require.

A copy of the annual report must be posted on Council's website.

Financial, Budget and Resource Implications

The Annual Report is prepared in house by current resources. No expenditure is required

Links to QPRC/Regional Strategic Plans

Strategic Pillar 5. Capability

Strategic objective 5.2 Council is an open, accessible and responsive organisation.

Conclusion

The 2022-23 Annual Report includes progress updates on all projects and actions contained in Council's Operational Plan 2022-23 and a number of statutory reporting requirements as defined by the Office of Local Government.

Attachments

Attachment 1 Annual Report 2022-23 (*Under Separate Cover*)



9.11 Investment Report - October 2023 (Author: Monaghan/Drayton)

File Reference: 43.6.5-01

Recommendation

That Council:

1. Receive the Investment Report for the month of October 2023.
 2. Note the investment return for October 2023 was \$492,542.
 3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.
-

Summary

This report presents the investment result for October 2023.

Background

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

Report

A list of Council's cash and investments held on 31 October 2023 is detailed in the attached Investment Report Pack.

Market Update – After a sustained pause, the Reserve Bank (RBA) lifted the cash rate to 4.35% at its November 2023 meeting. The accompanying statement to the decision pointed to the Board relying on data and the evolving assessment of risks to determine whether further tightening of monetary policy would be required to ensure inflation returns to target in a reasonable timeframe. In making its decisions, the Board will continue to pay close attention to developments in the global economy, trends in domestic demand, and the outlook for inflation and the labour market.

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

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

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

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

9.11 Investment Report - October 2023 (Author: Monaghan/Drayton) (Continued)

The portfolio fossil fuel summary information is shown in Table 5 of the attached Investment Report Pack.

Council has \$8,000,000 (3.2% of the total portfolio) invested in deposits with Westpac which have been deemed suitable to carry the Climate Bonds Standard Certification badge. These 'green' deposits moderate the holdings in Westpac which is deemed a fossil fuel lending ADI.

On 31 October 2023, Council held \$99.2 million in non-fossil fuel investments.

Risk/Policy/Legislation Considerations

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

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

Certified by Tracy Sligar, Responsible Accounting Officer, 10/11/2023.

The annual review of the Investment Policy adopted by Council on 9 September 2022 will be workshopped with Council before being tabled at a future Council meeting.

Financial, Budget and Resource Implications

Over the last 12 months, Council's portfolio produced an annualised rate of return of 3.95%, outperforming the benchmark Bank Bill Index by 0.29%.

On 31 October 2023, the principal amount invested was \$246,970,317 and the 2023/24 financial year to date return was \$2,570,547 compared to the budget of \$1,374,744.

Of the total \$247 million investment portfolio, Council holds \$28.1 million in TCorpIM long-term (LTGF) and medium-term (MTGF) funds. Market conditions during October 2023 continued to weigh on both funds, suffering negative returns of -\$239,092 and -\$92,286 respectively.

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

	LTGF \$	MTGF \$
2017-18	981,891	-44,845
2018-19	1,160,462	635,485
2019-20	21,702	37,815
2020-21	2,557,413	927,076
2021-22	-1,300,450	-742,711
2022-23	1,692,084	658,145
2023-24		
July	301,703	107,428
August	-48,162	36,962
September	-401,639	-146,775
October	-239,092	-92,286
November		
December		
January		
February		
March		
April		
May		
June		
2023-24 YTD Total	-387,191	-94,670
Return since inception	4,725,913	1,376,294
Initial Placement	12,000,000	10,000,000

9.11 Investment Report - October 2023 (Author: Monaghan/Drayton) (Continued)

While these funds are exposed to additional investment risks to generate higher potential returns, they are structured with longer term time horizons. The minimum advised investment time frame for the MTGF is 5+ years and 10+ years for the LTGF.

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

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

The following tables show the 31 October 2023 cash and investments balance by fund and by restriction. As at this report date, the opening balances of these reserves for the 2023/24 financial year remain unaudited.

Fund	\$
General	105,830,689
Water	42,113,006
Sewer	97,227,162
Trust	77,957
Unrestricted*	1,721,503
Total Cash & Investments	246,970,317

Restriction	\$
Unexpended Loans	4,238,654
Developer Contributions	61,224,383
Unexpended Grants	20,819,883
External Restrictions (Other)	129,674,250
Internal Restrictions	21,839,759
DOE – Compensation	7,451,885
Total Restrictions	245,248,814
Unrestricted*	1,721,503
Total Cash & Investments	246,970,317

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

The 2023/24 financial year to date investment return amounted to \$2,570,547. Investment returns are added to the associated restricted funds (e.g. developer contributions) that form Council's investment portfolio.

Attachments

Attachment 1 Investment Report Pack - October 2023 (*Under Separate Cover*)



9.12 Draft Roadside Vegetation Management Policy and Plan (Ref: ; Author: Ormella/Corey)

File Reference: 24.1.4

Recommendation

That Council place the Draft Roadside Vegetation Management Policy and Draft Roadside Vegetation Management Plan on public exhibition for an extended period of 70 days (closing on 31 January 2024).

Summary

Road verges across the Council area are key parts of our natural ecosystem, and often contain the last examples of intact native habitats in heavily developed areas. The Roadside Vegetation Management Policy and Plan provide a robust framework for management of these areas.

