



Ordinary Meeting of Council

AGENDA

22 May 2024

Commencing at 5.30pm

**Council Chambers
257 Crawford Street, Queanbeyan**

Presentations for items listed on the Agenda can be made in writing, via Zoom or in person. 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.

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

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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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1 OPENING

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3 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

4 CONFIRMATION OF MINUTES

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5 DISCLOSURES OF INTERESTS

6 ADJOURNMENT FOR PUBLIC FORUM

7 MAYORAL MINUTE

8 NOTICES OF MOTIONS OF RESCISSION

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Confidential - Not for Publication

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| 16 | REPORTS FOR CLOSED SESSION | |
| 16.1 | Compulsory Acquisition <i>Item 16.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i> | |
| 16.2 | Bungendore Office and Property Development <i>Item 16.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains 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.</i> | |
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**SUPPLEMENTARY ITEM
Quarterly Budget Review Statement for the Quarter Ending 31 March 2024**

LIST OF ATTACHMENTS

Open Attachments

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- Attachment 9 *Request to amend noise condition - DA.2022.1354 - 140
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- Attachment 10 *Letters of Support - DA.2022.1354 - 140 Little River Road
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- Attachment 11 *Section 4.15 Table - Matters for Consideration -
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- Attachment 12 *Draft Conditions of Consent (Under Separate Cover)*
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- Attachment 3 *Stormwater Management Report (Under Separate Cover)*
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- Attachment 11 *Summary of Initial State Agency submissions (Under
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- Attachment 1 *Scoping Proposal - Complying Development - C4 Zone -
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- Item 9.4 Procedure for Proponent Initiated Planning Proposals
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- Item 9.6 Investment Report - April 2024
- Attachment 1 *Investment Report Pack - April 2024 (Under Separate
Cover)*
- Item 9.7 Licence Agreement - Queanbeyan Leagues Club for Seiffert Oval
- Attachment 1 *Draft Licence - QLC 2024 (Under Separate Cover)*
- Attachment 2 *Previous Licence Addendum 2015 (Under Separate Cover)*

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- ### **Closed Attachments**

This is Page iv of the Minutes of the Ordinary Meeting of the Queanbeyan-Palerang Regional Council held 8 May 2024.
Cr Kenrick Winchester - Mayor, Chairperson



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 257 Crawford Street, Queanbeyan on Wednesday, 8 May 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

P Hansen, Director Infrastructure Services

J Richards, Director Community, Arts and Recreation

K Monaghan, Director Corporate Services

R Ormella, Director Development and Environment

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.32pm.

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

187/24

**4.1 Minutes of the Ordinary Meeting of Council held on 24 April 2024
RESOLVED (Winchester/Taskovski)**

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

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

188/24

RESOLVED (Winchester/Macdonald)

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

189/24

RESOLVED (Winchester/Preston)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.34pm and resumed at 5.37pm.

Cr Macdonald requested the Mayor rule he accept an urgent Notice of Motion regarding the closure of ANZ's Queanbeyan Branch on the basis that it is an urgent matter, and cannot wait until the next Council meeting.

PROCEDURAL MOTION

190/24

RESOLVED (Macdonald/Burton)

That the urgent Notice of Motion regarding the closure of ANZ's Queanbeyan Branch is considered at this meeting.

The resolution was carried unanimously.

MATTER OF URGENCY

191/24

**Notice of Motion – Closure of ANZ’s Queanbeyan Branch
RESOLVED (Macdonald/Burton)**

That:

1. Council note:
 - i. The ANZ bank has announced it will close its Queanbeyan branch on 19 June 2024, and
 - ii. Face-to-face banking facilities provide an essential service to many residents, businesses that conduct cash transactions and also enhances local commerce through increased foot traffic and associated business activity.
2. The Mayor write to the CEO of the ANZ bank requesting that urgent reconsideration be given to the closure of the Queanbeyan branch of the ANZ bank.

The resolution was carried unanimously.

