



**MINUTES OF THE PUBLIC FORUM
HELD ON 13 DECEMBER 2023**

1. Opening

The Public Forum commenced at 5.45pm.

2. Presentations relating to listed Items on the Council Agenda

The following presenters were heard:

| | Name | Item no | Item description | For/Against |
|---|------------------------------------|----------------|---|--------------------|
| 1 | Malcolm Leslie – via Zoom | 9.1 | DA.2023.0114 - 150 Wellsvale Drive Googong - Construction of Two Storey Pub Containing Food and Drink Premises, and Function Centre | For |
| | | 9.5 | Scoping proposal - Googong Dam Realignment | |
| | | 9.6 | Housekeeping Amendments (Googong) to QPRLEP 2022 - PP.2023.912 - Results of Public Consultation | |
| | | 9.14 | Deed of Variation Googong Sports Club Memorandum of Understanding | |
| 2 | Liz Densley – via Zoom | 9.4 | Scoping Proposal - 175 Tarago Road Bungendore (Ashby) - Rezoning for Residential Purpose | Against |
| 3 | Anthony McDonald | 9.1 | DA.2023.0114 - 150 Wellsvale Drive Googong - Construction of Two Storey Pub Containing Food and Drink Premises, and Function Centre | Against |
| 4 | Kylie Coe from Village Building Co | 9.3 | Council's Submission on the South Jerrabomberra Regional Job Precinct Draft Master Plan | Against |

The following written presentation was received:

| | Name | Item no | Item description | For/Against |
|---|---------------|---------|---|-------------|
| 1 | Jason Burgess | 9.3 | Council's Submission on the South Jerrabomberra Regional Job Precinct Draft Master Plan | Against |

3. Petitions

| Received from | Petition title | Action |
|-----------------|---|--|
| Giovanni Nicita | QPRC Approval on the Pump Track location – Waterfall Drive – Jerrabomberra Creek Park | In accordance with Council's Code of Meeting Practice, the petitioner will be informed within 21 days of any action decided upon by Councillors and staff as a result of the petition. |

4. 'Questions on Notice' from the Public

Responses to the following 'Questions on Notice' received up to 6 December 2023 were provided and tabled at the meeting (see attached for responses):

| Nos | Received from | In relation to: |
|------|---------------|-----------------------------------|
| 1-13 | Tim Shaw | Proposed Jerrabomberra pump track |

5. Presentations by Invitation from the General Manager

There were no presentations.

6. Closure

As there were no further matters, the Public Forum closed at 6.02pm.



ATTACHMENT TO MINUTES OF THE PUBLIC FORUM HELD ON 13 DECEMBER 2023

‘Questions on Notice’ from the Public

Responses to the following ‘Questions on Notice’ received up to Wednesday 6 December 2023 were provided and tabled at the meeting.

Questions submitted by: Tim Shaw

- 1. With regard to the Review of Environmental Factors (REF) that was commissioned for the Jerrabomberra Creek Reserve pump track site, when was it received by council management?**

The REF was undertaken by Macrozamia Environmental Consulting in June 2023, with a final version received by Council on 4 September 2023. The REF is required as part of Council’s project management framework at the commencement of new projects within public recreational lands.

- 2. Given the REF appears to have been received before both community consultation was completed and a site recommendation finalised, were REF’s likewise commissioned at the remaining potential pump track sites?**

An REF was commissioned for the Regional Sports Complex as part of that broader project. REFs were not commissioned for the other potential locations.

- 3. If the answer to Q2 is YES, can evidence that those REF’s were commissioned be provided?**

The REF for the Regional Sports Complex was a necessary step in the development of that site. It was presented to Council on 9 February 2022.

- 4. If the answer to Q2 is NO, why not?**

A REF would be required for any site prior to project commencement.

- 5. Given the Jerrabomberra Creek Reserve pump track tender was awarded to Common Ground in early August, 2023, before community consultation was completed, had the recommended site decision for the pump track already been determined?**

Jerrabomberra Creek Park was the initial location specified in the grant application. Following the initial consultation with surrounding residents, Council conducted wider community consultation around four potential locations. An assessment of all open community space in Jerrabomberra was made and the four options identified were the only suitable locations.