This report seeks Council approval to progress the Policy and Plan to public exhibition, for an extended period, so that submissions can be made. A further report will return to Council having regard for submissions made, for the adoption and then implementation of the plan.

Many road verges are key biodiversity and conservation hotspots and are often home to endangered or vulnerable species. Because they are very narrow and run adjacent to roads, they are threatened by human disturbance as we build, use, and maintain roads. They also often support other infrastructure including electricity, water, sewer, gas, telecommunications, and other utilities.

The Policy and Plan have been developed by a working group consisting of Environment and Compliance, Infrastructure, Transport, Biosecurity weeds and GIS mapping staff with input from all sections of Council involved in its implementation. This has resulted in a document that achieves the delicate balance between road construction and maintenance and environmental protection. Additionally, the Policy and Plan have been reviewed by Council's Environment and Sustainability Advisory Committee who support its content and implementation and welcome it progressing to public exhibition.

Background

Council must balance the competing needs of roads, road safety and road infrastructure with the ongoing conservation of roadside verges and reserves. Roadside vegetation is managed as part of the routine work expected of a local government, and the Roadside Vegetation Management Policy and Plan guides future road related construction and maintenance. In doing so, it builds upon previous management plans, including in the *Tallaganda Shire Council Roadside Management Plan, 1997*.

9.12 Draft Roadside Vegetation Management Policy and Plan (Ref: ; Author: Ormella/Corey) (Continued)

Report

The Roadside Vegetation Management Policy and Plan aims to protect, maintain, improve, extend, or enhance roadside vegetation by:

- enhancing safe function of the road,
- protecting biodiversity values of ecological communities - particularly aiming to prevent biodiversity loss and protect vulnerable or endangered species,
- protecting cultural and heritage assets,
- creating and maintaining fauna corridors between remnant vegetation,
- improving the visual amenity of QPRC roadsides,
- protecting water quality and minimise the impact road systems have on water ways,
- minimising erosion caused by road use or road maintenance activities and the subsequent topsoil loss and sedimentation build-up,
- minimising the incidence of wildlife collisions,
- reducing the spread of weeds, pathogens, and other disease vectors,
- preventing or minimising run-off pollution from the road into surrounding habitats,
- minimising maintenance costs,
- limiting the risk and impact of fires, and
- preventing any other unnecessary impact to road verges or the surrounding ecosystems.

The most critical part requirement of implementation of the Policy will be the ongoing delivery of training for Council staff who operate on roadsides. In this regard, it is proposed to provide comprehensive training using an external provider for all supervisory staff in the Transport Section including Managers, Coordinators and Team Leaders. All Council staff involved in work on roadsides will be provided with basic training in implementation of the Policy and Plan.

Risk/Policy/Legislation Considerations

The following NSW State and Commonwealth legislation has informed the Policy and Plan:

The NSW *Roads Act 1993* defines the authority QPRC has over roads in the LGA.

Part 1 Sec. 7 - Roads Authorities

(4) The council of a local government area is the roads authority for all public roads within the area, other than—

(a) any freeway or Crown Road, and

(b) any public road for which some other public authority is declared by the regulations to be the roads authority.

Biodiversity Conservation Act 2016

Biosecurity Act 2015

Crown Lands Management Act 2016

Environment Protection and Biodiversity Conservation Act 1999

Environmental Planning and Assessment Act 1979

Fisheries Management Act 1994

Heritage Act 1997

Local Government Act 1993

Local Land Services Act 2013

National Parks and Wildlife Act

Rural Fires Act 1997

Protection of the Environment Operations Act 1997

9.12 Draft Roadside Vegetation Management Policy and Plan (Ref: ; Author: Ormella/Corey) (Continued)

State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Water Management Act 2000

Financial, Budget and Resource Implications

There are several financial, budget and resource implications from implementation of the Roadside Vegetation Management Policy and Plan. Council will have to adequately resource the following actions from the Plan:

- Additional survey and vegetation condition reporting for unsurveyed roads
- Roadside markers for areas containing threatened species
- Comprehensive training for managers, coordinators, and team leaders in the transport section
- Basic training for all Council staff involved in road works

There is a risk in not implementing a Roadside Vegetation Management Policy and Plan in that Council staff may inadvertently breach NSW State and Commonwealth Legislative requirements causing both financial and reputational damage to the organisation and the community expect that Council will undertake routine works without having adverse impacts on high conservation biodiversity areas.

Links to QPRC/Regional Strategic Plans

The Roadside Vegetation Management Plan and Policy align with several of the Strategic Objectives of the Queanbeyan-Palerang Community Strategic Plan 2042 including:

3.3 Our land, vegetation and waterways are managed in an integrated and sustainable manner.

4.1 Our transport network and infrastructure are safe, supports a zero emissions target and allows for ease of movement throughout Queanbeyan-Palerang and across the ACT border and regions.

Conclusion

Progress of the Draft Roadside Vegetation Management Policy and Plan to public exhibition for an extended period, will enable community submissions to be made and for these to be considered by the Council prior to adoption of the policy and plan.