PROCEDURAL MOTION

192/24

RESOLVED (Biscotti/Preston)

That item 9.4: Naming of QCCP and Public Spaces - Community Feedback, be brought forward for consideration at this juncture.

The resolution was carried unanimously.

193/24

**9.4 Naming of QCCP and Public Spaces - Community Feedback
RESOLVED (Wilson/Taskovski)**

That Council:

1. Endorse the naming of the new Council Administration Office and Public Spaces as follows:
 - The Building - The Nellie Hamilton Centre
 - Forecourt and Q Link - The Malunnggang Walk
 - Rooftop Gardens - Djara Gardens
 - Public Domain and Park - Aunty Louise Brown Park
2. Conduct an official opening and community event as soon as practicable.

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

Against: Cr Grundy

SUPPLEMENTARY REPORT**7. MAYORAL MINUTE**

194/24

**7.1 Mayoral Minute - Donation to HOME in Queanbeyan
RESOLVED (From the Chair)**

That Council approve the donation made to HOME in Queanbeyan for \$1,840; being the proceeds of the Garage Sale conducted on 4 May 2024.

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

195/24

**9.1 Road Naming off Wirreanda Road, Wamboin
RESOLVED (Macdonald/Grundy)**

That Council:

1. Adopt in principle the name Top Flat Lane as the proposed name for one new road located off Wirreanda Road, Wamboin created under Development Consent MOD.2017.016, a 21 Lot Subdivision Stage two.
2. Advertise the proposed road names for public comment for 28 days.
3. Publish a notice in the NSW Government Gazette for the road name Top Flat Lane, if no objections are received during the advertising period.

The resolution was carried unanimously.

196/24

**9.2 Cooma Street Water Mains Upgrades Review of Environmental Factors (REF)
RESOLVED (Grundy/Burton)**

That Council adopt the attached Cooma Road Water Mains Upgrade Review of Environmental Factors and incorporate same into the project contractual suite of documents.

The resolution was carried unanimously.

- 197/24
- 9.3 Braidwood Car Park**
RESOLVED (Wilson/Biscotti)
- That Council:
1. Endorse the General Manager executing the funding agreement for \$3 million from the Federal Government's Investing in our Local Communities Program for the Braidwood Car Park.
 2. Bring into the 2024/25 budget, total expenditure for this project of \$3,656,750 with funding of \$3m from grant, \$400,750 from internal infrastructure reserve, and \$256,000 of internal costs to be allocated to this project already funded from general revenue.
- For: Crs Biscotti, Burton, Livermore, Macdonald, Preston, Taskovski, Willis, Wilson and Winchester
Against: Cr Grundy
- 9.4 Naming of QCCP and Public Spaces - Community Feedback**
- This Item was dealt with in earlier business.
- 198/24
- 9.5 Cemeteries Strategy - Community Feedback**
RESOLVED (Willis/Biscotti)
- That Council endorse the Cemeteries Strategy with the suggested amendments.
- For: Crs Biscotti, Burton, Grundy, Livermore, Macdonald, Preston, Taskovski, Willis and Wilson
Against: Cr Winchester
- 199/24
- 9.6 Request for Donation Braidwood Preschool Developer Contribution Levies**
RESOLVED (Macdonald/Preston)
- That Council provide a donation of \$33,272 to cover the Developer Contribution Levies associated with DA.2021.1482.A for the Braidwood Preschool extension from the General Fund.
- The resolution was carried unanimously.

