



Ordinary Meeting of Council

AGENDA

28 February 2024

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Confidential - Not for Publication

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16.1 Appointment of Heritage Advisor

Item 16.1 is confidential in accordance with s10(A) (a) (di) (dii) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

17 CONCLUSION OF THE MEETING

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Item 9.2	Planning Proposal - Relocate Arterial Road Corridor Dunns Creek Road Queanbeyan Palerang Regional LEP 2022
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Item 9.3	Amendment to Jumping Creek Voluntary Planning Agreement 2021
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**QUEANBEYAN-PALERANG REGIONAL COUNCIL
ORDINARY MEETING OF COUNCIL**

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- Item 9.6 NSW Treasury Corp Loan Agreements Update
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- Item 9.7 Draft Compliance and Enforcement Policy
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- Item 9.8 Post-Exhibition Report - Data Breach Policy
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- Item 9.9 Post-Exhibition Report - Agricultural Chemical Use in Public Places Policy
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- Item 10.1 Feedback on Public Exhibition of 2022/23 Financial Statements
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- Item 11.1 QPRC Environment and Sustainability Advisory Committee Minutes - October 2023 and December 2023
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- Item 11.2 Local Traffic Committee Meeting - 6 February 2024
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- Item 11.3 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes
Attachment 1 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes 20 November 2023 (Under Separate Cover)
Attachment 2 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes 18 December 2023 (Under Separate Cover)

Closed Attachments

- Item 16.1 Appointment of Heritage Advisor
Attachment 1 Assessment of Expressions of Interest EOI QPRC Heritage Advisor 2024 (Under Separate Cover)
Attachment 2 Consultant 1 EOI QPRC Heritage Advisor 2024 (Under Separate Cover)
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Attachment 4 Consultant 3 EOI QPRC Heritage Advisor 2024 (Under Separate Cover)



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, 257 Crawford Street, Queanbeyan on Wednesday, 14 February 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti
Cr Burton
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Taskovski
Cr Willis
Cr Wilson

Staff:

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

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

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

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 24 January 2024**

040/24

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 24 January 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

041/24

RESOLVED (Winchester/Preston)

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

The resolution was carried unanimously.

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.33pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

042/24

RESOLVED (Winchester/Taskovski)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.39pm.

7. MAYORAL MINUTE**043/24 7.1 Cost Shifting by State and Federal Governments
RESOLVED (From the Chair)**

That:

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
3. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently address these costs through a combination of regulatory reform, budgetary provision and appropriate funding and supporting the review into NSW Local Government Financial Sustainability.
4. Council make a submission to the Terms of Reference to IPART.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**044/24 9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms
RESOLVED (Willis/Preston)**

That Council lodge a submission on the Diverse and Well-located Housing reforms proposed by the NSW Department of Planning, Housing and Infrastructure, in accordance with the matters raised in this report.

The resolution was carried unanimously.

**045/24 9.2 Road Naming DA.2021.1537
RESOLVED (Willis/Wilson)**

That Council:

1. Endorse the replacement road name Dyara Walk as one of the three proposed names for DA.2021.1537 condition #26.
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 Dyara Walk if no objections received.

The resolution was carried unanimously.

9.3 Naming of QCCP**MOVED (Livermore/Wilson)**

That Council:

1. Endorse the principle that the naming of the QCCP building is an opportunity to acknowledge and pay respect to our First Nations history, in Ngambri and/or Ngunnawal Language.
2. Refer to the QPRC First Nations Advisory Committee the suggestions provided from the Ngambri Local Aboriginal Lands Council and Winanggaay Ngunnawal Language Group for their preferences and recommendations.
3. Receive a further report to determine the names of the QCCP Building, Forecourt and QLink, Rooftop Gardens and the Public Domain for public exhibition.

AMENDMENT (Grundy/Burton)

That Council:

1. Endorse the principle that the naming of the Public Domain, and the Forecourt/QLink in the new QCCP is an opportunity to acknowledge and pay respect to our First Nations history.
2. Refer to the QPRC First Nations Advisory Committee the suggestions provided from the Ngambri Local Aboriginal Lands Council and Winanggaay Ngunnawal Language Group for their preferences and recommendations for each.
3. Receive a further report to determine the names of the Forecourt/QLink and the Public Domain for public exhibition.

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

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

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

046/24

RESOLVED (Livermore/Wilson)

That Council:

1. Endorse the principle that the naming of the QCCP building is an opportunity to acknowledge and pay respect to our First Nations history, in Ngambri and/or Ngunnawal Language.
2. Refer to the QPRC First Nations Advisory Committee the suggestions provided from the Ngambri Local Aboriginal Lands Council and Winanggaay Ngunnawal Language Group for their preferences and recommendations.
3. Receive a further report to determine the names of the QCCP Building, Forecourt and QLink, Rooftop Gardens and the Public Domain for public exhibition.

The resolution was carried.

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

Against: Cr Grundy

047/24

9.4 Draft Investment Policy
RESOLVED (Willis/Wilson)

That Council:

1. Amend the draft Investment Policy as follows:
 - Clause 1.1 to read: To provide a framework for investing Council funds at the most favourable rate of return available to it at the time, having regard to council's preference for environmental and socially responsible investments, and with due consideration of risk and security for investment types while ensuring Council's liquidity requirements are met.
 - Add a new clause under section 6.7 – Sustainable investing: Give consideration to local economic benefit when making investment decisions.
2. Place the revisions to the draft Investment Policy on public exhibition for 28 days.
3. Adopt the Investment Policy if there are no objections.

The resolution was carried unanimously.

The resolution was carried unanimously.

048/24

9.5 Licence Agreement - Bungendore Tennis Club
RESOLVED (Biscotti/Preston)

That:

1. Council endorse a 12-month licence agreement with Bungendore Park Tennis Club over part of Bungendore Park.
2. Council commence seeking Ministerial approval with the view to enter into a 5-year period with the Bungendore Park Tennis Club over part of Bungendore Park, at the termination of the current 12-month licence agreement.
3. The agreement be placed on public exhibition as required under Section 47A of the Local Government Act 1993.
4. Pending community feedback, the agreements be signed and executed by the General Manager.

The resolution was carried unanimously.

9.6 Access Agreement - Monaro Panthers Riverside Oval

This item of business was WITHDRAWN.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 049/24 **10.1 Review of Local Infrastructure Contributions Practice Notes**
RESOLVED (Willis/Wilson)
That the report be received for information.
The resolution was carried unanimously.
- 050/24 **10.2 Exhibition of Glenrock Drain Shared Path Designs**
RESOLVED (Biscotti/Grundy)
That the report be received for information.
The resolution was carried unanimously.
- 051/24 **10.3 Half Yearly Progress Report - Aquatic Fee Changes**
RESOLVED (Willis/Wilson)
That the report be received for information.
The resolution was carried unanimously.
- 052/24 **10.4 Permitted Free Usage at Community Centres**
RESOLVED (Willis/Wilson)
That the report be received for information.
The resolution was carried unanimously.
- 053/24 **10.5 Recruitment Senior Staff Position**
RESOLVED (Winchester/Wilson)
For Council information.
The resolution was carried unanimously.
- 054/24 **10.6 Question on Notice - Captains Flat Station Master's Cottage**
RESOLVED (Willis/Grundy)
That the report be received for information.
The resolution was carried unanimously.
- 055/24 **10.7 Councillor Workshops**
RESOLVED (Winchester/Preston)
That the report be received for information.
The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 First Nations Advisory Committee Minutes 17 October 2022 and 15 November 2023**

056/24

RESOLVED (Macdonald/Willis)

That Council:

1. Note the minutes of the First Nations Advisory Committee held on 17 October 2022 and 15 November 2023.
2. Endorse the following recommendations:

FNAC 02/23: That the following members be appointed to the First Nations Advisory Committee: David Thomas, Kylee Shea, Kahlia Heimuli, Stephen Mudford, Dianne Connelly and Kym Wiseman.