The Roadside Vegetation Management Policy and Plan provides a robust framework for management of roadside vegetation. It allows Council to balance the need for a safe and trafficable road network with the requirements for conserving important biodiversity in the Local Government Area.

Attachments

Attachment 1 Draft Roadside Vegetation Management Policy (*Under Separate Cover*)



Attachment 2 Draft QPRC Roadside Vegetation Management Plan (*Under Separate Cover*)



File Reference: 52.5.4

Recommendation

That Council place the draft Data Breach Policy on public exhibition for 28 days.

Summary

Amendments to the *Privacy and Personal Information Protection Act 1998* (PIIP Act) come into effect on 28 November 2023. The amendments impact the responsibilities of agencies under the PIIP Act and require agencies to provide notifications to affected individuals in the event of an eligible data breach of their personal or health information by a NSW Public Sector Agency or state-owned corporation, subject to the PIIP Act. This policy has been drafted to satisfy the changes to legislation.

Report

The changes to the PIIP Act include:

1. Creating a Mandatory Notification of Data Breach (MNDB) Scheme which will require public sector agencies bound by the PIIP Act to notify the Privacy Commissioner and affected individuals of data breaches involving personal or health information likely to result in serious harm.

An eligible data breach occurs when there has been unauthorised access, unauthorised disclosure or loss of personal or health information, and a reasonable person would conclude that this would be likely to result in serious harm to an individual to whom the information relates.

2. In the event of a suspected data breach, Council will be required to:
 - Make all reasonable efforts to contain the breach
 - Assess whether there has been unauthorised access, disclosure or loss of personal information held by the agency within a 30-day period.
 - Assess if there is a likelihood of serious harm to any affected individual within a 30-day period.
 - Make all reasonable attempts to mitigate the harm done by the suspected breach.
3. In the event of an assessed, eligible data breach, Council will be required to:
 - Notify the Privacy Commissioner immediately.
 - Notify the affected individuals as soon as practicable.
4. Council be required to publish a Data Breach Policy to inform the public of how Council will respond to a data breach.

9.13 Data Breach Policy (Author: Ryan/Flint) (Continued)

5. Council be required to maintain a public register on the website of data breach notifications. Each notification must be made available for at least 12-months and must contain specified information.
6. Repealing s117C of the Fines Act 1996 to ensure that all NSW Public Sector Agencies are regulated by the same mandatory notification scheme.

As a result of the changes to the PPIP Act, Council will soon be asked to re-consider the existing Privacy Management Policy and Plan.

Risk/Policy/Legislation Considerations

This policy has been drafted to promote compliance with the requirements of the Privacy and Personal Information Protection Act 1988 (NSW), Health Records Information Privacy Act 2022 (NSW) and Privacy Act 1988 (Cth) alongside the guidelines issued by the Information and Privacy Commissioner.

Financial, Budget and Resource Implications

There are no financial implications in relation to the public exhibition or adoption of this policy. Council already has an internal Data Breach Protocol in place which overlaps with the contents of the policy.

Links to QPRC/Regional Strategic Plans

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

Conclusion

Changes to the PPIP Act requires local government agencies to provide a publicly available data breach policy. A draft Data Breach Policy has been developed. Following consideration by Council, it will be placed on public exhibition and approved by Council prior to being adopted.

Attachments

Attachment 1 Data Breach Policy (*Under Separate Cover*)



9.14 Crown Road Management Policy - Post Exhibition Report (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council adopt the Crown Road Management Policy.

Summary

Council is required to review all policies within the term of each Council. The Crown Road Management Policy was last adopted in September 2021. Council was subsequently presented with the reviewed policy at its meeting of 9 August 2023. At this meeting, Council resolved (313/23) to place the Crown Road Management Policy on public exhibition for 28 days. The exhibition period extended from 10 August 2023 to 8 September 2023.

During this time, the Policy attracted 216 site visits, 42 document downloads and 9 written submissions.

Report

A number of amendments were made to the Crown Road Management Policy upon being presented to Council on 9 August 2023. An outline of changes made can be found in the former Council report. As a result of the submissions received, a number of additional changes have also been made to the final version of the Policy. The changes are outlined via track changes in the attached policy.

Submissions received are also attached to this report and below is a summary of the themes received and staff comments for each.

Consultation and Communication:

- Concerns about the lack of consultation with stakeholders, specifically the bushwalking community.
- Request for a more inclusive and proactive approach to informing relevant groups about changes to Crown Roads.

Greenways Network:

- Emphasis on the impact of Crown Road decisions on the Greenways network.
- A request to refer considerations related to Crown Roads in specific areas to the s.355 Greenways Management Committee.

Response:

Council is not the road authority of Crown Road and has no jurisdiction to control or restrict access. This policy relates to the transfer of crown roads to Council. The management and related issues (closure) sits with Crown Lands directly.

It is noted that from time-to-time Council is notified of proposed closures to Crown Roads. If these proposed closures border on National Parks or Nature Reserves, then reasonable effort will be made to notify the relevant affected groups.

9.14 Crown Road Management Policy - Post Exhibition Report (Ref: ; Author: Ryan/Flint) (Continued)

The Minister for Lands and Water is responsible for notification of proposals to sell Crown Roads.

Clause 6.8 added to the Policy to address this submission.