9.7 Draft Integrated Plans 2024-25

200/24

RESOLVED (Wilson/Biscotti)

That Council endorse the following draft Integrated Plans for public exhibition for 28 days:

- Operational Plan 2024-25
- Service Statements 2024-25
- Revenue Policy 2024-25
- Fees and Charges 2024-25
- Donations Policy
- Guidelines Category H Donations
- Long Term Financial Plan

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

Against: Crs Burton, Grundy and Macdonald

9.8 Internal Audit Charter - Annual Review

201/24

RESOLVED (Biscotti/Preston)

That Council endorse the revised Internal Audit Charter.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Gateway Determination and Public Exhibition of Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community to Operational Land

202/24

RESOLVED (Preston/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

10.2 Response to Notice of Motion - Local Heritage Listings

203/24

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

Cr Willis foreshadowed a Notice of Motion for the next meeting:

That:

1. Council staff seek a meeting with Heritage NSW to discuss the removal in error of the local listing of the Albion Complex and a process to expedite reinstating the listing on Schedule 5 of the Queanbeyan-Palerang Regional LEP 2022; and
2. Council staff make use of the Braidwood Historical Society's records and extensive knowledge of local heritage, including the site in question and its local heritage values, to assist in this matter.

204/24 **10.3 Bungendore Sports Hub Playing Fields**
RESOLVED (Macdonald/Burton)

That the report be received for information.

The resolution was carried unanimously.

205/24 **10.4 Service Reviews**
RESOLVED (Biscotti/Burton)

That the report be received for information.

The resolution was carried unanimously.

206/24 **10.5 Councillor Workshops**
RESOLVED (Wilson/Grundy)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

207/24 **11.1 Heritage Advisory Committee 4 April 2024**
RESOLVED (Willis/Preston)

That Council:

1. Note the minutes of the Heritage Advisory Committee Meeting held on 4 April 2024.
2. Note recommendations from the meeting held on 4 April 2024:

- QPRC HAC – DA.2023.0495 - 75 Campbell Street Queanbeyan

The committee recommended unanimously that this DA be referred to Council's Heritage Advisor for comment given the social importance of the property, its visual prominence and noting the significance of the chimney.

- QPRC HAC – DA.2023.0038 - 7 Hirst Avenue Queanbeyan

The committee recommend unanimously that this DA be referred to Council's Heritage Advisor for review of the proposed changes to the windows, the bulk and visibility of the extension, the French doors and the addition of the carport.

- QPRC HAC – DA.2023.0543 - 65 Butmaroo Street Bungendore

Unanimously the committee does not support the design of this development. The two-storey nature of the proposed development is incompatible with the character of surrounding dwellings and this includes having an adverse impact on Rutledge Street.

The resolution was carried unanimously.

11.2 Queanbeyan Showground Advisory Committee Meeting Minutes November 2023 and February 2024

208/24

RESOLVED (Preston/Grundy)

That Council note the summary of the Queanbeyan Showground Advisory Committee meeting held on 13 November 2023 and note the minutes of the 12 February 2024 meeting.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

12.1 Notice of Motion - RB Smith Building

209/24

RESOLVED (Willis/Preston)

That Council receive a report on:

1. The feasibility and cost to make the RB Smith Centre available for use by community groups, providers of services and private hirers pending a Council decision on the long-term future use of the facility and site.
2. The potential revenue stream from meeting room hire to offset operational costs of the RB Smith Centre.

The resolution was carried unanimously.

12.2 Notice of Motion - Ending Violence Against Women

MOVED (Willis/Preston)

That Council:

1. Endorses community calls for more effective government action and funding to end violence against women.
2. Writes to the Prime Minister, The Hon Anthony Albanese, and the Premier of NSW, the Hon Chris Minns, expressing its support for their governments to take immediate steps to address the causes of this crisis.

AMENDMENT (Grundy/Burton)

That Council:

1. Endorses community calls for more effective government action and funding to end violence against women.
2. Writes to the Prime Minister, The Hon Anthony Albanese, and the Premier of NSW, the Hon Chris Minns, expressing its support for their governments to take immediate steps to address the causes of this crisis with an emphasis on First Nations women in regional and rural areas who are disproportionately represented as victims of domestic violence.

For: Crs Biscotti, Burton, Grundy and Macdonald,

Against: Crs and Livermore, Preston, Taskovski, Willis, Wilson and Winchester

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

The motion of (of Crs Willis and Preston) was PUT.