FNAC 03/23: That Council staff write to all First Nations Advisory Committee members not in attendance requesting confirmation, within 21 days, they are able to continue as committee members.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 Notice of Motion - Greenways**

057/24

RESOLVED (Willis/Burton)

That Council:

1. Notes:
 - a. The value of the Greenways in Queanbeyan-Palerang Local Government Area (LGA) and their importance to people and conserving local biodiversity, and
 - b. Threats to the Greenways posed by residential development and inadequate allocation of resources for repair and maintenance.
2. Holds a workshop to discuss:
 - a. The current pressures on Greenways, including approval for motorised vehicles to use Greenways to access residential dwellings;
 - b. Options for Council to address these pressures to safeguard the existing Greenways network, and to address the current funding shortfall, and
 - c. Opportunities to extend the Greenways network in other rural residential areas of the LGA.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were Delegates reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

15. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

At this stage of the proceedings Cr Winchester advised that there were items on the Agenda that should be dealt with in Closed Session.

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

There were no presentations.

**16. REPORTS FOR CLOSED SESSION
RESOLVED (Winchester/Preston)**

058/24

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 Minutes of the Queanbeyan Sporting Gallery Meeting

Item 16.1 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.

Item 16.2 Legal Update: July - December 2023

Item 16.2 is confidential in accordance with s10(A) (a) (di) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 6.37pm to discuss the matters listed above.

- 059/24 **16.1 Minutes of the Queanbeyan Sporting Gallery Meeting**
RESOLVED (Biscotti/Livermore)
- That Council:
1. Note the minutes of the Queanbeyan Sporting Gallery held on 22 January 2024.
 2. Endorse Matthew Harrow and Monique Suraci for induction into the Queanbeyan Sporting Gallery.
 3. Consider \$25,000 in operational funding in the 2024-25 financial year to be allocated to the Queanbeyan Sporting Gallery for signage, cleaning and induction functions.

The resolution was carried unanimously.

- 060/24 **16.2 Legal Update: July - December 2023**
RESOLVED (Biscotti/Winchester)

That the report be received for information.

The resolution was carried unanimously.

- 061/24 **RESOLVED (Winchester/Grundy)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.54pm.

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 6.55pm, the Mayor announced that the Agenda for the meeting had now been completed.

CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 Dunns Creek Road - Western Alignment Corridor (Ref: ; Author: Tooth/Long)

File Reference: 36.1

Recommendation

That Council:

- 1. Note the memorandum addressing the proposed corridor for the western alignment of the proposed Dunns Creek Road.**
 - 2. Acknowledge that the existing road corridor over Lot 1 DP 1269436 can be relinquished.**
-

Summary

Consultants for Council are preparing a review of options for the alignment of the proposed Dunns Creek Road (DCR); being a link from Old Cooma to the Australian Capital Territory (ACT). Developers of the Tralee Urban Release Area have requested that Council relinquish an existing road corridor identified in the Queanbeyan Local Environment Plan 2022 (LEP) for a connection into the ACT. Council gave in-principle support for this request at its meeting on 13 September 2023 (**Resolution 353/23**).

An initial memorandum has been received from Council's consultants to address the viability of an alternative alignment for DCR to allow the process to relinquish the existing corridor to proceed.

Council staff believe that an alternative alignment for DCR in the southern portion of the Tralee Urban Release Area is viable.

Background

A road connection between Old Cooma Road in the vicinity of Googong to the ACT in the vicinity of Hume has been proposed for a number of years. In 2015 Council identified a preferred route from the intersection of Googong Road and OCR, linking to the ACT. Several connection points to the ACT were considered at the time including Isabella Drive and Sheppard Street.

The Queanbeyan LEP - Local Clauses Map LOC_001B identifies a corridor for the connection of an arterial road to the ACT through the northern end of the Tralee Urban Release Area. The 2015 Council preferred route for DCR has not been identified in a planning instrument.

In 2017 and 2018, a number of biodiversity stewardship sites were registered on private land along the preferred route. A review of viable alignment options, including to improve Old Cooma Road south of Googong to its intersection with the Monaro Highway and upgrading of existing intersections is also being investigated. This report will be presented to Council and the community in coming months.

In response to Council's in-principle support given last September, to relinquish the existing road corridor identified in the LEP, a memorandum has been prepared to examine the viability of a corridor for DCR located in the southern portion of the Tralee Urban Release Area, consistent with a connection to the ACT at Isabella Drive.

**9.1 Dunns Creek Road - Western Alignment Corridor (Ref: ; Author: Tooth/Long)
(Continued)**

The memorandum examines the western portion of the proposed DCR which is common to any of the technically viable options for connection to Old Cooma Road.

Report

Council's consultants have prepared a memorandum to investigate a suitable route alignment for the western portion of DCR (see Attachment 1). This allows the land reserved for an arterial connection into the ACT to be relinquished, subject to a separate planning proposal. Issues relating to this planning proposal are addressed in another report to this meeting.

The memorandum considered:

- The current preferred connection point into the ACT road network at the intersection of Isabella Drive and the Monaro Highway,
- The requirements of Australian Road (Aust Road) Design Guidelines,
- Topography constraints and balancing of earthworks,
- Suitable connections to existing and future developments,
- Existing utilities
- Minimising impacts on known environmental constraints
- Desktop review of heritage impacts

The conclusion of this investigation is that a suitable alignment for the western portion of Dunns Creek Road exists in the southern portion of the Tralee Urban Release Area.

Council staff are of the view that identification of this alignment fulfils Council's resolution from September 2023 and there is no need to retain an arterial road area over Lot 1 DP 1269436 as per the current LEP mapping.

Discussions are ongoing with the ACT Government, NSW Transport and Federal Department of Infrastructure in regard to the proposed Isabella Drive intersection with the Monaro Highway. This includes investigating a staged approach that will facilitate the ACT connection as the priority project.

The ACT Government has provided Council an update on the upgrades of the Monaro Highway intersection with Lanyon Drive, which have commenced this week; and notes the road connection from NSW at a future Isabella Drive interchange. The ACT City Services concept design for the interchange proposal, supports the alignment of the western portion of Dunns Creek Road to the south of the Tralee Urban Release Area as being appropriate; https://www.cityservices.act.gov.au/__data/assets/pdf_file/0011/1974962/Monaro-Highway-Hume-and-Isabella.pdf

Risk/Policy/Legislation Considerations

Creation of a viable corridor for the proposed Dunns Creek Road is required to ensure that planning for the road is not stymied. The risk to Council and the community is that land which would otherwise be required for the proposed Dunns Creek Road could be developed or set aside for environmental stewardship sites. This may lead to forgoing grant funding already allocated for this project.

9.1 Dunns Creek Road - Western Alignment Corridor (Ref: ; Author: Tooth/Long) (Continued)

Undertaking this project to its entirety is subject to future Council decisions against the viability, cost benefit and assessment of alternative options to manage the traffic congestion along the Edwin Land Parkway through Jerrabomberra.

Financial, Budget and Resource Implications

There are no adverse financial or budget implications from relinquishing the existing road corridor.

Council has been allocated \$27million for design and land acquisition from the NSW Government for Dunns Creek Road, of which approximately \$375,000 has been expended to date.

Any commitment and expenditure for the construction of any part of Dunns Creek Road will be subject to further consideration and decision by Council.

Separate grant funding of \$65 million allocated by the Federal Government specifically for Dunns Creek Road. Expenditure of this grant is subject to negotiation with the federal and ACT governments but cannot proceed until the issue of the road corridor raised in this report is addressed.

Links to QPRC/Regional Strategic Plans

This project has been identified in Council's Integrated Planning documents as follows:



- QPRC Community Strategic Plan 2022 Strategic Objective 4.1 - Our transport network and infrastructure are safe and allow for ease of movement throughout Queanbeyan-Palerang and across the ACT border and region.
- QPRC Delivery Program 2022-2026 Action 4.4 - Progress planning for Dunns Creek Road

The project has also been included in the South Jerrabomberra Regional Job Precinct Draft Master Plan, prepared by NSW Department of Planning and Environment, which identifies the need to continue investigations on cross border connections.

Conclusion

The identification of a viable road alignment in the southern portion of the Tralee Urban Release Area enables Council to relinquish the existing arterial road area reserved under the Queanbeyan LEP. Further work is required to secure a corridor for the identified alignment of the western portion of Dunns Creek Road.