Policy Amendments:

- Request for specific amendments to the Policy to acknowledge and accommodate public access, particularly for bushwalkers.
- Suggestions to involve local bushwalking groups in the decision-making process and notify them in advance of any proposed changes.

Response:

It is not feasible for Council to erect notices on proposed road closures that may or may not have connection to Council Assets.

Construction Standards, Legal and Procedural Clarification:

- Criticism of the perceived lack of genuine negotiation in the decision-making process
- A call to prioritise negotiations with Crown Lands and residents to avoid forced transfers in the first place.
- Request for clarity on legal aspects, including references to the NSW Crown Roads Policy.
- Concerns about construction standards exceeding safety requirements and potential intentional avoidance of responsibility by the Council for Crown Roads.

Response:

Council's existing budgets are fully allocated to the road assets it has. Given that the Crown Road network was established to provide avenues of access to existing portions and allotments, the transfer of a crown road and the subsequent cost transfer to Council is something that Council and its ratepayers are against.

The Policy documents the conditions under which council will support a transfer. This ensures that the costs and responsibilities of the asset are equitable, not a burden on rate payers.

Crown Lands have both the ability and delegation (s.71) to both complete and allow others to carry out works (both small-scale and greater scope). The Department chooses not to. Council has had previous interactions with Crown Lands which has led to Crown roads not being forcibly transferred. NSW DPIE guidelines document Councils not supporting a transfer along with their delegated ability to carry out and allow works.

As above, Crown Lands do have processes that allow works on their roads without forcibly transferring them to other road authorities.

Crown Roads own guidelines states that they "*aim to reduce the volume of disputed transfers with Councils by providing clearer process and improved communication.*"

Unsealed Road Grading Policy

- Clarification of standard when compared to Council's Unsealed Road Grading Policy.

Response:

The intent of this policy is not to dictate required levels of maintenance to crown roads that may service a new development.

9.14 Crown Road Management Policy - Post Exhibition Report (Ref: ; Author: Ryan/Flint) (Continued)

Crown Lands allow a road user to maintain a road in use for access to deal with general wear and tear. Deemed small-scale in their Administration of Crown Roads Guidelines.

No changes to policy recommended.

Policy Specifics and References:

- Recommendations for specific amendments to policy clauses and concerns about the alignment with existing government policies.

Response:

Council policy is to inform staff and the broader community, that includes Agencies of Government.

The referenced policy provides guidance for DPIE staff. Staff are aware of the policy. No delegation of responsibility beyond the closure of Council Public Roads is noted for Council. Crown Lands have both the ability and delegation (s.71) to both complete and allow others to carry out works (both small-scale and greater scope).

Noting the potential stalemate through Crown Lands action, Cl 6.2.2 & 6.2.3 have been deleted with the intent included at Clause 6.5.

Councils Unsealed Road Grading Policy still requires a Council maintained road to be constructed to minimum standard. *“Council will only consider accepting the maintenance responsibility for an unsealed road that it does not presently maintain if that road has been constructed to Councils’ minimum construction standard”*

The minimum standard is set at the same level for all new roads that become the maintenance responsibility of Council.

Other:

- Concurrence with policy as exhibited.

Response:

Noted

Risk/Policy/Legislation Considerations

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

Financial, Budget and Resource Implications

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

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

9.14 Crown Road Management Policy - Post Exhibition Report (Ref: ; Author: Ryan/Flint) (Continued)

Links to QPRC/Regional Strategic Plans

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

Conclusion

It is recommended this Policy now be formally adopted, as attached, following consideration of public submissions received.

Attachments

Attachment 1 Crown Road Management Policy - new (*Under Separate Cover*)



Attachment 2 Submissions (*Under Separate Cover*)



10.1 Responses to Councillor Questions - Bungendore Cemetery (Ref: ; Author: Ryan/Flint)

File Reference: 22 November 2023 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Willis on 6 November 2023. Responses to each question are provided below.

1. What is the current capacity of the Bungendore Cemetery?

The Bungendore Cemetery currently has available 350 lawn plots, based on standard single depth beams. There may be capacity to gain some additional plots with double depth burials to extend the service life if needed

2. How many years of service are estimated to remain for Bungendore Cemetery having regard to

(a) The population projection in the Bungendore Structural Plan

(b) Anticipated population growth if a potable water pipeline does not proceed but rural residential development continues in areas designated for housing in Bungendore Structure Plan?

Based on current internment rates, the Bungendore Cemetery has approximately 25-30 years of service life remaining. Based on population increases projected within the Bungendore Structure Plan, this would be expected to drop to 20 years.

3. Is there any capacity to enlarge the existing Bungendore Cemetery?

There is potential to extend the existing cemetery onto land immediately adjoining the site, however this would require negotiation with the owner of the land and for the land to eventually be acquired.

4. Has any work been undertaken to scope options for a second Bungendore Cemetery? If so, please provide details.

Yes, Council has reviewed all its cemetery locations and considered current capacity and future options. It is proposed that a cemetery location be determined in the next review of the Bungendore Structure Plan.

Attachments

Nil

10.2 Queanbeyan Sewage Treatment Plant (QTSP) Update (Ref: ; Author: Ryan/Cunningham)

File Reference: 100123

Recommendation

That the report be received for information.