210/24

RESOLVED (Willis/Preston)

That Council:

1. Endorses community calls for more effective government action and funding to end violence against women.
2. Writes to the Prime Minister, The Hon Anthony Albanese, and the Premier of NSW, the Hon Chris Minns, expressing its support for their governments to take immediate steps to address the causes of this crisis.

The resolution was carried unanimously.

12.3 Notice of Motion - ICAN Campaign to Abolish Nuclear Weapons

211/24

RESOLVED (Willis/Wilson)

That Council write to the Prime Minister, the Hon Anthony Albanese endorsing the International Campaign to Abolish Nuclear Weapons (ICAN) Cities Appeal as follows:

‘Our city is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay.’

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

Against: Crs Biscotti and Burton

212/24

**12.4 Notice of Motion - Gibraltar Street Bungendore, Road Safety
RESOLVED (Grundy/Macdonald)**

That Council investigate the options and steps necessary to implement a 40km/hr speed zone on Gibraltar Street between Molonglo and Majara Streets, and any other speed mitigating measures.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

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

There were no Items for Closed Session.

16. CONCLUSION OF THE MEETING

The time being 7.44pm, 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.

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi)
-

File Reference: DA.2022.1354

Recommendation

That:

1. Council grant conditional consent for DA.2022.1354 for alterations and additions to various tourist accommodation buildings, change of use of professional consulting room to tourist and visitor accommodation, change of use of former stables to tourist and visitor accommodation, including use of existing marquee in conjunction with the function centre, business signages, sculptures on Lot 3 DP 839479, No. 140 Little River Road Braidwood.
 2. Consent be granted to a variation to Clause 4.3 Height of buildings of the Palerang Local Environmental Plan 2014 to allow for the sculptures to be retained on Lot 3 DP 839479, No 140 Little River Road Braidwood for the following reasons:
 - a. The sculptures have no discernible impact on any existing views, privacy, amenity to neighbouring properties.
 - b. The sculptures are consistent with the objectives of Cl 4.3 Height of buildings and does not result in any adverse environmental impact on the natural landscape.
 - c. The sculptures comprise of simple vertical elements, made of materials and colours, which is within the rural landscape as a simple artistic addition.
 3. The hours for the use of amplified noise equipment be limited to 7am to 8pm any day.
-

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

This application has been referred to Council for the following reasons:

- A substantial variation of development standards is sought under the provisions of Clause 4.6 of Palerang Local Environment Plan 2014.
- A request is sought to consider an alternate condition extending the use of amplified noise equipment during events.

The DA was submitted prior to the gazettal of the QPRLEP 2022 and as such the proposal has been assessed under the Palerang Local Environmental Plan 2014.

Proposal: Alterations & additions to various existing tourist and visitor accommodation buildings; Change of use from professional consulting room to tourist and visitor accommodation; Change of use from former stables to tourist and visitor accommodation; Use of a marquee in conjunction with the approved function centre; Business signage; sculptures;

Applicant/Owner: William Pulver / New Greenwich Pty Ltd

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

| | |
|--|--|
| Subject Property: | Lot 3 DP 839479, No. 140 Little River Road Braidwood NSW 2622, also known as "Mona Farm" |
| Zoning and Permissibility: | RU1 Primary Production under Palerang Local Environmental Plan 2014 |
| Heritage | C1 Conservation Area - General - State Significance |
| Public Submissions: | 0 |
| Issues Discussed: | Variation to height of buildings Amenity noise impacts |
| Disclosure of Political Donations and Gifts: | Applicant Declared no Donations or Gifts to any Councillor or Staff have been made |

Background

Proposed Development

This application seeks Council approval for the use of various buildings within Mona Farm and further proposed building works to complete the Mona Farm buildings upgrades and achieve BCA compliance.

The works include alterations and upgrades to the "Woolshed" function centre, the use of a marquee which has been added adjacent to the existing approved "Woolshed" function centre operations, change of use for certain buildings to guest accommodation, change of use to ancillary guest accommodation uses, water tanks and effluent treatment systems, business signage, and eight sculptures located throughout the grounds.

