

Ordinary Meeting of Council

13 December 2023

UNDER SEPARATE COVER ATTACHMENTS

ITEMS 9.14 TO 11.2

QUEANBEYAN-PALERANG REGIONAL COUNCIL ORDINARY MEETING OF COUNCIL

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ITEM 9.14 DEED OF VARIATION GOOGONG SPORTS CLUB MEMORANDUM OF UNDERSTANDING

ATTACHMENT 1 FURTHER DEED OF VARIATION - GOOGONG SPORTS CLUB

1



Further Deed of Variation of Memorandum of Understanding

Queanbeyan-Palerang Regional Council and

Googong Sport Club Incorporated

and

Googong Township Pty Ltd

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Further Deed of Variation of Memorandum of Understanding

Date		
Parties	Quea	anbeyan-Palerang Regional Council
	of 25	56 Crawford Street, Queanbeyan NSW 2620
		(Council)
	Goog	gong Sports Club Incorporated ABN 25 618 758 991
	c/- B	ates & Pickering, Level 1, 11Fitzroy Street, Forrest ACT 2603
		(Club)
	Goog	gong Township Pty Ltd ACN 154 514 593
	of Le	evel 3, 64 Allara Street, Canberra ACT 2601
		(Googong Township)
Recitals	A.	The parties have entered into a Memorandum of Understanding as amended by a Memorandum of Understanding Addendum and a Deed of Agreement which amongst other things provides for the provision of community and club facilities amenities by the Club.
	В.	The parties have agreed to vary the Memorandum of Understanding, in accordance with the terms and conditions of this deed.

This deed witnesses that in consideration of, among other things, the mutual promises contained in this deed the parties agree as follows:

Further Deed of Variation of Memorandum of Understanding Error! Unknown document property name. Page 2



Definitions and interpretation clauses

1.1 Definitions

In this deed, unless the context otherwise requires or permits:

Deed of Agreement means the document titled Deed of Agreement between the

parties dated 6 July 2022.

Memorandum of Understanding means the document titled memorandum of understanding between the parties dated 4 July 2016 as varied and

supplemented by the Memorandum of Understanding Addendum.

Memorandum of Understanding Addendum means the document titled memorandum of understanding addendum between the parties dated 10 December 2019 which

varied the terms of the Memorandum of Understanding.

1.2 Interpretation

All terms defined in the Memorandum of Understanding which are not separately defined in this deed will have the same meaning when used in this deed.

2. Variation of MOU

The Council, Club and Googong Township agree to vary the Memorandum of Understanding as follows:

- (a) Clause 2.2 is amended by adding at the end of the existing clause the following. 'In the event that clause 2.1(b) is not satisfied the Developer may by written notice to the Club and Council terminate this Memorandum of Understanding'.
- (b) Clause 3.3 is amended by deleting '31 January 2024' and replacing it with '31 January 2025'.

3. Counterparts and Electronic Signature

3.1 Execution of Deed

This deed may be executed:

 in any number of counterparts and all the counterparts together make one instrument; and/or

Further Deed of Variation of Memorandum of Understanding

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 (b) electronically by exchanging electronic copies of original signatures on this deed.

3.2 Validity of Deed

- (a) This deed may be validly created and exchanged by counterparts with each party's signature (electronic or otherwise) sent electronically to each other party by email or facsimile.
- (b) The parties acknowledge that the electronic version of this deed signed by both parties will be the true and original version for the purposes of this transaction and that no other version will be provided unless otherwise agreed between the parties in writing.
- (c) The parties agree to be bound by the electronic version of this deed which has been signed and exchanged in accordance with this clause.

3.3 Compliance with Electronic Transaction Act 2000 (NSW)

The parties agree that they will be bound by, have complied with and will comply with the *Electronic Transactions Act 2000* (NSW), in relation to the execution of this deed.

4. Amendment of this Deed

This deed may only be amended or supplemented in writing signed by the parties.

5. Costs

Each party agrees to pay its own costs in connection with the preparation, negotiation and execution of this deed.

6. Further assurances

Each party must, at its own expense, do all things and execute all further documents necessary to give full effect to this deed and the transactions contemplated by it.