Attachments

- | | |
|---|---|
| Attachment 1
 | Dunns Creek Road - Western Alignment Memorandum (<i>Under Separate Cover</i>) |
| Attachment 2
 | Letter from MLA ACT Government (<i>Under Separate Cover</i>) |

9.2 Planning Proposal - Relocate Arterial Road Corridor Dunns Creek Road
Queanbeyan Palerang Regional LEP 2022 (Ref: ; Author: Ormella/Reich)

File Reference: PJT0061

Recommendation

That Council:

- 1. Authorise staff to progress a planning proposal to relocate the current reserved corridor for Dunns Creek Road within the Tralee Urban Release Area**
 - 2. Note that the progression of any planning proposal is to be in respect of the information obtained from Council commissioned studies on this matter, and to the extent that the alignment needs to be located within the Tralee Urban Release Area.**
-

Summary

Council has received a proponent led planning proposal to relocate the Arterial Road Area (Dunns Creek Road) on the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP) Local Clauses Map (Attachment 1) south to connect into the ACT at Isabella Drive. It is currently in a location intended to facilitate connection to Sheppard Street, Hume. This location is the result of Council's preferred access point at that time (**Resolution No 267/14**).

The ACT Government have advised that an access point linking to a future fourth leg of an upgraded Isabella Drive/Monaro Highway interchange has been included in their planning and that steps have been taken to reserve land in this area (between ACT/NSW border and the Isabella Drive/Monaro Highway interchange) for the purposes of a possible interim connection (Attachment 3).

Council staff are undertaking a review of the preferred and alternative alignments through consultant services to complete a route viability assessment for the entirety of Dunns Creek Road. A portion of this work has been completed, being a study of the western portion of the Dunns Creek Road, providing an assessment as to the need for retention of the existing preserved corridor under the QPRLEP Local Clauses Map.

Accordingly, Council is now able to determine whether to progress with the assessment of the afore-mentioned planning proposal.

Background

Since 2012, there have been different lands at Tralee allocated as road corridor links to a future Dunns Creek Road. The current allocation of land is shown as Arterial Road Area on Councils Local Clauses Map 001B of the QPRLEP (Attachment 1).

The land developer at Tralee is Village Building Company (VBC).

In June 2023, Council received a scoping proposal from VBC to alter the current arterial road corridor for the future Dunns Creek Road to a location further south for better connection to the ACT. This proposed location is in the vicinity of the Isabella Drive/Monaro Highway interchange.

The scoping proposal was reported to Council at the Ordinary Council Meeting held 13 September 2023. Council resolved to provide in-principle support for the relocation of the

9.2 Planning Proposal - Relocate Arterial Road Corridor Dunns Creek Road Queanbeyan Palerang Regional LEP 2022 (Ref: ; Author: Ormella/Reich) (Continued)

Dunns Creek Road corridor subject to the establishment of a final alignment of Dunns Creek Road and the completion of current studies (**Resolution No 353/23**).

This body of work is an ongoing Council project but has been partially completed in respect of the Tralee Urban Release Area (Attachment 4). Accordingly, neither the scoping proposal nor the current planning proposal has yet been progressed.

Report

The planning proposal as submitted puts the case for a relocation of the Arterial Road Corridor currently located on Lot 1 DP 1269436 to be relocated to Lot 2 DP 1001136 (Attachment 2) and to capture this change requests a map amendment to the QPRLEP. Specifically, the proposal is to relocate the Arterial Road Area corridor in South Tralee, currently shown as Item 4 on the Local Clauses Map LOC_0018 (Attachment 1) to an alternative location further south on Lot 2 DP 1001136.

The Proponent's contention is that the road connection to Dunns Creek Road down the western edge of Tralee to connect to the ACT would impact on the approved town park, approved community centre, approved stormwater infrastructure and would require major infrastructure to cross Dog Trap Gully to connect to Isabella Drive.

The existing gazetted road corridor on Lot 1 DP 1269436 was based on previous Council preferences that a Sheppard Street Hume location be the connection with the ACT, though this connection location is not supported by the ACT Government. Whilst the Proponent's concerns have been acknowledged, Council needed to identify an alternative route that had been the subject of a feasibility study, and assessed as viable, prior to considering any proposal to relocate the corridor currently reserved.

Council's project for the route viability assessment of Dunns Creek Road has now been completed with respect to the western portion that crosses the Tralee Urban Release Area. The assessment has provided Council with a viable option for the route across land within the Tralee Urban Release Area in a location suitable for connection into the ACT at the Isabella Drive/Monaro Highway interchange.

Council officers' view of the assessment concludes that adoption of the identified alignment will fulfil the actions of **Resolution 353/23** and identifies no need to retain an Arterial Road Area over Lot 1 DP 1269436 as per the current QPRLEP mapping. Consequently, it is now appropriate that staff may begin to assess any planning proposal seeking to amend the LEP mapping for Dunns Creek Road in respect of the Tralee Urban Release Area.

Staff note that any planning proposal to be assessed should also now extend to the cover Dunns Creek Road (Stage 1) being the connection from Isabella Drive into Tralee at Environa Drive and from Stage 1 heading east to the extent that it covers land in the Tralee Urban Release Area, with a view to possible extension of Stage 2 in the near future.

A final version of any planning proposal will be brought to Council for approval prior to forwarding it to the Department of Planning Housing and Infrastructure (DPHIE) seeking a gateway determination.

Risk/Policy/Legislation Considerations

A proposal to amend the Local Environmental Plan is required to be progressed in accordance with the provisions of the NSW Environmental Planning & Assessment Act, 1979 and will require notification of the proposal to be conducted in accordance with Council's Community Engagement and Participation Plan.

9.2 Planning Proposal - Relocate Arterial Road Corridor Dunns Creek Road Queanbeyan Palerang Regional LEP 2022 (Ref: ; Author: Ormella/Reich) (Continued)

Discussions with the ACT Government are ongoing in relation to how Dunns Creek Road would interface with the Monaro Highway at Isabella Drive.

Financial, Budget and Resource Implications

Councils Fees and Charges 2023 allow for \$25,854 plus \$185 per hour after 140 hours for the assessment of standard proponent led planning proposals. This enables Council to recoup the costs of reviewing the proposal.

Links to QPRC/Regional Strategic Plans

Relevant to this is Strategic Objective 4.1 of the Queanbeyan-Palerang Community Strategic Plan 2022, which states that 'our transport network and infrastructure is safe, supports a zero emissions target and allows for ease of movement throughout Queanbeyan-Palerang and across the ACT border and region'.

Conclusion




Council has received a planning proposal to relocate the Arterial Road Area (Dunns Creek Road) further south on the LEP map (Attachment 1) to connect to the ACT at Isabella Drive. The ACT government has advised that a Dunns Creek Road to Sheppard Street through the middle of Hume is not supported but that a fourth leg of a future Isabella Drive/Monaro Highway interchange is anticipated for this purpose.

Staff have completed a study on the preferred alignment for the western portion of Dunns Creek Road that traverses the Tralee Urban Release Area and consider that a suitable alignment has been identified.

This alignment is preferred over the existing corridor reserved under the LEP Local Clauses Map. Accordingly, it is recommended, that Council recognise this alignment as the new preferred corridor for Dunns Creek Road through the Tralee Urban Release Area and enable staff in the progression of a planning proposal to amend the QPRLEP Local Clauses Map to reflect this change.

It is noted that the progression of any planning proposal is to be consistent with the recommendations of the studies commissioned by and prepared on behalf of Council.

Attachments

- | | |
|--|--|
| Attachment 1 | QPR LEP Local Clauses Map LOC_001B (<i>Under Separate Cover</i>) |
|  Attachment 2 | VBC South Jerrabomberra Planning Proposal July 2023 (<i>Under Separate Cover</i>) |
|  Attachment 3 | ACT Government correspondence - Dunns Creek Road connection - Redacted (<i>Under Separate Cover</i>) |
|  Attachment 4 | QPR LEP Urban Release Area Map (<i>Under Separate Cover</i>) |

9.3 Amendment to Jumping Creek Voluntary Planning Agreement 2021 (Ref: ;
Author: Ormella/Reich)

File Reference: 21.6.98-05

Recommendation

That Council:

1. Authorise the General Manager to review and endorse, for public notification, a deed of variation to the Jumping Creek Voluntary Local Planning Agreement 2021 to clarify that the Agreement applies to Development Application DA.2022.1605 in addition to DA 109-2019.
 2. Authorise the General Manager to execute the draft deed of amendment at the completion of the 28 day public notification period.
-

Summary

Development within the Jumping Creek Urban Release Area is split between two development applications. This was not anticipated when the Jumping Creek Voluntary Planning Agreement (VPA) (Attachment 1) was executed in 2021. Whilst the VPA covers the entirety of Lot 1 DP 1249543 in the Urban Release Area of Jumping Creek, it only refers to a single Development Application (DA). Accordingly, an amendment to the Jumping Creek Voluntary Planning Agreement 2021 is proposed to remove any ambiguity as to whether it applies to any subsequent Development Application.