Specifically, this application seeks approval from Council for the following:

- Building upgrades to existing Mona Farm buildings comprising the "Homestead", "Lakehouse", "Old Stables", "New Stables" and "Coach House" (some building works were previously completed and some are in various stages of completion);
- Alterations and upgrades to the "Woolshed" function centre;
- Use of a marquee as an ancillary use to the existing approved "Woolshed" function centre operations;
- Change of use for certain buildings to guest accommodation ("Lakehouse", part "New Stables" building and "Old Stables" building);
- Change of use to ancillary guest accommodation uses ("New Stables" offices, laundry);
- Added infrastructure comprising of water tanks and effluent treatment systems;
- New business identification signage to be installed at both Little River Road and Kings Hwy frontage;
- Eight commissioned sculptures located throughout the grounds.

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

Subject Property

The subject site is legally described as Lot 3, DP 839479 and is commonly known as 'Mona Farm' at 140 Little River Road. The site is bound by Kings Highway along the southern boundary and Little River Road along the northern boundary. The site has an overall area of 50.24 Ha.

The subject site is irregular in shape with some gentle slopes towards Mona Creek. It is primarily cleared pastureland with most vegetation being confined to the northeast corner of the property, the west and north property boundaries and the riparian zone of Mona Creek which traverses the property.

Existing development on the site comprises the original homestead, a coach house, the 'old stables' building, a 'new stables building', a lake house with extended outdoor deck and fire pit, converted shearing shed (now the function centre), a marquee used in conjunction with the function centre (unapproved), designated parking areas, a machinery shed, various gardens, walking paths, 8 sculptures, livestock paddocks, man-made lake and bridge.

Vehicular access is provided to the site via an unsealed internal road from the Kings Highway on the south side of the property or via an unsealed driveway/internal road off Little River Road on the north side of the property.

Existing development within the locality consists primarily of grazing land for livestock, agricultural holdings to the north, south and east, with smaller holdings to the west, transitioning to residential as approaching the edge of the Braidwood township, approximately 1 km away from the Kings Highway site entrance.