Report

The Queanbeyan Sewage Treatment Plant (QSTP) replacement project has been a works in progress since 2016. To date efforts have concentrated on the design and approvals processes. Being located within the ACT, the approvals mechanism operates very differently to what occurs in NSW, with the proposal in its entirety being the subject of a very formal and detailed development assessment and approval process.

A key precursor to the above was the development, submission and approval of the project Environmental Impact Statement (EIS), which was received on 28 June 2023.

With the achievement of this key milestone, staff have since been able to turn their attention toward the preparation and submission of a formal project Development Application (DA). This task was completed on 3 November 2023.

The process following this involves an ACT Government Departmental completeness check. This process must be successfully navigated before the application is deemed formally lodged, at which time any DA fees would become due and payable.

The ACT's published assessment timeframes stipulate an assessment period of 30-45 business days following deemed lodgement although these timeframes can be extended through 'stop the clock' provisions, often associated with requests for further applicant information or similar.

At this stage, the expectation is that the DA will be deemed lodged sometime in early December 2023. On this basis, and in light of the published assessment timeframes mentioned above, the most optimistic expectation for any formal approval would be the very end of February or early March 2024, at the earliest. A more realistic determination date, however, would be more likely closer toward the end of the 2023/2024 financial year.

Concurrent to these approval processes have been the continuing review of the design packages and ongoing negotiations with various other government departments and utilities in relation to power supplies, public road designs, water mains and land acquisitions.

Funding for the construction phase of the project continues to be a real issue and despite the best endeavours of staff, no grant opportunities have as yet been identified that may assist with capital costs. In addition, NSW Government feedback on Council's Integrated Water Cycle Management Plan (IWCM) has recommended a revision to the financial modelling based on a reduced reliance on grant funding to fund the project's delivery.

Even assuming the more conservative DA approval milestone of later in the 2023/2024 financial year, the need to resolve the capital funding model as a matter of priority remains; else the project's construction stage risks stalling by mid-2024.

The first stage of the revised IWCM financial modelling will be presented to Council in a workshop set down for 5 December 2023.

Attachments

Nil

10.3 Queanbeyan to Bungendore (Q2B) Bulk Water Supply Design Update (Ref: ;
Author: Ryan/Cunningham)

File Reference: PJT0007/01

Recommendation

That the report be received for information.

Report

At its meeting of 12 April 2023 Council considered the feasibility of the Queanbeyan to Bungendore (Q2B) Bulk Water Supply pipeline proposal. Council endorsed the development of the Queanbeyan to Bungendore bulk water supply trunk main (Palerang Communities IWCM (2019) Strategy Option 3) to tender ready stage (**Resolution No 135/23**).

In giving effect to this decision, Council engaged the services of NSW Public Works Advisory (PWA) to assist in project delivery to tender ready stage. To date, two separate proposals have been received and engaged, the first relates to the management of preliminary land matters whilst the second relates to the broader civil and technical aspects of the project.

Land and Alignment

The project proposes a pipeline that extends some 31 kilometres from East Queanbeyan (Dodsworth) to Bungendore. In its current revision the pipeline proposes to cross some 63 separate parcels of land under the ownership of 22 separate landowners, these ranging from the Commonwealth Government, Crown Lands, Council, community stratas and private owners.

Lines of communication have been established with the vast majority of these landowners with special site meetings being convened for at least six of these following special requests.

Representatives from both Council and PWA have physically walked 22 kilometres of the more remote areas of the proposed route as a means of 'ground truthing' what was until that point a largely theoretical alignment against actual land features and the findings of the earlier environmental and heritage sub-consultants. Some route variations were made as a result of this inspection, and these have been included in the parcel and owner manifest referred to above.

At this stage, the design brief proposes the establishment of a permanent 5 metre pipeline easement and a 20 metre temporary construction easement in the event that the project proceeds to construction.

In addition to the lands identified above the pipeline would also propose to cross something of the order of 14 water courses (named and unnamed), the Kings Highway (x3) and the Goulburn to Canberra Railway line (x2); all of which will require formal approvals.

10.3 Queanbeyan to Bungendore (Q2B) Bulk Water Supply Design Update (Ref: ; Author: Ryan/Cunningham) (Continued)

Figure 1 below shows the current route and numbered water course crossings.