Background

The Jumping Creek Voluntary Planning Agreement 2021 (VPA) was executed on 9 November 2021 and provides a mechanism for Council to collect contributions for water, sewer, open space areas and public facilities/amenities for the Jumping Creek Residential Development. The agreement is in-lieu of and excludes the application of both Section 64 and Section 7.11 Contributions Plans under the Local Government Act 1993 and the Environment Planning and Assessment Act 1979 respectively.

Clause 4 of the VPA states that the VPA applies to the "Land" and the "Development". "Land" is defined as Lot 1 DP 1249543. "Development" is defined in terms of a "Development Application" which is defined as DA 109-2019. This was for specificity as the VPA was negotiated in parallel with the assessment of Development Application DA 109-2019.

Report

Due to the requirements of the external agencies, the initial subdivision layout proposed under DA 109-2019 was not supported in whole and six lots were removed from the plans that were approved under DA 109-2019. These six lots have now been reintroduced to the development in a manner consistent with those agency requirements under a new Development Application, DA.2022.1605.

Included in the Statement of Environmental Effects for the new DA.2022.1605, the Proponent states their understanding that the VPA applies to the new DA as the proposed works are located within the land the VPA covers.

9.3 Amendment to Jumping Creek Voluntary Planning Agreement 2021 (Ref: ; Author: Ormella/Reich) (Continued)

The VPA was also formalised in the understanding that there would be a certain yield (218 residential lots) from the development that did not end up being realised under DA 109-2019 due to the removal of the subject six lots.

Staff and the Proponent agree that the newer DA (DA.2022.1605) does not result in any increase to development footprint or any intensification of development beyond what was contemplated for DA 109-2019 or the VPA. Therefore, DA.2022.1605 should be included in the definition of "Development" for which contributions are payable under the VPA and accordingly, it is proposed to prepare a deed of amendment to remove any ambiguity that the LPA applies to DA.2022.1605 the same way it applies to DA 109-2019.

Risk/Policy/Legislation Considerations

Amendments to any voluntary planning agreement are to be made in accordance with the requirements of Subdivision 2 of the Environmental Planning and Assessment Act 1979.

It is considered that this amendment is required only to remove ambiguity and affects no material change in respect of the proposed development or the contributions applicable to the development. However, in accordance with the Section 7.5 (1) an amendment to a planning agreement needs to be placed on public exhibition for a minimum of 28 days.

This aligns with Council's Stakeholder and Community Engagement Policy Framework along with Council's Community Engagement and Participation Plan.

Financial, Budget and Resource Implications

Council will be able to collect monetary developer contributions for the six lots proposed under DA.2022.1605 through the amended VPA.

Links to QPRC/Regional Strategic Plans

Public notification is to be conducted in accordance with Council's Community Engagement and Participation Plan.



An amended VPA strengthens Council's planning systems and supports the strategic pillar of Character in Council's community Strategic Plan 2042. Specifically, an amended VPA addresses:

1. Strategic objective 3.2 by facilitating the collection of contributions which aids Council in supporting sustainable growth through land and infrastructure planning, and
2. Strategic objective 3.3 by providing a mechanism by which land is improved and dedicated to Council for the purposes of ongoing management, protection and public use/enjoyment.

Conclusion

It is recommended that a draft deed of amendment to be prepared to address the ambiguity around the application of the Jumping Creek Voluntary Planning Agreement 2021 and that this draft deed be placed on public notification for a period of 28 days prior to execution.

Attachments

- | | |
|--|---|
|  Attachment 1 | Jumping Creek Voluntary Planning Agreement 2021 (<i>Under Separate Cover</i>) |
|  Attachment 2 | Jumping Creek Voluntary Planning Agreement Land Dedication Requirements (<i>Under Separate Cover</i>) |

9.4 Quarterly Budget Review Statement for the Quarter Ending 31 December 2023
(Ref: ; Author: Monaghan/Blakey)

File Reference: 43.7.2-27

Recommendation

That Council:

- 1. Receive the December 2023 Quarterly Budget Review Statement.**
 - 2. Adopt the budget variations outlined in the report.**
 - 3. Note the opinion of the Responsible Accounting Officer in relation to Council's financial performance and projected year result is satisfactory.**
-

Summary

The December 2023 Quarterly Budget Review Statement (QBRS) provides a summary of Council's financial performance at the end of the December 2023 quarter and reports on progress made against the original budget adopted by Council in its 2023/24 Operational Plan.

Cash Result

The budget adjustments recommended to council for approval result in a net increase to the unrestricted cash position. The projected unrestricted cash position is forecast to be 3.0M at 30 June 2024.

This improvement in the cash position should be maintained for the financial year to reduce liquidity risk for an organisation Council's size. Council will assess the level of internal reserves required to fund future expenditure at the end of each financial year. Proposed allocations of unrestricted funds to internal reserves will be provided to council at the end of the financial year when the final cash position is known.

A thorough review of the capital works program is currently underway with a report coming back to council to confirm the progress of capital works and any further budget adjustments that may be required.

Operating Result (Income Statement)

The proposed budget adjustments result in a net increase to the consolidated budgeted deficit before capital items of \$481k.

It is important to note the difference between the cash position and the Net Result (Surplus/Deficit). The net result of council includes many non cash items such as Depreciation and accrued income and expenditure that impacts the net result but not cash.

The impact of the 18% Special Rate Variation (SRV) on the 2023/24 General Fund budget, is an improvement to the financial position of \$5.8M. Without the SRV, Council's projected year end result would be a deficit of \$12.8M. Council's cash position would be negatively impacted which would have flow on effects to service provision and asset renewals.

**9.4 Quarterly Budget Review Statement for the Quarter Ending 31 December 2023
(Ref: ; Author: Monaghan/Blakey) (Continued)**

Background

Quarterly Budget Review Statements provide progress reporting against the original annual budget, and subsequent revisions at the end of each quarter. A detailed list of budget adjustments recommended is provided in the below listed reports included in the December QBRS.

Report

See attached report for full details of the QBRS.

Risk/Policy/Legislation Considerations

Council prepares quarterly budget review statements in accordance with clause 203(1) of the Local Government (General) Regulation 2005 which requires that, not later than 2 months after the end of each quarter, excluding the June quarter, the Responsible Accounting Officer (RAO) must submit a budget review statement to Council.

The budget review statement must include or be accompanied by a report as to whether or not the RAO believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and if that position is unsatisfactory, recommendations for remedial action.

In the opinion of the RAO, the December QBRS projects that the financial position as at 30 June 2024 will be satisfactory but at high risk. It is noted remedial action has already been taken including:

1. Future budgets need to be in surplus to restore to an adequate level of working capital. Opportunities to improve the general fund's income has begun with the implementation of the special rate variation of 18% for 3 years. Focus needs to be on future year results.
2. Opportunities to increase other revenue must be considered;
3. Expenditure reductions including opportunities for efficiency savings and re-prioritisation of services to a financially sustainable level is to be a focus of each budget review;
4. Confirm Council's objectives:
 - a. that general fund expenditure does not exceed income,
 - b. there is enough available cash to pay current liabilities
 - c. and assets are maintained to a standard that meets community expectations.

Financial, Budget and Resource Implications

Unrestricted Cash budget adjustments of \$1.9M will increase the projected June 2024 unrestricted cash balance to \$3.0M.

Consolidated net budget adjustments of \$481k will increase the projected June 2024 operating deficit (after carry forwards) before capital items to \$3.75M.

General Fund net budget adjustments of \$1M will reduce the projected June 2024 operating deficit (after carry forwards) before capital items from -\$6.97M to -\$5.87M. This is primarily due to the following projects:

- State Cover Incentive payment received \$197k.
- Additional Trainee/Cadet income received \$222k.

**9.4 Quarterly Budget Review Statement for the Quarter Ending 31 December 2023
(Ref: ; Author: Monaghan/Blakey) (Continued)**

- Additional \$1.2M of interest on investments
- Regional Sporting Complex loan interest of \$300k to be capitalised.
- Additional \$40k of expenses for Market need analysis for QPRC properties.