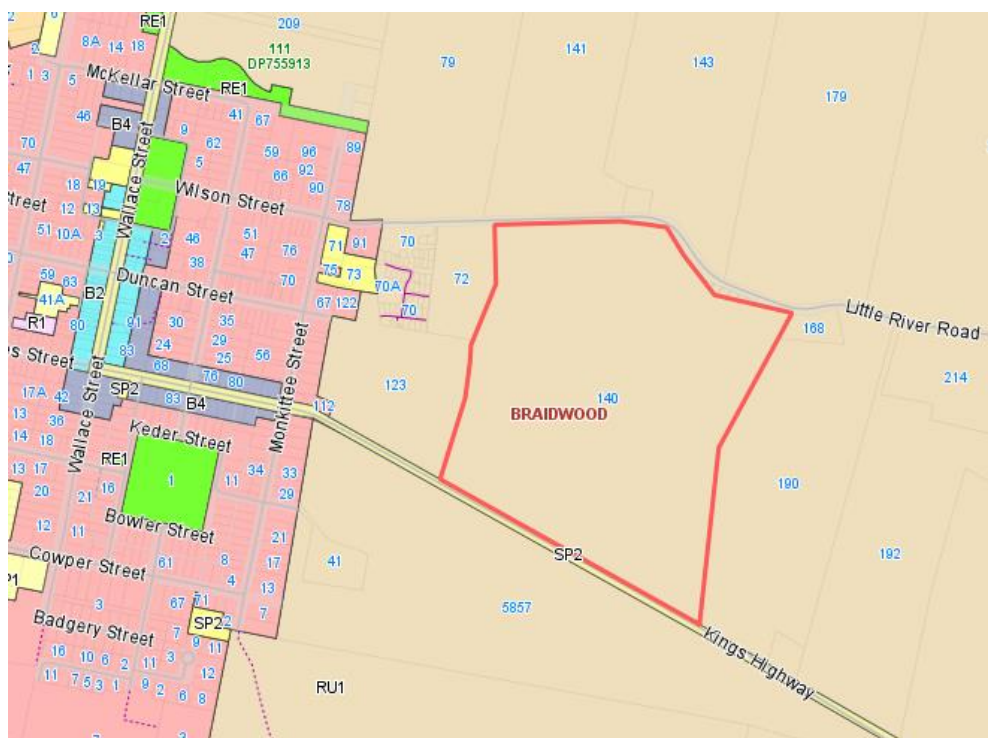


Figure 1: Locality plan

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)



Figure 2: Aerial view of subject property

Planning Requirements

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

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

1. State Environmental Planning Policy (Biodiversity and Conservation) 2021
2. State Environmental Planning Policy (Transport and Infrastructure) 2021
3. State Environmental Planning Policy (Resilience and Hazards) 2021
4. State Environmental Planning Policy (Industry and Employment) 2021
5. Palerang Local Environmental Plan 2014 (LEP).
6. Braidwood Development Control Plan 2006 (DCP)

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

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

(a) Compliance with LEP

The subject site is Zoned RU1 Primary Production zone under Palerang Local Environmental Plan 2014.

Development for the purposes of a **function centres, hotel or motel accommodation** and **business signs** such as is proposed is permissible within the zone with consent and is defined under PLEP 2014 as follows:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles, but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note – Hotel or motel accommodation is a type of **tourist and visitor accommodation**—as defined below:

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) **hotel or motel accommodation**,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

Business identification sign means a sign –

- (a) that indicates –
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

The proposed development complies with the relevant provision of Palerang LEP 2014 as outlined in the attached Section 4.15 Matters for Consideration – Assessment Report, except for Clause 4.3 – Height of Buildings.

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

Clause 4.3 of Palerang LEP 2014 prescribed a maximum building height of 6.5m. The area of non-compliance relates to the two sculptures, namely, "Dancing Man" and "The Folly" which exceed the maximum height controls, by 100% and 46% respectively.



Figure 3: Dancing Man



Figure 4: The Folly

The applicant has sought a variation to height of buildings under Clause 4.3 of PLEP 2014 pursuant to *Clause 4.6 Exceptions to development standards*.

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

An assessment of the potential impacts of the variation and justification for the non-compliance have been carried out.

It is considered that compliance with the height control is unnecessary in this circumstance for the following reasons:

- The sculptures comprise of thin vertical elements that minimises the bulk
- The sculptures are made of organic materials and colour that reinforces the rural landscape character
- The sculptures are setback at suitable distances from the property boundaries and widely dispersed through the landscape which moderates their scale
- The nature of the sculptures is inspired by the landscape and rural living
- The sculptures add a contemporary artistic/cultural layer to an ever evolving landscape setting.
- The sculptures are consistent with the relevant objectives of Clause 4.3 Height of buildings.

The proposal is considered to be consistent with the objectives of the development standard in that:

- The sculptures enhance the natural character and landscape of Palerang.
- Protects residential amenity such as views and solar access, as it is located at suitable distances to the boundary. Dancing Man is sited more than 100m from the Kings Highway boundary and the Folly is sited approximately 200m from any boundary on all sides.
- Vegetation surrounding the Dancing Man mitigates any visual impacts as observed from Kings Highway
- The sculptures do not result in any adverse environmental impact on the natural landscape of the locality.
- The sculptures do not appear as bulky structures due to its intricate detailing and thin form.
- Serves purely as an aesthetic and artistic addition to support the existing use of the land.

Despite the non-compliance, the sculptures provide a unique cultural experience and is generally found to be consistent with the aims of the plan and objectives of Clause 4.3 Height of buildings. Approval of the application is not considered to setting a precedent for future development in the locality.