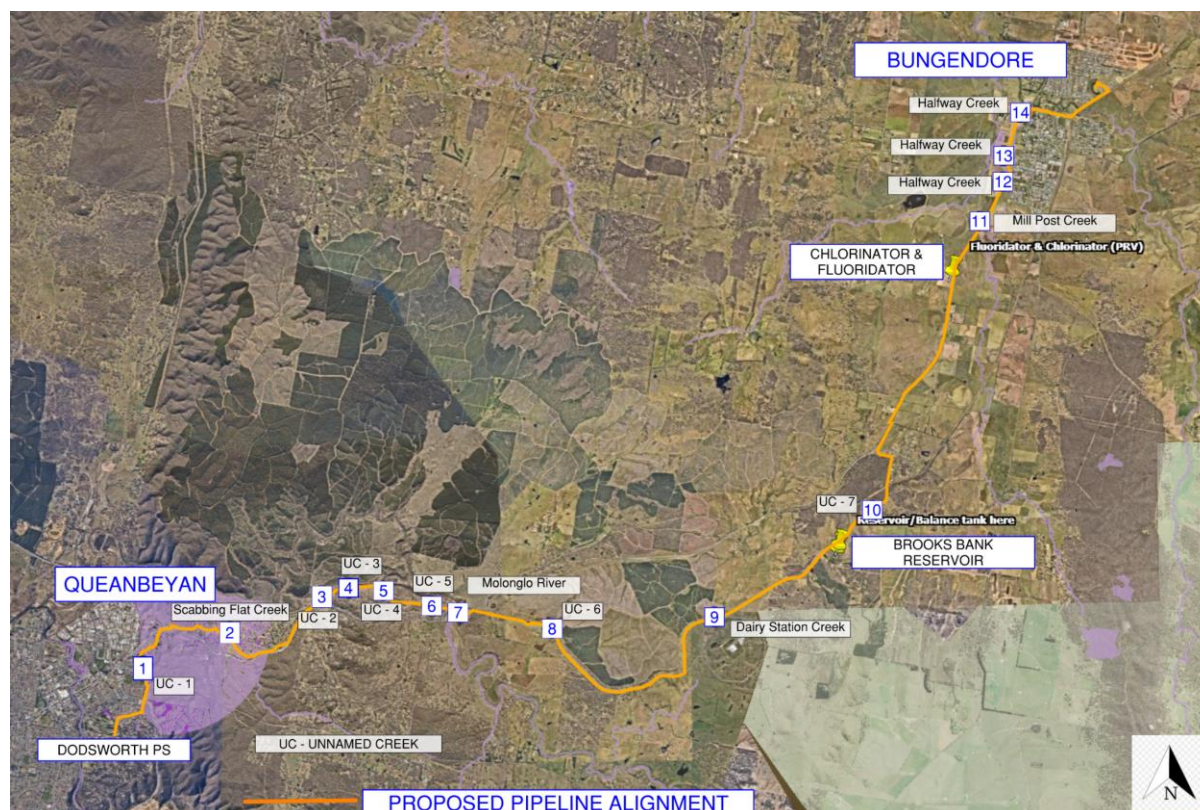


Figure 1 – Q2B route and expected water course crossings

The project proposes to acquire at least two separate parcels of land (freehold) in addition to interests in other land that contain the pipeline (easements). The acquired land parcels will be used for the purposes of constructing a service reservoir and re-chlorination facility, with the former to be located in the vicinity of Brooks Bank and the latter near the intersection of Millpost Lane and the Kings Highway.

Environmental and Heritage Considerations

At this stage the project is proposed to be constructed under Part V of the Environmental Planning and Assessment Act (1979) (EP&A Act). The development of a formal Review of Environmental Factors (REF) forms part of the Council's engagement with PWA and to this end two detailed and separate subordinate engagements were undertaken in respect of both environment (biodiversity) and heritage (European and aboriginal).

In terms of the former the route as initially proposed was assessed in August during which a number of areas of interest were identified, including an established pocket of Hoary Sunray at the proposed pump station site at Dodsworth.

For the heritage study, a number of potential aboriginal deposit sites were identified and investigated plus one significant scar tree. The proposed pipeline route has been adjusted to cater for these in accordance with the consultant's advice.

Civil Designs

Much of the work associated with the civil design of the project could not commence until the environmental and heritage assessments were sufficiently advanced. This now being the case efforts have now turned to the detailed land survey of the route and alignment geotechnical studies.

10.3 Queanbeyan to Bungendore (Q2B) Bulk Water Supply Design Update (Ref: ; Author: Ryan/Cunningham) (Continued)

The former is now underway whilst the latter is expected to commence by early December. The results of these works will inform the detailed design of the pipelines, lift pump station, reservoir and re-chlorination station. Running parallel to these are designs associated with the provision of electrical connections and associated hazard assessments.

Financial Arrangements

The 2023/2024 Operational Plan contains a vote of \$2.5m drawn from s.64 developer contributions for the development of this project to tender ready stage. To date the project holds a commitment of \$1,204,159 for the consultancy works discussed above, \$98,868 of which has already been acquitted. Whilst there are likely to be additional expenses to be committed as the project progresses (particularly in the land matters area) the current vote is shaping to be more than sufficient for this current tranche of works.

For the past few months Council has been negotiating with the NSW Department of Planning and Environment (DPE) for access to grant assistance for these design works under the Safe and Secure Water Program (SSWP tranche 3). At the time of writing this report, Council received formal advice as to the success of this application.

SSWP funding rules do not allow for all aspects of the design to be eligible for grant assistance. Limited to 25% of the eligible expenses the approved grant is valued at some \$197,824, payable in agreed milestones.

Queanbeyan Water Supply Agreement

An ACT-NSW Urban Water intergovernmental group has been formed for the purposes of discussing the possibility of providing water to Bungendore from Queanbeyan via a future Q2B pipeline; under the current Queanbeyan Water Supply Agreement framework.

With this supply having its origins from the ACT (ICON) source, formal approval between the Commonwealth, NSW and ACT Governments is required. The inaugural meeting of the steering committee was held on 14 February 2023 with further meetings held on 20 March and 30 October.