Signing page

Executed as a deed

SIGNED by QUEANBEYAN-PALERANG REGIONAL COUNCIL by its authorised officers	
Signature of authorised officer	Signature of authorised officer
Dated:	
SIGNED by GOOGONG TOWNSHIP PTY LTD by its authorised officers	
Signature of authorised officer	Signature of authorised officer
Dated:	
SIGNED by GOOGONG SPORTS CLUB INCORPORATED by its authorised officers	
Signature of authorised officer	Signature of authorised officer
Dated:	

Further Deed of Variation of Memorandum of Understanding Error! Unknown document property name. Page 5

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ITEM 10.1 RESPONSES TO QUESTIONS ON NOTICE - TALLAGANDA LOGGING STOP-WORK ORDER

ATTACHMENT 1 RESPONSE FROM THE HON PENNY SHARPE MLC

OFFICIAL

The Hon Penny Sharpe MLC

Minister for Climate Change, Minister for Energy, Minister for the Environment, Minister for Heritage, Leader of the Government in the Legislative Council



MD23/5732

Cr Kenrick Winchester Mayor Queanbeyan-Palerang Regional Council

By email: council@qprc.nsw.gov.au

Dear Councillor Winchester Lennik,

Thank you for your letter regarding Tallaganda State Forest and Southern Greater Gliders. I appreciate you bringing this matter to my attention.

As you are aware, on 31 August 2023, the NSW Environment Protection Authority (EPA) issued a Stop Work Order (SWO) to the Forestry Corporation of NSW (FCNSW) to cease harvesting operations in Tallaganda State Forest. The EPA has subsequently extended the SWO.

While the SWO is in place, the EPA is investigating a number of alleged breaches of the Coastal Integrated Forestry Operations Approval. As the investigation is ongoing, it would be inappropriate for me to make further comment.

If you have any further questions about this issue, please contact Mr Steve Orr, A/Executive Director, Operations, EPA on

Thank you for taking the time to bring this matter to the Government's attention.

Sincerely

Penny Sharpe MLC

Minister for Climate Change, Minister for Energy, Minister for the Environment, Minister for Heritage

29/u/23

52 Martin Place Sydney NSW 2000 GPO Box 5341 Sydney NSW 2001

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ITEM 11.1 QPRC HERITAGE ADVISORY COMMITTEE MINUTES - 16 NOVEMBER 2023

ATTACHMENT 1 MINUTES OF QPRC HERITAGE ADVISORY COMMITTEE 16 NOVEMBER 2023





QPRC Heritage Advisory Committee Meeting Minutes

Date:	16 Novembe	er 2023	Time:	4:42pm – 6:11pm	Venue:	Braidwood Council Building, Wallace Street, Braidwood.
Chairpe	erson:	Cr Katrina Willis			Minutes:	Abbie Grant (ECM 2333788)
Participa	Cr Katrina Willis David Loft Jennifer Bird (Team: Andrew Riley Margaret Tuckwell Sue Whelan OAM ants:		ns)		Apologies:	Ann Rocca Hollie Gill, Lorba Drewry – Resigned from Committee
		Ruth Ormella (Tear Lorena Blacklock Pip Giovanelli (Tea Abbie Grant	•	8pm)	Absent:	
Meeting	Objective:	QPRC Heritage Ad	visory Con	nmittee Meeting		<u>:</u>

No.	Item	Details	Who	Notes
1	Apologies	Anne Rocca, Hollie Gill, Lorba Drewry	Chair	The Committee accept Apologies from absent Committee members.
2	Declaration of Conflict of Interest	None.	Participants	
3	Confirmation of Minutes from meetings held 05 October and 02 November 2023	Recommendation (Loft / Riley)	Committee	The Committee asked that the Bungendore Heritage Study 2015 discussed at the 5 October meeting