Water Fund net budget adjustments of -\$1.6M will decrease the projected June 2024 surplus (after carry forwards) before capital items from \$2.2M to \$723k. This is primarily due to the following projects:

- Additional 22k of Grant income for water component of IWCM offset by \$77K of expenses.
- Additional income from interest on investments of \$550k
- Capital works for Jerrabomberra Reservoir is on hold while \$300k for feasibility studies is required
- \$1.8M of additional depreciation after a review of the projected costs

Sewer Fund net budget adjustments of \$29k will increase the projected June 2024 surplus (after carry forwards) before capital items from \$1.37M to \$1.40m. This is primarily due to the following projects:

- Reduction of operating income for Sewer Treatment plant of \$16K offset by reduction in capital works program.
- Additional income from interest on investments of \$1.3M
- Additional 22k of Grant income for sewer component of IWCM offset by \$77K of expenses.
- \$1.2M of additional depreciation after a review of the projected costs

Capital Projects

The original capital works 2023-24 budget plus approved budget adjustment is \$104.1M (including loan repayments). Total amount expended by 31 December 2023 is \$25.8M. This budget is recommended to be reduced by \$5.7M at December 2023 to reflect the timing of capital projects spread over several financial years.

The new proposed capital works program (including loan repayments) is \$98.4M.

The QBRS provides a full list of recommended capital budget adjustments. Some of the major proposed budget adjustment are:

- Reduction of \$3.5M for Jerrabomberra Reservoir offset by operational studies.
- Reduction of Cooma Street water mains capital works by \$2.6M.

Cash Reserves

The cash and reserves summary, reports Council's current total reserve funds, and balance of unrestricted cash that is used for everyday cash flow purposes as at 31 December 2023. Unrestricted cash can move significantly up and down throughout the year based on large cashflow movements for quarterly rates instalments, grant payments and spending on large capital projects. The majority of Council's projected year end cash is externally restricted, totalling \$190.1M and limited in its use to specific purposes by contracts or legislation.

**9.4 Quarterly Budget Review Statement for the Quarter Ending 31 December 2023
(Ref: ; Author: Monaghan/Blakey) (Continued)**

Projected Internal reserves balance of \$23.8M, are used as a device to restrict portions of surplus cash to make them unavailable for general purposes. They are a decision of Council to set aside surpluses for future expenditure, for example, employee leave entitlements, plant purchases, and infrastructure replacement. It is recognised that internal reserves balances are subject to change, via a council resolution, based on the need of Council and may not guarantee that the cash is available for its original intended purpose.

All the internal and external reserves have been reconciled as at 31 December 2023 and shown in the attached report.

Recommended budget adjustments to reserves include but are not limited to the following:

- A reduction of Water funded capital project, resulting in additional fund held in reserve \$6.2M.
- Additional income earned from Interest on investments that are held in reserve for Water, Sewer and Waste funds.
- Additional \$200k of trainee/cadet funding held in reserve for future use.
- The purchase of land for 17 Gibraltar St funded from DOE compensation reserve.
- Adjustment to funds held in reserve and anticipated Financial Assistance grant in advance, resulting in reduction of \$889k to be held in reserve.

Cash and Reserves reported are a point in time measure. As at 31 December 2023 there is a projected year end unrestricted cash balance of \$3.0M.


Links to QPRC/Regional Strategic Plans

This report is part of the Operational Plan 2023-24 reporting and in accordance with the NSW Local Government Regulations, and OLG Annual Reporting compliance requirements.

Conclusion

The December Quarterly Budget Review Statement provides a summary of Council's financial performance and reports on progress against the adopted budget and projected financial position to 30 June 2024 which will be satisfactory but high risk, in the short term with further ongoing action to be taken to secure Council's financial sustainability.

Attachments

Attachment 1  December 2023 Quarter Budget Review Statement (*Under Separate Cover*)

9.5 Investment Report - January 2024 (Ref: ; Author: Monaghan/Drayton)

File Reference: 43.6.5-01

Recommendation

That Council:

- 1. Receive the Investment Report for the month of January 2024.**
 - 2. Note the investment return for January 2024 was \$1,233,988.**
 - 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 January 2024.

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 January 2024 is detailed in the attached Investment Report Pack.

Market Update – The Reserve Bank (RBA) left the cash rate unchanged at 4.35% at its February 2024 meeting. Inflation continued to ease in the December 2023 quarter but remains high at 4.1%. While there are encouraging signs, the economic outlook is uncertain, and the Board is highly attentive to inflationary risks and refused to rule out further interest rate increases.

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.

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

9.5 Investment Report - January 2024 (Ref: ; Author: Monaghan/Drayton) (Continued)

Council has \$8,000,000 (3.14% 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 January 2024, Council held \$126.7 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, 16/2/2024.

The draft Investment Policy was tabled at the 14 February 2024 council meeting and is currently on a 28-day public exhibition with a view to adoption should no objections be received.

Financial, Budget and Resource Implications

Over the last 12 months, Council's portfolio produced an annualised rate of return of 4.97%, outperforming the benchmark Bank Bill Index by 0.97%.

On 31 January 2024, the principal amount invested was \$254,705,569.

As at 31 January 2024 council has earned interest of \$7,231,487. This is significantly more than the year to date budget (as at 31 January) of \$2,405,802 and more than the annual budget of \$4,357,525. There is a proposed budget adjustment in the second quarter budget review to increase the income earned from investments by \$3M. This income will continue to be monitored. A large portion of this income is to be allocated to Water, Sewer and Waste funds and subsequently restricted funds.

Of the total \$254.7 million investment portfolio, Council holds \$30.2 million in TCorpIM long-term (LTGF) and medium-term (MTGF) funds. Both funds continued to build on recent positive performances with returns of \$253,712 and \$91,332 respectively in January 2024.

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	630,238	265,888
December	533,742	288,303
January	253,712	91,332

9.5 Investment Report - January 2024 (Ref: ; Author: Monaghan/Drayton) (Continued)

2023-24 YTD Total	1,030,502	550,852
Return since inception	6,143,605	2,021,817
Initial Placement	12,000,000	10,000,000

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 January 2024 cash and investments balance by fund and by restriction.

Fund	\$
General	103,296,363
Water	45,004,073
Sewer	99,541,244
Trust	67,241
Unrestricted*	6,796,648
Total Cash & Investments	254,705,569

Restriction	\$
Unexpended Loans	2,675,008
Developer Contributions	61,068,855
Unexpended Grants	24,040,032
External Restrictions (Other)	135,401,537
Internal Restrictions	17,255,566
DOE – Compensation	7,467,923
Total Restrictions	247,908,920
Unrestricted*	6,796,648
Total Cash & Investments	254,705,569

*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 \$7,231,487. 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 - January 2024 (*Under Separate Cover*)



9.6 NSW Treasury Corp Loan Agreements Update (Ref: ; Author:
Monaghan/Drayton)

File Reference: 43.6.5-04

Recommendation

That Council authorise the Mayor and General Manager to sign and affix the common seal of amended loan contracts with NSW Treasury Corporation.

Summary

NSW Treasury Corporation (TCorp) are requesting the amendment of sections of the following existing loan contracts with QPRC.

The acceptance of these amendments requires the signature of QPRC's Mayor and General Manager with the common seal affixed.

The changes are in Council's favour and remove limitations that TCorp had imposed through extra restrictions, over and above the Ministerial Investment Order, on Council's investments.

Background

Drawdown details of the impacted loans are:

1. 11 January 2019 - \$36,000,000 funding the Ellerton Drive Extension.
2. 11 January 2019 - \$14,400,000 funding South Bungendore drainage, Braidwood waste transfer station, indoor sports centre upgrade, Royalla cemetery, local roads renewal, and the Burra s bends.
3. 29 June 2020 - \$1,634,000 funding local roads, and the Queen Elizabeth II Park infrastructure/river walk.
4. 18 June 2021 - \$7,263,000 being the first tranche of the QCCP funding.

NSW Councils have advocated against the prescriptive investment terms that have appeared in TCorp loan contracts in recent years because they have a direct impact on Councils' ability to maximise returns.