Next Steps

The proposal remains to have the Q2B project to tender ready stage by 30 June 2024. An ambitious task, there is still a considerable amount of work to be undertaken both in a technical and supply availability sense. On top of this, there remains the issue of constructional funding. Supplementary grant funding will be required to enable this project and opportunities continue to be sought and taken as they arise.

Notwithstanding this, some considerable and precursor work has already been undertaken, not the least of which revolves around environmental and heritage assessments. It is pleasing that these have to date proved favourable and this only adds to the continued optimism for the project as a whole.

The Mayor and General Manager have made representation to both NSW Minister Planning and NSW Minister for Water on this matter. A further meeting is being organised for late November to provide them an update.

Attachments

Nil

10.4 Minutes of the Cultural Development and Public Art Advisory Committee July 2023 (Ref: ; Author: Richards/Byrne)

File Reference: 1.1.4-03

Recommendation

That Council:

- 1. Note the minutes of the CDPA Advisory Committee held on 13 July 2023.**
 - 2. Endorse Recommendation CDPA 01/23 to change to the Terms of Reference regarding meeting times, term of representation and staff titles.**
 - 3. Endorse Recommendation CDPA 2/23 that the Committee develop a Cultural Policy to replace the outdated 2017 Cultural Plan, in consultation with Council, key stakeholders groups and the LGA community.**
-

Report





The Cultural Development and Public Art Advisory Committee met on 13 July 2023. The Committee seeks Council endorsement for two recommendations.

The first recommendation to amend the Terms of Reference covers changing:

- Meeting times from 'quarterly from 5.30pm on the first Monday of December, March, June and September' to 'a minimum of four times per year at a time and place agreed on by the majority of the committee once it is formed.'
- Term of representation from a 'term of two years' to 'the term of the elected Council'
- Committee and staff titles and membership to recognise changes in titles and line management.

The second recommendation was in line with the National Cultural Policy 'Revive' released in February this year. The committee discussed the importance of having alignment with the national policy to provide a basis for grants and other work and to ensure a community voice in the cultural landscape of the Local Government Area.

Attachments

- Attachment 1  CDPA Committee Minutes - 13 July 2023 (*Under Separate Cover*)
- Attachment 2  CDPA 2023-24 Committee Terms of Reference (*Under Separate Cover*)
- Attachment 3  Revive - National Cultural Policy (*Under Separate Cover*)
- 

File Reference: 31.1.98-14

Recommendation

That the report be received for information.

Report

The Ellerton Drive Extension (EDE) Working Group was established this year following Council meeting on 8 March 2023 (**Resolution No 067/23**). An expression of interest was called for members from residents who live along the EDE, and the first meeting held on 27 April 2023. Further meetings were conducted on 8 June, 6 July and 2 November 2023.

Committee members are: Wayne Brewer, Jeanette Brewer, Debbie Carvolth, Peter Lindbeck, John Graham, Peter Kontis, Claire Cooper and Jim Duggan. Council representatives include the Mayor, Cr Katrina Willis and Cr Bryce Wilson. The General Manager and Coordinator, Contracts and Projects provide administrative, technical and secretarial support.

The role of Working Group is to:

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

The funding commitment of \$200K from the local member, the Hon Steve Whan MP at the NSW Election (March 2023) has been secured for this project. A formal funding deed to facilitate the payment of funds is in progress and Council is negotiating directly on this matter with Transport for NSW (TfNSW).

There is no funding for progressing recommendations from a new noise assessment report, including further noise reducing solutions

The group have discussed the background information which included scope of works for both pre and post construction noise reports for reference purposes. It has been noted that the current approved noise mitigation works will continue independent of this new noise assessment.

The Working Group requested the installation of Fixed Speed Cameras, which was referred to TfNSW. This was declined and a further request is to be submitted to TfNSW for mobile speed cameras.

A suggestion to install No Air Brakes and Truck Airhorns on the northern end heading south has been accepted, and signage is being ordered.

The Working Group reviewed the scope of works for the Noise Assessment Report and listed potential Noise Logger Locations, based on pre and post Construction Noise Reports conducted to date with additional proposed locations.

A consultant brief has been approved by the group, which includes 27 locations for the positioning of noise loggers to conduct 24 hours unattended noise monitoring for a minimum of 7 days, unaffected by weather and school and public holidays at the following locations (subject to owners agreement):

10.5 EDE Working Group (Ref: ; Author: Ryan/Ryan) (Continued)

50 Stonehaven Circuit	55 Thomas Royal Gardens	16 Geebung Place
40 Taylor Place	46 Severne Street	35 Lonergan Drive
40a Severne Street	26 Doeberl Place	78 Barracks Flat Drive
29 Lonergan Drive	12 Alfred Place	38 Severne Street
48 Barracks Flat Drive	74 Barracks Flat Drive	99 Barracks Flat Drive
2/126 Barracks Flat Drive	12 Wilde Place	110 Barracks Flat Drive
61 Thomas Royal Gardens	1 Tennyson Drive (or No.2)	18/6 Doeberl Place
13/32 Doeberl Place	12 Ling Place	34 Taylor Place
5 Woodman Place	13 Woodman Place	26 Lonergan Drive