		QPRC HAC 31/23 That the minutes of the QPRC Heritage Advisory Committee meetings of 05 October and 02 November 2023 be confirmed.		and emailed on 10.10.2023 be resent to all members.
4	DA.2023.044 - 6 Rutledge Street / 257 Crawford Street Queanbeyan - Demolition and Construction of 2 x 10- storey buildings	The Committee was provided with detail on updates and revisions provided by Village Building Company regarding the proposed development for the site at the corner of Rutledge and Crawford Streets in Queanbeyan. The revisions to DA.2023.044 were provided in response to submissions to Council and the Committee's response to the development proposal initially submitted. After assessing and discussing the detail and plans provided, the Committee made the following unanimous recommendation: Recommendation (Whelan / Loft) QPRC HAC 32/23 The Committee confirm their prior view regarding the well and reiterate a preference to keep it whole and in situ per QPRC HAC 16/23: The Committee does not support the proposed development in its current form for the following reasons: 1. The Committee has concerns about the height and bulk of the development adjacent to small-scale heritage assets and the Heritage Conservation Area (HCA). The proposed development has the potential to tower over adjacent buildings, shadow	Ruth Ormella	



- Rutledge Street and create a wind tunnel effect.
- 2. The scale and bulk of the development is not consistent with the guidelines in the Strategic Masterplan, the relevant Development Control Plan or the aims of the current Local Environmental Plan.
- 3. The design will not sit appropriately in the street and location and responds poorly in relation to nearby heritage assets and the local area.
- 4. A redesign featuring smaller, more numerous buildings would be preferred.
- 5. The Committee confirmed its earlier view that the well should be retained in situ. It is the opinion of the Committee that the well will not survive relocation or being adjacent to development. The Committee noted that the well would likely have been a listed item had its existence been known prior to development of the site.
- 6. The Committee expressed concern about the dark colour palette.

The proposed development sets a highly inappropriate precedent for the Queanbeyan town centre and has failed to read the intrinsic values of the town.

The Heritage Advisory Committee further notes that it is very disappointed to see the



		limited changes to the plans based on the submissions received.		
5	DA.2023.0328 - 49 Antill Street, QBN - Demolition and Construction of medical facility adjacent to heritage item.	The Committee was provided with detail regarding a proposed development at 49 Antill Street in Queanbeyan. The existing site is not heritage listed, but the Development Application was referred to the Committee due to being adjacent to a locally listed heritage item at 23 Carinya Street, Queanbeyan. The proposal is for the demolition of the existing house and outbuildings and the construction of a single storey medical facility. The Heritage Advisor provided the Committee with detail regarding the existing property and the context of the development site. Recommendation (Bird / Riley) QPRC HAC 33/23 The Committee has no objection to the demolition on heritage grounds.	Ruth Ormella	
6	Braidwood Signage Controls	Lorena Blacklock reported to the Committee in response to concerns raised regarding signage in Braidwood. Lorena confirmed that the <i>Braidwood Development Control Plan 2006</i> features controls around signage, and A-frame style signage in particular. Lorena noted that she had met with QPRC's Mel Corey to discuss the issue of proliferation of signage in Braidwood. Mel advised that the newly resourced compliance team will consider the issue of proliferation of signage in Braidwood with an audit and outgoing communications being considered. These works are expected to take at least 12 months due to a backlog of compliance related matters.	Lorena Blacklock	The Committee raised particular concerns regarding the upcoming Quilt Festival and pedestrian access issues raised by the increase in A-frame signage on Wallace Street. Committee members will communicate advice to local business holders via community organisations and the Business Council to be mindful of large

				crowds, signage controls and public liability concerns.
7	Resignation of Committee Members	The Chair advised the Committee that Committee members Hollie Gill and Lorba Drewry have both resigned from their positions on the QPRC Heritage Advisory Committee. These resignations were noted, and both Hollie and Lorba were thanked for their input and time. The HAC wishes both former members well with future endeavours and encourages them to reapply for positions on the Committee in the future should their situations allow.	Chair	The Committee request Staff to investigate seeking expressions of interest for replacement Committee members – in particular to represent Braidwood.
8	Update: Local Heritage Awards 2023-24	The Committee discussed the form and function of the Local Heritage Awards, which are due to be promoted starting December 2023, with applications closing at the end of February 2024. The awards ceremony will form part of the QPRC Heritage Festival in April / May 2024. The Committee confirmed their support of the Local Heritage Grants and recommend that they proceed in keeping with previous years for 2023-24. The awards will continue to have 3 Categories for nominations, with the second category expanded to include a new subcategory: Sustainability & Greening of a Heritage Place: 1. Restoration of a Heritage Building — Commercial or Residential 2. New Building Design / Adaptation / Heritage Garden / Sustainability & Greening of a Heritage Place	Abbie Grant	The Committee will review the form and function of the Local Heritage Awards at their February 2024 meeting with a view to changes ahead of the 2024-25 Awards. The Committee note that they are in support of the proposed venue for the Awards ceremony, being the new QPRC Local and Family History Library in the former Council Chambers – providing the facility is up and running by April 2023.