Report

The attached financial document outlining TCorp's amendments to each Loan Agreement needs acknowledgement of acceptance by QPRC with the Mayor and General Manager's signature and stamped with the Common Seal.

The attached financial document outlines TCorp's amendments to each Loan Agreement with all other terms and conditions to remain the same and in full force and effect.

9.6 NSW Treasury Corp Loan Agreements Update (Ref: ; Author: Monaghan/Drayton) (Continued)

The main impacts on Council of these amendments are:

1. TCorp will continue to rely on Council's statutory obligation to adopt and adhere to an investment policy which complies with the Local Government Act 1993 (NSW), the Investment Policy Guidelines issued by the Office of Local Government, and the Investment Order issued by the Minister for Local Government.
2. Council will provide TCorp a copy of its adopted investment policy and will provide written notice to TCorp of any amendments.
3. Council will continue to provide TCorp written details of all its investments.
4. Council investments will continue to be assessed by TCorp as part of their loan assessment and loan monitoring.

Risk/Policy/Legislation Considerations

Council's Investment Policy and investments are to comply fully with section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulations 2021, and the Investment Order issued by the Minister for Local Government.

Use of the common seal requires endorsement by Council.

Financial, Budget and Resource Implications


No additional borrowing costs to QPRC are incurred as the proposed changes are to existing loan agreements, and do not impact the current borrowing principal, term, or interest rate applicable to each loan.

The changes allow Council to consider compliant investments that may have a higher yield, enable Council to increase its investment return than would otherwise have been allowable under the existing loan contract. No budget adjustment is recommended however future budget assumptions will take into account the reduced restrictions.

Conclusion

The amendments are in Council's favour and recognise that Council has a strong and compliant investment policy that has due consideration for risk and security.

Attachments

Attachment 1  NSW Treasury Corp - Amendments to Loan Agreements (*Under Separate Cover*)

9.7 Draft Compliance and Enforcement Policy (Ref: ; Author: Ormella/Corey)

File Reference: 25.5.1

Recommendation

That Council place the Draft Compliance and Enforcement Policy on exhibition for 28 days.

Summary

Council undertakes various compliance and enforcement activities as part of its statutory functions. Section 8 of the Local Government Act (1993) requires Council to ensure that it carries out its functions in a way that facilitates a strong, healthy and prosperous local community.

Council's compliance and enforcement role is aimed primarily at minimising harm to health, welfare, safety, property, and the environment. The Draft Compliance and Enforcement Policy has been developed to provide guidance to internal and external stakeholders regarding Council's position on compliance and enforcement matters with the intent of establishing clear guidelines and protocols for Council staff involved in compliance and enforcement activities.

The policy has been developed in accordance with the NSW Ombudsman's Enforcement Guidelines for Councils (December 2015).

Report

The Draft Compliance and Enforcement Policy provides workable guidelines on:

- Responding to reports alleging unlawful activity,
- Assessing whether reports alleging unlawful activity require investigation,
- Deciding whether enforcement action is warranted,
- Options for dealing with confirmed cases of unlawful activity,
- Taking legal action,
- Implementing shared enforcement responsibilities.

It also provides advice and guidance on:

- The role of private certifiers in compliance and enforcement,
- The role of Councillors in compliance and enforcement,
- Special provisions for dealing with compliance and enforcement matters where people are experiencing homelessness.

The intent of the Policy is to ensure that Council's compliance and enforcement activities comply with the regulatory principals of accountability, transparency, fairness, consistency, and proportionality.

Risk/Policy/Legislation Considerations

The Policy relates to Council's statutory functions under the following legislation (including subordinate legislation):

- Environmental Planning and Assessment Act 1979
- Local Government Act 1993

9.7 Draft Compliance and Enforcement Policy (Ref: ; Author: Ormella/Corey) (Continued)

- Swimming Pools Act 1992
- Protection of Environment Operations Act 1997
- Public Health Act 2010
- Roads Act 1993
- Public Spaces (Unattended Property) Act 2021
- Food Act 2003
- Biosecurity Act 2015
- Companion Animals Act 1998

The Policy also applies to any other piece of legislation where Council is the appropriate regulatory authority.

Financial, Budget and Resource Implications

The Policy provides a framework for appropriate resourcing of the compliance and enforcement activities of Council. It provides a risk matrix which classifies matters as low, medium or high risk and allows for discretion around investigations based on resourcing levels and the community benefit of undertaking enforcement.

It allows Council to ensure that limited resources in the compliance and enforcement areas are directed to functions that provide the highest level of benefit to the QPRC community and natural environment.

Links to QPRC/Regional Strategic Plans

The Draft Compliance and Enforcement Policy aligns 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

Progression of the Draft Compliance and Enforcement Policy to public exhibition will enable community submissions to be made and for these to be considered by Council prior to the adoption and implementation of the Policy.

The Draft Compliance and Enforcement Policy provides a robust framework for the management of Council's compliance and enforcement activities. It allows Council to balance statutory requirements with community expectations and undertake compliance and enforcement activities in accordance with the regulatory principals of accountability, transparency, fairness, consistency and proportionality.

Attachments

Attachment 1 Draft Compliance and Enforcement Policy



9.8 Post-Exhibition Report - Data Breach Policy (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council adopt the Data Breach Policy.

Summary

Amendments to the Privacy and Personal Information Protection Act 1998 (PPIP Act) came into effect on 28 November 2023. The amendments impact the responsibilities of agencies under the PPIP 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 PPIP Act. This policy has been created to satisfy the changes to legislation.

The Data Breach Policy was presented to Council for consideration on 22 November 2023. At this meeting, Council resolved to place the Data Breach Policy on public exhibition for 28 days (**Resolution No 500/23**). The exhibition period extended from 23 November 2023 to 20 January 2024.

During this time, the Policy attracted 46 site visits, 12 document downloads and 2 written submissions.

Report

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

Internal capability for active cyber-security vigilance and reactive nature of the Policy

- Concerns about in-house expertise or dedicated cyber-specialist in order to complement the policy.
- Data has already been lost by the time we are aware of the breach occurring.

This raises some very valid considerations and staff in both data and record protection roles are cognisant of these concerns, aware that there is an inherent risk, no matter how good the systems and processes. Council engages an external cybersecurity consultant to undertake annual penetration testing, however, our focus is on culture shifting. Digital staff members regularly facilitate cyber awareness training in the form of mandatory training for any new employees to the Organisation and quarterly phishing tests. Data managers regularly report to Council's Audit Risk and Improvement Committee and Executive Committee on identified deficiencies in systems as well as our adherence to the Essential 8 Framework.

Detail of Data Breach notification and Risk Assessments

- Full details of the extent of the data breach to be provided to any victim as part of Council's notification process.
- Ability for a victim of a data breach incident to conduct their own risk assessment based on the extent of information compromised.

Council will work with any resident who has been the subject of a data breach to provide as much information as possible about the extent of the breach. Council also has referral responsibility to the Information Privacy Commissioner in instances where a breach has

**9.8 Post-Exhibition Report - Data Breach Policy (Ref: ; Author: Ryan/Flint)
(Continued)**

occurred. All internal systems are classified based on personal data and we protect our 'Crown Jewels' which generally hosts personal information.

A review of all instances where Council has in the past been collecting potentially unnecessary personal information has taken place and we are now only capturing information necessary to our functions as an Agency.

No changes to the policy have been made as a result of these submissions and following the post-exhibition period.

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 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

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

Attachments

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



Attachment 2 Submissions - Data Breach Policy (*Under Separate Cover*)



9.9 Post-Exhibition Report - Agricultural Chemical Use in Public Places Policy
(Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council adopt the Agricultural Chemical Use in Public Places Policy

Summary

The Agricultural Chemical Use in Public Places Policy was presented to Council for consideration on 25 October 2023. At this meeting, Council agreed to place the Data Breach Policy on public exhibition for 28 days (**Resolution No 442/23**). The exhibition period extended from 27 October to 26 November 2023.

During this time, the Policy attracted 85 site visits, 29 document downloads and 4 written submissions.

Background

Council uses various agricultural chemicals in its routine operations and while some are broad use herbicides, most are target specific chemicals that form an important tool in Council's open space operation.

This policy is aimed at providing the community with a clear understanding of Council's practices regarding the use of agricultural chemicals in public places.