The tender indicated the four sites and tenderers had full knowledge that the final site was yet to be determined by Council.

6. **Whilst I acknowledge that, whilst waiting for a site recommendation, invitations for tenders at all the sites could be a pre-emptive action to keep the process rolling given a completion deadline existed in the Grant allocation, were tenders actually called for or invited for the other potential pump track sites in the same pre-emptive manner whilst awaiting the site recommendation?**

The Request for Tender was placed on Tenderlink in accordance with Local Government Procurement Guidelines. All tenderers were aware that the site location of the pump track was to be decided during the design and consult phase of the project. All tenderers were prepared to work with the community to design a pump track in a location that suited Council and the community.

7. **If the answer to Q6 is NO, why not?**

N/A

8. **If the answer to Q6 is YES, can you provide those tender reference numbers? I understand that the reference number for the tender ultimately awarded to Common Ground is QPRC-1064064?**

There was only one tender request QPRC-1064064.

9. **I refer to the Local Government Act 1933, No. 30 and specifically to Part 3, Division 1, Para. 55 (2) - Requirements for Tendering wherein it is stated that “Tenders are to be invited, and invitations to tender are to be made, by public notice” Can you please provide copies of, or readily accessible references to, any public notices subsequent to January 2021, where tenders were invited for the construction of pump tracks within the QPRC LGA?**

The Request for Tender was advertised through Tenderlink on 28 June 2023, closing on 19 July 2023.

10. **In relation to Grants awarded under the NSW Regional Youth Investment Program, are you (i) able to provide a copy of the Grant application that was made for the pump track funding (redacting, of course, commercially sensitive information), and, (ii) can you also advise when this application was made given that the Grant was approved in December 2022?**

i) The correct process for receiving a copy grant application is the formal pathway which can be accessed on our website at <https://www.qprc.nsw.gov.au/Council/Council-Business/Access-Council-Information#section-3>

ii) The application was made on 3 October 2022.

11. **Guidelines for the applications for grants under the Regional Youth investment Program include, amongst other things, “evidence of community consultation and strong community support for the project”. My understanding is that the Grant application closing date was October 4th, 2022, something which precedes my taking up residency in Jerrabomberra. Can you provide details of when, where, and in what form this consultation occurred? Further, can you advise the detailed results of this community consultation?**

Council was made aware of a number of dirt tracks, jumps and ditches constructed by young people in Jerrabomberra and had meetings with families about the impact on local flora and fauna and safety concerns for community members walking through these tracks. Whilst not ideal, Council agreed to not dismantle these jumps on the understanding that there would be no holes and that we would endeavour to find a formal long term solution. Council consulted with young people and their parents and the Youth Committee as the user groups who were strongly in favour of providing a safe and accessible pump track that could be used by children with a wide range of skills and abilities.

12. When was the Funding Deed for this particular Grant signed?

It was submitted by us on 16 March 2023. Funding Deed was returned to us from the Department of Regional NSW on 9 May 2023.

13. The Director Community, Arts and Recreation has replied (on 04/12/23) to an enquiry emailed to her (on 03/12/23) that Passive Surveillance will come consequent to “Constructing a recreational activity for young people in a residential or community area where people live and visit enhances safety simply because people are around going about their daily lives in the same vicinity as the playground or in this case, the pump track”.

In relation to this response, is council aware (i) that there is limited pedestrian traffic as very few people are prepared to continue with the walk up the steepening Waterfall Drive beyond Tamarind Place and (ii) that the proposed site is down an incline for the entire length of the proposed site making it difficult and impractical to view by anyone driving past? The danger of a driver taking their eyes off the road to look at the pump track area for any length of time cannot be overstated.

Does council thus concede that “passive surveillance” cannot realistically be achieved to the level suggested and it is going to fall upon the residents? This notion was clearly rejected in a recent reply from the Director Community, Arts and Recreation – “passive surveillance does not mean that nearby residents would be expected to carry out any type of monitoring or watching of the pump track or nearby park.”

No, we don't concede passive surveillance cannot be achieved. The pump track will be in view of residents in the vicinity of the park and it is in a residential area.