		Outstanding Promotion or Contribution to Heritage		
9	Review of the Merged Committee	This item was carried over from the 05 October meeting of the HAC. The Chair encouraged Committee members to share their views on the success of the merged former Braidwood and Curtilage Heritage Advisory Committee and Queanbeyan Heritage Advisory Committee into one Committee, The QPRC Heritage Advisory Committee. Committee members shared their thoughts and experiences of the merged Committee with broad support for the current form being voiced.	Chair	With regard to the Committee merger, members raised some points to note: • Some Committee members would like more time to consider Braidwood matters, particularly on-site meetings where feasible. • With a proposed new space being made available for the Committee to meet in the Braidwood Council building in 2024, members would like to request comfortable chairs for this facility. • The Committee noted that the functioning of the Committee relies heavily on the Heritage Advisor and hope to see a new Advisor in place in 2024 with similar experience and exposure to the area as the outgoing Pip Giovanelli.
10	Update: Committee Position/s Review	This item was carried over from the 05 October meeting of the HAC. After having received details from QPRC's governance team, Lorena Blacklock confirmed that the Heritage Advisory Committee runs alongside the Council term. The Committee will be disbanded when Council goes into caretaker mode and will be re-established and	Lorena Blacklock	



		Expressions of Interest for members sought after the new Council is formed.	
11	Matters Arising	 The Committee discussed the schedule for meetings for 2023 and 2024. The proposed meeting on 11 January 2024 will be cancelled with an alternative meeting date of 22 February 2024 confirmed. Lorena Blacklock advised the Committee that she had, that day, received a draft document from the Department of Planning and Environment regarding the Braidwood and its Setting State Heritage Listing – 15 Year Management Review. Lorena noted that there will be an opportunity for the Committee to submit a response to the draft and she will advise when the document is put on exhibition. Lorena Blacklock advised the Committee that submissions made with regard to the Braidwood Structure Plan would be reported to Council at its meeting of 22 November 2023. 	Staff to draft and circulate a schedule for Committee meetings for 2024. Lorena Blacklock to advise Committee when the <i>Braidwood</i> and its Setting State Heritage Listing – 15 Year Management Review is exhibited and open for submissions. The Committee requested that they be advised when the Joint Regional Planning Panel hearing regarding the development at 6 Rutledge Street / 257 Crawford Street Queanbeyan (DA.2023.044) will be held.

No.	Actions and Agreements	Who	When	Completed
1	Staff to consider whether the Heritage Referral Flowchart should be added to Heritage information on the QPRC website. (Item 11 09/03/2023)	Lorena Blacklock	2024	
2	The Director of Development and Environment and staff to examine how future use of Braidwood laneways by the general public can be secured. (Item 7 11/05/2023)	Ruth Ormella / Staff	TBD	
3	RE Committee Terms of Reference – Staff to report on external advice regarding QPRC's Committee's and First Nations heritage matters. The Director of Development and Environment to amend ToR to reflect new schedule and circulate as part of Minutes, along with revised meeting schedule. (Item 6 13/07/2023)	Ruth Ormella	February 2024	
4	Updates to be provided to the Committee as available regarding the relocation of the Family and Local History Collection and volunteering opportunities. (Item 8 24/08/2023)	Secretariat	Ongoing	