Report

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

Slow phasing out of Glyphosate chemicals

- Usage over the years has become less and this policy supports that ongoing minimisation as alternatives emerge
- Need for an adequate Weed Control Strategy in order to fully eradicate the use of glyphosate into the future.

There is a global push to eradicate the use of glyphosate however no alternative options currently present themselves with the same effectiveness as glyphosate. There are other more manual and cost-prohibitive options which do not have the same effectiveness. Council will continue to monitor emerging alternatives and explore when necessary.

Signage

- To be present in all areas that are/have been recently sprayed.

The Pesticide Notification Plan requires notification prior, and during, spraying operations. Occasionally signs are placed at higher risk areas (eg: blackberries where foraging may occur) however it is not feasible to place signage out for extended periods on roadsides where spraying may extend many kilometres.

9.9 Post-Exhibition Report - Agricultural Chemical Use in Public Places Policy (Ref: ; Author: Ryan/Flint) (Continued)

Use of Chemicals in and around Children's playgrounds

- Potential public liability risk
- Exposure of vulnerable members of the community to chemicals

Wording of Policy

- Viewed as non-committal and weak.

The reference to Children's Playgrounds is not within the Policy, rather is reference to the Pesticide Use Notification Plan. Council's Notification Plan has been developed in accordance with legislative guidelines and is used to provide the community with information on how and when Council will give formal notification prior to chemical usage. Not only will staff signpost accordingly when weed spraying in the vicinity of playgrounds, it will when practicable, use alternate methods of weed control that doesn't involve glyphosate.

The wording used in the policy will remain unchanged. Council does not have the capacity to blanket ban the use of glyphosate-based chemicals without significant budget increases.

No changes have been made to the policy following the exhibition period.

Risk/Policy/Legislation Considerations

Use of pesticides in NSW is governed by the Pesticide Act 1999 and the Pesticide Regulation 2017. Council is required to, and has, a Pesticide Notification Plan available on its website and all chemical use must be in accordance with the product label which is considered a legal document under the Act. The recently amended Pesticide Use Notification Plan is attached to this report.

Financial, Budget and Resource Implications

There are no financial implications in the implementation of this policy.

Links to QPRC/Regional Strategic Plans




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

The implementation of the Agricultural Chemical Use in Public Places Policy will provide the community with confidence in knowing that activities in the area are being conducted in accordance with legislation and best practice and that Council has adequate oversight of such activity.

Conclusion

This policy is recommended for endorsement by Council to effectively govern the use of chemicals in public places.

Attachments

- | | |
|---|---|
| Attachment 1
 | Agricultural Chemical Use in Public Places Policy (<i>Under Separate Cover</i>) |
| Attachment 2
 | Submissions - Agricultural Chemical Use in Public Places Policy (<i>Under Separate Cover</i>) |
| Attachment 3
 | Pesticide Use Notification Plan (<i>Under Separate Cover</i>) |

10.1 Feedback on Public Exhibition of 2022/23 Financial Statements (Ref: ; Author: Monaghan/Sligar)

File Reference: 41.1

Recommendation

For Council information.

Report

Consultation has now concluded on the 2022/23 Financial Statements.

The consultation period resulted in the following visitation to the 'Have Your Say' page on Council's website:

Widget type	Engagement tool	Visitor no.	Downloads / views
Document	2022-23 Annual Financial statements	80	80
Document	Public Notice – Presentation of Financial Statements 2022-23	10	10
Video	Auditor's presentation to 13 December 2023 Council meeting	19	19
Key Dates	Key Dates	1	1
Survey tool	Have your say – Financial Statements 2022-23	4	2 contributors

Two submissions were received via the 'Have Your Say' survey. Council staff have provided a response to the submitters and passed on this information to the NSW Audit Office as required by s420 of the Local Government Act 1993.

Details of submissions are attachment for information.

The feedback received centred around four main themes:

- Council's performance against Key Performance Indicators – improvement needs to be made to ensure Council is operating efficiently and effectively.
- RFS – the issue surrounding council not recording RFS red fleet as Council assets needs to be resolved.
- Level of borrowings
- Potential for the sale of assets

Attachments

Attachment 1 Survey Responses (*Under Separate Cover*)



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

File Reference: 28 February 2024 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 14 to 21 February 2024, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
20/02/2024	1. Dunns Creek Road 2. Quarterly Budget Review Statement	N/A N/A
21/02/2024	1. Jerrabomberra Pump Track	N/A

Attachments

Nil

11.1 QPRC Environment and Sustainability Advisory Committee Minutes - October 2023 and December 2023 (Ref: ; Author: Ormella/Corey)

File Reference: 24.2.1

Recommendation

That Council note the minutes of the Environment and Sustainability Advisory Committee held on 16 October 2023 and 4 December 2023.

Summary



This report tables the minutes of the QPRC Environment and Sustainability Advisory Committee for 16 October 2023 and 4 December 2023.

At the meeting of 16 October 2023 various matters were discussed including the ACT Government's response to Council's request for allocation of a portion of the revenue raised by the ACT Water Abstraction Charge and the ACT Revised Territory Plan- Biodiversity Sensitive Urban Design Guidelines. The meeting also included a round-table discussion about activities of the various community groups represented on the committee.

The meeting of 4 December 2023 included a presentation from Queanbeyan Landcare. The presentation led to a discussion between committee members about what sort of information and mapping Council has available to determine environmental impacts of various activities including tree planting, roadside maintenance, and native reserve maintenance. The committee will be provided a presentation from Council's GIS team on Council's current mapping for areas of high conservation value.

Other issues included a request for Council to investigate options for signage to protect wildlife near roads. The committee requested further information regarding current signage and the item was postponed for further discussion at the next meeting. The Urban Rivers and Catchments Program was also discussed, and staff are supporting an application for grant funding for a project on the Queanbeyan River.

Attachments

- Attachment 1  QPRC Environment and Sustainability Advisory Committee Minutes - 16 October 2023 (*Under Separate Cover*)
- Attachment 2  QPRC Environment and Sustainability Advisory Committee Minutes- 4 December 2023 (*Under Separate Cover*)

11.2 Local Traffic Committee Meeting - 6 February 2024 (Ref: ; Author:
Tooth/Harris)

File Reference: 31.4.1

Recommendation

That Council:

1. Note the minutes of Local Traffic Committee held on 6 February 2024.
2. Adopt recommendations LTC 2/2024 to LTC 9/2024 from the meeting held on 6 February 2024:

LTC 2/2024: Proposed Solution: Event supported. Under roads Act 1993 approve the temporary traffic control plan with minor amendments for the Queanbeyan Multicultural Festival.

LTC 3/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Queanbeyan Rodeo.

LTC 4/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Queanbeyan ANZAC Day event.

LTC 5/2024: Proposed Solution: Event not supported in current form. Resubmit at next LTC Meeting.

LTC 6/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Braidwood ANZAC Day event.

LTC 7/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Captains Flat ANZAC Day event.

LTC 8/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Majors Creek ANZAC Day event.

LTC 9/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Jerrabomberra ANZAC Day event.

Summary


The Local Traffic Committee (LTC) has submitted the minutes and recommendations of its meeting held on 6 February 2024 for Councils information and consideration.

The LTC is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Transport for NSW or relevant organisation.

11.2 Local Traffic Committee Meeting - 6 February 2024 (Ref: ; Author: Tooth/Harris)
(Continued)

The LTC will only review reports that have been prepared by staff and submitted to the LTC in accordance with its delegations. The members of the LTC will not undertake investigations of traffic matters or design traffic solutions.

Attachments

Attachment 1  Local Traffic Committee Meeting - 6 February 2024 (*Under Separate Cover*)

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

File Reference: 52.3.3

Recommendation

That Council notes:



1. The Minutes of Bungendore Town Centre and Environs Committee meetings held on 20 November 2023 and 18 December 2023.
 2. Resolution 6.2: That Council prioritises upgrading the Bungendore Road Halfway Creek access bridge and approaches to the Molonglo Street/Gibraltar Street junction.
-

Summary

The Bungendore Town Centre and Environs Advisory Committee has submitted minutes of meetings held on 20 November 2023 and 18 December 2023.

In regard to recommendation 6.2 (18 December 2023), works to rehabilitate the approach road and bridge deck of Halfway Creek Bridge on Bungendore Road has been scheduled for completion by 30 March 2024, under Council's Asphalt Surfacing Works 23/24 program.