(b) Compliance with DCP

The proposed development is consistent with the objectives and controls contained within the Braidwood Development Control Plan (DCP) 2006.

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

(c) Other Matters

Noise issues resulting from the use of amplified noise equipment during events

Following a review of an acoustic report, titled "Entertainment Noise Assessment", prepared by SLR Consulting Australia Pty Ltd, version 2.0, dated 20 July 2023, Councils Health Officer advised that proposed Condition 7 and Condition 8, in relation to the use of amplified noise equipment outside the function centre should be imposed, these state:

7. Equipment Noise

No amplified sound equipment associated with functions held onsite are to be located or used outside of the woolshed structure, including the exterior of the structure between the hours of **8pm to 7am** on any day.

Reason: To reduce the noise nuisance to residents and adjacent neighbours, also to comply with the Protection of the Environment Operations Act 1997 and Regulations.

8. Equipment Noise

No noise associated with functions occurring onsite are able to be heard at a residential property between the hours of:

Sunday to Thursday (including any public holidays) - 10pm to 7am

Friday to Saturday - 11:30pm to 7am

Reason: To reduce the noise nuisance to residents and adjacent neighbours, also to comply with the Protection of the Environment Operations Act 1997 and Regulations.

Condition 7 specifically limits the use of sound equipment outside of the woolshed structure between 7am and 8pm while Condition 8 provides for an overarching restriction on general noise, to mitigate any impacts on residential property.

The applicant made a request seeking the draft condition 7 relating to the use of amplified noise equipment be deleted.

The applicants submitted a written request seeking the use of amplified sound equipment beyond 8pm, in line with the hours set out in Condition 8, outside the woolshed structure. This will enable them to use amplified sound equipment in the marquee.

The applicants have request would be secured if Condition 8 is imposed and Condition 7 is not included in the decision notice.

The applicants written request to justify the modification to the special condition provides substantive information on the overall positive impact that Mona Farm has had on the local Braidwood community. These are as follows:

- Attracting over 9,000 plus visitors to Braidwood each year
- Increased trade activity in the surrounding local businesses
- Employment of local populace
- Investments in the local region
- Responding to prior complaints regarding noise

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

The written request seeks to justify the requested to remove Condition 7 on the following grounds:

- Use of Marquee provides the guests with a unique “dine under the stars surrounded by gardens” creating an ambience that cannot be replicated inside a building.
- Relocation of wedding indoors due to equipment use restrictions would result in unintended interruptions to an event resulting in significant cost and complexity for event planners and prospective guests, which would then become a deterrent for couples considering Mona Farm as a possible wedding venue.
- The draft special condition could set a precedent for QPRC, which would contradict the NSW State Government developed “Visitor Economy Strategy 2030”. The strategy outlines a focus on destination marketing, events, experiences to facilitate growth in infrastructure, jobs and industry resilience.
- The special condition as proposed by Council will impact the use of Mona Farm as a possible wedding venue by prospective guests, which will result in severe financial implications which will likely result in the redundancy of up to 30% of the staff.
- There are many other licensed venues within the Braidwood township that host live music events and operate until midnight, including Royal Mail Hotel Braidwood, Commercial Hotel Braidwood, and The Smokey Horse. We are aware of occasions where noise complaints have been raised about Mona Farm, when the source of sound has been another venue locally. These businesses, along with Mona Farm, are integral to the tourism culture and vibrancy of this region.

The written request is accompanied by a commitment by Mona Farm to operate within a Noise Management Plan (attached as part of the request). The applicants request to not be limited in the way that Condition 7 proposes is supported by residents and businesses from Braidwood, who are in favour of an extended timing for the use of amplified noise equipment.

While it is considered that Mona Farm has contributed significantly to the economic sustainability of the Braidwood community, conditions related to noise are the recommendations of Council’s Environmental Health Officer based on the assessment of the applicant’s acoustic report. The submitted acoustic report with the development application highlights the lack of compliance with adopted noise criteria when amplified sound equipment is used in the outdoor marquee structure.