5	Committee to be provided with the <i>Bungendore Heritage Study 2015</i> as discussed at the 5 October meeting	Secretariat	November 2023	17 November 2023
6	Staff to seek Expressions of Interest for 2 new members of the QPRC Heritage Advisory Committee following 2 recent resignations	Lorena Blacklock / Secretariat	December 2023	
7	Staff to advise Committee when the <i>Braidwood and its Setting State Heritage Listing – 15 Year Management Review</i> is exhibited and open for submissions	Lorena Blacklock / Secretariat	TBD	
8	Committee to be advised when the Joint Regional Planning Panel hearing regarding the development at 6 Rutledge Street / 257 Crawford Street Queanbeyan (DA.2023.044) will be held	Lorena Blacklock / Secretariat	TBD	

Next Meeting:	22 February 2024	Time:	4:30pm	Venue:	Committee Meeting Room – QCCP – details to be provided
Items for Next Meeting	- Discussion re: the form and function of the Local Heritage Awards beyond 2024				



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ITEM 11.2 LOCAL TRAFFIC COMMITTEE MEETING - 5 DECEMBER 2023

ATTACHMENT 1 LOCAL TRAFFIC COMMITTEE MEETING MINUTES - 5 DECEMBER 2023



Local Traffic Committee Meeting Minutes - 5th December 2023

<u>Present:</u> Dion Toole (Chair), Indigo Braeder (MoP Rep), Mel Lausz(TfNSW), Leading Senior Constable Michael Hannaford (NSW Police), Mel Aitchison (QPRC Events), Jacky Woolhouse (QPRC Road Safety Officer), Cr Esma Livermore, Rebecca Harris (QPRC Minute Taker), Sara Wightman (QPRC Events).

1. Acknowledgement of Country - Dion Toole.

The Committee Recommends:

2. Apologies

Brenton Zubrinich (QPRC).

3. Confirmation of Report of Previous Meeting

Confirmed.

4. Business Arising from Previous Minutes

NIL.

- 5. Business Items
- a) LTC 32/2023 Queanbeyan Community Christmas Party & Carols (Revised)

Introduction/Background:

Queanbeyan-Palerang Regional Council intend to host, for the first time, the combined Queanbeyan Community Christmas Party & Carols on Saturday 16th December 2023 in the Queanbeyan Park, between Campbell Street and Lowe Street, Queanbeyan. It is estimated more than 2,000 people will attend across the duration of the event. The proposal is to close Campbell Street between Meredith Street and Park Street. The closure will take place between 1:30pm and 9:30pm with the event taking place between 3:00pm and 9:00pm.

LTC Comments:

Voting members questioned whether emergency vehicle access would be available along Campbell Street if required which was confirmed. Voting members wished to confirm that residents in the closed streets would have access to their properties which was confirmed. Voting members also noted that this event requires the presence of Parking Rangers due to historical non-compliance with events in this area. QPRC Events confirmed that Parking Rangers will be onsite and also advised that parking will be available from the Showground. Pedestrians are to exit the showground on to Lowe Street and walk to the event along Lowe Street, gates on Farrer Place will be closed. Voting members also noted that the detour signage on the TMP does not complete the route, this is to be amended. Supported provided amendment to detour signage.

LTC32/2023 – Proposed Solution: Under Roads Act 1993, approve the proposed road closure for Queanbeyan Community Christmas Party & Carols, with amendment to TMP.

OFFICES
144 Wallace St, Braidwood
10 Majara St, Bungendore
256 Crawford St, Queanbeyan

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b) LTC 34/2023 – Braidwood Community Christmas Party & Shop'N'Win Event (Revised)

Introduction/Background:

QPRC Events and Placement teams are working with the Braidwood Community to host the Braidwood Community Christmas Party and Shop'N'Win Event on Thursday 14th December 2023 in the National Theatre on Wallace Street and Duncan Street.

It is estimated that up to 1,000 people will attend the event.

The proposal is to close a small section of Duncan Street on the western side of Wallace Street, as per the TMP. The closure will take place between 4:00pm and 9:30pm with the event taking place between 5:00pm and 8:00pm.

LTC Comments:

Misinformation in the report that identifies a closure on Wallace Street, confirming the closure is Duncan Street only. Minimal impact on local traffic, detour signs not required. Voting member questioned the allocated parking for the event. Confirmed that due to the event being afterhours on Thursday, adequate parking will be available on Wallace Street. Event Supported.