Attachments

- | | |
|---|---|
| Attachment 1
 | Bungendore Town Centre and Environs Advisory Committee Meeting Minutes 20 November 2023 (<i>Under Separate Cover</i>) |
| Attachment 2
 | Bungendore Town Centre and Environs Advisory Committee Meeting Minutes 18 December 2023 (<i>Under Separate Cover</i>) |

12.1 Notice of Motion - Mount Jerrabomberra Plan of Management (Ref: ; Author: Willis/Willis)

File Reference: 28 February 2024 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council receive a report on progress implementing the Mount Jerrabomberra Plan of Management following the 2023-2024 budget allocation to commence this work.

Comment from Cr Willis in support of this Notice of Motion

Council allocated \$25,000 towards implementation of the Mount Jerrabomberra Plan of Management in the 2023-2024 Operational Plan. A report on progress of this work will assist Council to determine a funding allocation in the 2024-2025 operational plan to ensure the project continues.

Staff Comment

The following works, funded from the allocated budget of \$25K is planned for completion by the end of the financial year.

Replacement of the signage at the top of the mount, including Indigenous messaging in the signage information. We are working with Ngambri Land Council on the Indigenous information, and once this is collated the final design of the updated sign will be completed.

In addition, staff are examining the need for weed removal at the crest of the mountain, replanting with native vegetation, and provision of improved way finding signage on the mountain tracks. These are proposed to be similar to those in NSW National Parks which are low level, simple in form and do not detract from the natural environment.

Attachments

Nil

12.2 Notice of Motion - Budget Items (Ref: ; Author: Willis/Willis)

File Reference: 28 February 2024 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council consider allocating funding in the 2024-2025 Operational Plan for the following purposes:

- a. Providing additional bicycle parking in city and town centres.**
 - b. Installing shade cloth for the Queanbeyan outdoor swimming pool.**
 - c. Reviewing the concept plan for the proposed Agnes Avenue Park in Queanbeyan, and revising cost estimates to complete the project.**
-

Comment from Cr Willis in support of this Notice of Motion

Providing adequate and convenient bicycle parking is integral to encouraging more people to cycle to the Queanbeyan CBD and other town centres. Where a cycling journey replaces a motorised vehicle journey, it reduces demand for car parking, pollution and greenhouse gas emissions. Transport is the second highest source of community greenhouse gas emissions in our local government area after energy use.

Queanbeyan outdoor pool is a valued facility but is rendered unusable during the hottest part of the day in summer as average temperatures climb and the U/V index regularly sits at Extreme. While Council may determine in the future to enclose the pool, this is not financially feasible in the near term. Installing shade cloth will maximise the use of the outdoor pool during summer, in particular outside of peak demand periods.

Council developed and endorsed preliminary concept plans for a park at 16 Agnes Avenue, Queanbeyan on 22 April 2020 and supported investigation of grant funding to undertake the work on the site adjacent to council land dedicated to the Yvonne Cuscheri House respite centre. However, no progress has been made on the park since that time and no grant funding application has been lodged. Reviewing the concept plans and obtaining a revised cost estimate of the work is a pre-requisite to seeking grant funding to complete the project.

Staff Comment

The requests have been included in the Budget Bids process that is considered by Council against other priorities with the review of the draft Operational Plan each year.

Attachments

Nil

12.3 Notice of Motion - Improved Vehicle Wildlife Road Collision Mitigation Measures (Ref: ; Author: Grundy/Grundy)

File Reference: 28 February 2024 motions

Notice

Councillor Mareeta Grundy will move the following motion:

Motion

That Council:

- 1. Receive a report on the options available for, and the costs of, improved vehicle-wildlife road collision mitigation measures on rural high traffic roads, such as Macs Reef Road Bywong. This should include acoustic, and visual measures, including but not limited to active signage as well as improved roadside vegetation containment practises.**
 - 2. Consider operational funding in the 2024-2025 financial year for the installation of such measures.**
-

Comment from Cr Grundy in support of this Notice of Motion

Wildlife on our rural and regional roads is a serious challenge to road safety. Vehicle wildlife collisions account for over 4 million Australian mammalian roadkill each year (10 million animals as a whole), 560,000 mammalian orphans and contribute to over \$21 million in vehicle insurance costs. A collision can result in extensive damage to vehicles and can cause serious human injury or death.

The 2023 NRMA Wildlife Collisions Report showed there were more than 900 collisions with animals that caused injuries, ranging from minor through to fatal human crashes, on New South Wales and Australian Capital Territory roads between 2015-2020. In alone 2020, there were 116 accidents reported due to animal collisions.

David Wilkes, Executive Manager Motor Assessing at NRMA Insurance states that "our claims data shows that stretches of road and highways in regional areas pose a much greater risk of animal collision compared with suburban streets". (Sources. NRMA 2023 Wildlife Collisions Report. Wildlife Safety Solutions)

Staff Comment

It is noted that any signage would need to comply with Australian Standards and Council's delegated authority.

Attachments

Nil

12.4 Notice of Motion - Wamboin Welcome Wall (Ref: ; Author:
Macdonald/Macdonald)

File Reference: 28 February 2024 motions

Notice

Councillor Ross Macdonald will move the following motion:

Motion

That Council:

1. Notes:
 - a. the fantastic job that the community did in repairing the stone Wamboin sign on the corner of Norton Road and Sutton Road, and
 - b. that the repair project was entirely undertaken by the community.
 2. Hold a workshop to discuss options for lighting at the intersection to enhance safety and visual aspects including:
 - a. technology options, with a preference for solar;
 - b. cost estimates, and
 - c. funding options.
-

Comment from Cr Macdonald in support of this Notice of Motion

The Wamboin sign welcomes those entering Wamboin from Sutton Road onto Norton Road.

The sign was originally a wooden sign though in 2008 a stone entrance sign was built for the Wamboin Community Association (WCA) by the late Dave Argæet and helpers from the WCA.

On 23 January 2023 a car crashed into the sign, severely damaging it. Less than one year later on 11 January 2024 repairs to the wall were completed by master stonemasons Tom Argæet and Jeremy Elkerbout with involvement from community members.

To enhance the visual and safety aspects of the high traffic intersection, Council should consider options for lighting the intersection including any opportunities for State funding.

Staff Comment

It is noted that any lighting at the intersection would need to comply with Australian Standards and Council's delegated authority.

Attachments

Nil

12.5 Notice of Motion - Clean Up Australia Day (Ref: ; Author:
Macdonald/Macdonald)

File Reference: 28 February 2024

Notice

Councillor Ross Macdonald will move the following motion:

Motion

That Council:

1. Notes:

- a. the annual Clean Up Australia Day event will be held on 3 March 2024 and this activity provides people right across Australia the opportunity to make a positive impact to their local area, and
 - b. that the Wamboin Community Association held Clean Up Australia Day events for 27 years but this has ceased in recent years following advice from Council.
- 2. Refers the matter to the Local Traffic Committee for consideration with a view as to how to mitigate risk sufficiently to enable this activity to be undertaken including along roadsides in non-urban areas.**
- 3. Develops options to enable all members of our community to get involved in Clean Up Australia Day appropriate to their local area.**
-

Comment from Cr Macdonald in support of this Notice of Motion

Clean Up Australia Day began 30 years ago and since then, over twenty million Australians have been involved over that time to improve the environment and beautify the areas they live in and love.

In 2018 Council advised that "...the risk of permitting this activity without the required precautions is too great and will not be accepted by Council".

Local community associations are seeking a workaround to once again allow broad participation in the annual Clean Up Australia Day event.

Staff Comment

Clean-up Australia Day benefits both our environment and our community. Roadsides are not identified for the works for the following reasons:

- Under the WHS Act (2011) Volunteers are classified as QPRC Employees,
- Roadsides are high-risk activities and the following would be required
 - Traffic Control in accordance with Transport for NSW Guidelines
 - Site inductions of all attendees
 - White card Qualification

**12.5 Notice of Motion - Clean Up Australia Day (Ref: ; Author: Macdonald/Macdonald)
(Continued)**

More suitable sites would include Creeks, Recreation Reserves, Greenways, Halls and Public Parks. There is potential for Council to build its volunteer workforce that could be managed through a training program.

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 Appointment of Heritage Advisor

Item 16.1 is confidential in accordance with s10(A) (a) (di) (dii) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.