The scenarios include:

- ii) Base Scenario - Use the Road Noise Validation Guideline and NSW Road Noise Policy (RNP) to develop a noise model for the study area for the current road environment and assess noise levels for each property (including two storey buildings) in the study area against section 2.3.1 noise assessment criteria – residential land uses, set in the RNP. Report on effectiveness of current noise walls and make recommendations where required for properties to meet the RNP criteria. The study area is to match the assessment area used for the Post Construction Noise Compliance Assessment.
- iii) Scenario 2 - Repeat point (ii) with a reduction of posted speed limit to 60km/h for the whole of Ellerton Drive.
- iv) Scenario 3 - Repeat point (ii) with the addition of noise walls along the bridge and bridge approaches.
- v) Scenario 4 - Repeat point (ii) with the use of 8m high noise walls for the full length of Ellerton Drive.
- vi) All Scenarios – Comment on the effectiveness of timber versus Hebel versus concrete noise walls at reducing external noise levels, what heights and lengths noise walls should be, consider blocking line of sight and having noise walls at 160 degrees horizontal offset to the road.
- vii) Explore and report on the availability of quieter road markers and quieter expansion joints to the bridge.
- viii) OPTIONAL Undertake a vibration study for Ellerton Drive using the Assessing Vibration: a technical guideline.

Subject to the funding agreement with TfNSW being finalised before December, Council will release the Request for Quotation, closing mid or late January 2024. It is anticipated the work and report will be completed by 30 April 2024.

Attachments

Nil

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

File Reference: 22 November 2023 reports

Recommendation

That the report be received for information.

Councillor workshop items are published in the Agenda of the next Council meeting. During the period 21 October to 15 November 2023, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
15/11/2023	1. QPRC Waste Management Guidelines for Development 2. Ashby Estate Scoping Proposal	From GHD: Crystal Huynh, Senior Consultant – Engagement, Communication & Communities; Anna Montgomery, Technical Director – Waste Management; Jessica Liu, Senior Waste & Resource Recovery Engineer; and Deepa Basker, Senior Consultant – Engagement and Communications From CMAX Advisory, Tara Taubenschlag, Managing Director and from Eight Mile Planning, Liz Densley, Director

Attachments

Nil

11.1 Minutes - QPRC Sports Council Meeting - 6 November 2023 (Ref: ; Author: Richards/Duncan)

File Reference: 4.3.3

Recommendation

That Council note the minutes of the QPRC Sports Council held on 6 November 2023.

Summary

The QPRC Sports Council is an Organisational Committee of Council. It has submitted for Council's information, the minutes of their meeting held on 6 November 2023.

The role of the QPRC Sports Council is to consider the allocation of sports fields across the local government area (LGA) prior to the commencement of each winter and summer sporting season, and to make recommendations for the development and/or improvements to sporting facilities and recreational needs, including input into the works programs.

There are no formal recommendations referred to Council in the November 2023 minutes.

Attachments

Attachment 1  Draft Minutes - QPRC Sports Council - 6 November 2023 (*Under Separate Cover*)

11.2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes
- 16 October 2023 (Ref: ; Author: Richards/Duncan)

File Reference: 52.3.3

Recommendation

That Council:

1. **Note the minutes of Bungendore Town Centre and Environs Committee (BTCEC) meeting held on 16 October 2023.**
 2. **Endorse the appointment of Lesley Harris and Graham Judge to fill the two vacant positions on BTCEC.**
 3. **Endorse the recommendation to amend the current Terms of Reference to increase the number of community representatives from five to seven.**
 4. **Endorse the appointment of Brent Riseborough and Gary Harb to fill the two additional vacancies, noted in recommendation 3.**
-

Summary

The Bungendore Town Centre and Environs Advisory Committee (BTCEC) has submitted draft minutes of the meeting held on 16 October 2023 with three recommendations for Council to consider.

The committee advertised vacancies to replace Mr David MacLaren who recently resigned and another vacant position. A total of seven applications were received and the committee agreed that the level of interest from the community justified seeking Council endorsement of an additional two members committee members.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Draft Bungendore Town Centre and Environs Advisory Committee Meeting Minutes - 16 October 2023 (<i>Under Separate Cover</i>) |
| Attachment 2 | Bungendore Town Centre and Environs Advisory Committee - Terms of Reference - 12 October 2022 (<i>Under Separate Cover</i>) |

12.1 Riverside Oval Canteen (Ref: ; Author: Ryan/Ryan)

File Reference: 22 November 2023 motions

Notice

Councillor Bryce Wilson will move the following motion:

Motion

That Council consider allocating in the 2023/24 Operational Plan, up to \$15,000 for the purpose of completing the works at Riverside Oval Canteen.

Comment from Cr Wilson in support of this Notice of Motion

The Monaro Panthers Football Club did an amazing job when it came to value-for-money for the new women's changerooms and new grandstand seating, but the grant has not stretched far enough to properly upgrade the canteen facilities.

Leaving a regionally admired facility a little short of its full potential. The club have estimated a final \$15,000 would be sufficient to round off the ground redevelopment through upgrading the canteen section of the grandstand.

Attachments

Nil

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 Purchase of portion 17 Gibraltar Street Bungendore

Item 16.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.