LTC 34/2023 – Proposed Solution: Under Roads Act 1993, approve the proposed road closure for the Braidwood Community Christmas Party & Shop'N'Win Event.

c) Event: Braidwood Car & Bike Show

Introduction/Background:

Braidwood Car and Bike Show is planned for Saturday 20th January 2024. This is a family friendly event, showcasing cars and bikes old and new. Aside from the automotive display there will be kids' activities, market stalls and food.

The proposed road closure is for Park Lane. The closure is expected to be between 7:00am and 5:00pm.

LTC Comments:

TMP remains the same from previous years. Expected vehicles has increased to 100 vehicles, QPRC events to ensure event organisers are aware that once the nominated area is full, additional cars are to use parking areas as per regular patrons.

NSW Police noted they will not be subject to the condition listed on bottom of page 56; "But will make every effort to inform other agencies of the nature of the incident and the police response."

Voting members also requested that Emergency Services, the School, 145 Park Lane and the Royal Mail Hotel are contacted, and their access is not restricted throughout the event. Voting members noted that if there are effects to Wallace Street, an ROL will be required.



Event Supported.

LTC 39/2023 – Proposed Solution: Under Roads Act 1993, approve the temporary traffic control measures as detailed in TCP for Braidwood Car & Bike Show.

d) Event: Music by the River

Introduction/Background:

Music by the River, a QPRC signature event, is schedule for Saturday evening 4th February from 4:00pm to 9:00pm. This event has various guest appearances followed by a repertoire from the Canberra Symphony Orchestra to fill out the evening.

Last years event had an attendance of 2300 people.

The proposed road closure is along Morisset Street from Carinya Street to Collett Street and Collett Street from Morisset Street to the Coles carpark entrance.

LTC Comments:

Noted that this TMP is to match the TMP from the Diwali event which was successful and worked well. Voting member noted that the plan provided in the submission was not the approved plan for Diwali and was an earlier plan which has since been amended. Voting member noted that SES should be notified to be available to monitor river access or accidental entry. Voting member requested that the unit block on Morisset Street is to be notified of road closures.

Event supported.

LTC 40/2023 – Proposed Solution: Under Roads Act 1993, approve the amended Traffic Control Plan for the Music by the River event.

e) Event: Tarago Road – Line Marking Changes

Introduction/Background:

Queanbeyan-Palerang Regional Council has received complaints from residents and staff that vehicles are overtaking near the Bungendore Waste Transfer Station. This is creating a near miss as vehicles turn right into the station and cars behind are coming around to overtake. Tarago Road is currently line marked with a BL1 line, so in this instance cars should not be overtaking in this area. However, the current line marking is very faded and non-compliant. In addition to this, the sight distance also does not comply due to the installation of the roundabout for Elm Grove.

Proposed new line marking for approx. 1.1km of Tarago Road with BL1, BL2 and DL1 as per attached plans.

LTC Comments:

Supported.

LTC 41/2023 – Proposed Solution: Under Roads Act 1993, approve the changed line marking for Tarago Road.



6. General Business

a) Event: Bungendore Rodeo – Post event discussion. Safety concerns raised due to traffic build up on Kings Highway.

Introduction/Background:

Following the Bungendore Rodeo in November 2023, Council received a complaint in relation to traffic build up on the Kings Highway.

Queanbeyan-Palerang Regional Council wishes to engage with the Bungendore Rodeo committee to discuss next years' event to ensure event follows guidelines and roads and event are safe. If the committee is not contactable, QPRC will follow up with appropriate agencies. Mel Lausz (TfNSW) suggested she will follow up with the TfNSW Community Ops Planner to gauge if there was any further feedback.

b) Googfest and Queanbeyan Rodeo

Queanbeyan-Palerang Regional Council noted they are still working with organisers of Googfest and Queanbeyan Rodeo, they will send out discussion items prior to next meeting.

c) Other

Indigo Braeder (MoP Rep) asked on the process with adding agenda items. Indigo Braeder shared questions from constituents in relation to Speed on Brudenell, a Wombat Crossing on Firethorn and change in speed for Edwin Land Parkway which Jacky Woolhouse advised were already being looked at by QPRC.

Meeting Closed: 1:39pm

Next Meeting: 6th February 2024