Officers recommend that Council not support the applicants request, and that both proposed Conditions 7 and 8 be included in the notice of determination.

(a) Other Comments***Development Engineer’s Comments***

Councils Development Engineer offered no objections to the proposed development subject to the imposition recommended conditions of consent. The recommended condition of consent is attached under Draft Conditions of Consent – DA.2022.1354 – 140 Little River Road Braidwood.

(b) Heritage Advisor’s Comments

Councils Heritage Advisor did not raise any objections to the proposed development and considers the work that has been carried out and the further works proposed is of a high standard and is sympathetic to the heritage values.

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

Financial Implications

Nil

Engagement

The proposal required notification under Councils Community Engagement and Participation Plan. No submissions were received.

Compliance or Policy Implications

Nil

Conclusion

The submitted proposal for a Alterations & additions to various existing tourist and visitor accommodation buildings; Change of use from professional consulting room to tourist and visitor accommodation; Change of use from former stables to tourist and visitor accommodation; Use of a marquee in conjunction with the approved function centre; Business signage; sculptures; on Lot 3 DP 839479, No. 140 Little River Road Braidwood is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and 0 submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Palerang Local Environmental Plan 2014* and *Braidwood Development Control Plan 2006*.

Except for the height of sculptures, the development satisfies the requirements and achieves the objectives of these instruments. It is recommended that a variation to the height standard be supported in this instance.

Officers recommend that Council not support the applicants request, and that both proposed Conditions 7 and 8 be included in the notice of determination.

Attachments

| | |
|---------------|---|
| Attachment 1 | Statement of Environmental Effects - DA.2022.1354 - 140 Little River Rd Braidwood (Under Separate Cover) |
| Attachment 2 | Statement of Heritage Impacts - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 3 | Plans - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 4 | Acoustic Report - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 5 | Traffic Report - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 6 | Bushfire Assessment Report - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 7 | Effluent Reports - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 8 | Clause 4.6 Variation Request - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 9 | Request to amend noise condition - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 10 | Letters of Support - DA.2022.1354 - 140 Little River Road Braidwood (Under Separate Cover) |
| Attachment 11 | Section 4.15 Table - Matters for Consideration - DA.2022.1354 (Under Separate Cover) |

9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures (Author: Ormella/Ravi) (Continued)

Attachment *Draft Conditions of Consent (Under Separate Cover)*

12

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg)

File Reference: PP.2023.009

Recommendation

That Council:

- 1. Seek a Gateway determination from the Department of Planning, Housing and Infrastructure to amend the Queanbeyan-Palerang Local Environmental Plan 2022 as per the planning proposal (Attachment 1).**
 - 2. Require the planning proposal to be updated with the following amendments prior to agency consultation:**
 - Include Ministerial Direction 4.3 Planning for Bushfire Protection,**
 - Land proposed to have a 600m² minimum lot size is to be zoned R1 General Residential.**
 - 3. Request delegation of Plan making powers, for this planning proposal.**
 - 4. Undertake agency consultation and public exhibition pursuant to any requirements of the Gateway determination.**
 - 5. Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Local Environmental Plan 2022.**
 - 6. Support the review of the Googong structure plans in Appendix 8 and 10 of the Googong DCP with consideration of the subdivision approval in DA.2021.1549.**
-

Summary

The purpose of this report is to seek Council resolution to forward the planning proposal and supporting studies (Attachments 1-9) to the Department of Planning, Housing and Infrastructure (DPHI) for Gateway determination. It also seeks endorsement to undertake the necessary actions to finalise the amendment to the Queanbeyan-Palerang Local Environmental Plan 2022 (QPLEP 2022), if no community or agency objections are received.

Background

Prior to the lodgement of the planning proposal a scoping proposal was lodged over part of Lot 11 DP 1266001 (29 Connolly Street, Googong) and part of Lot 6 DP 1294382 (Wellsvale Drive, Googong), shown in Figure 1 below.

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

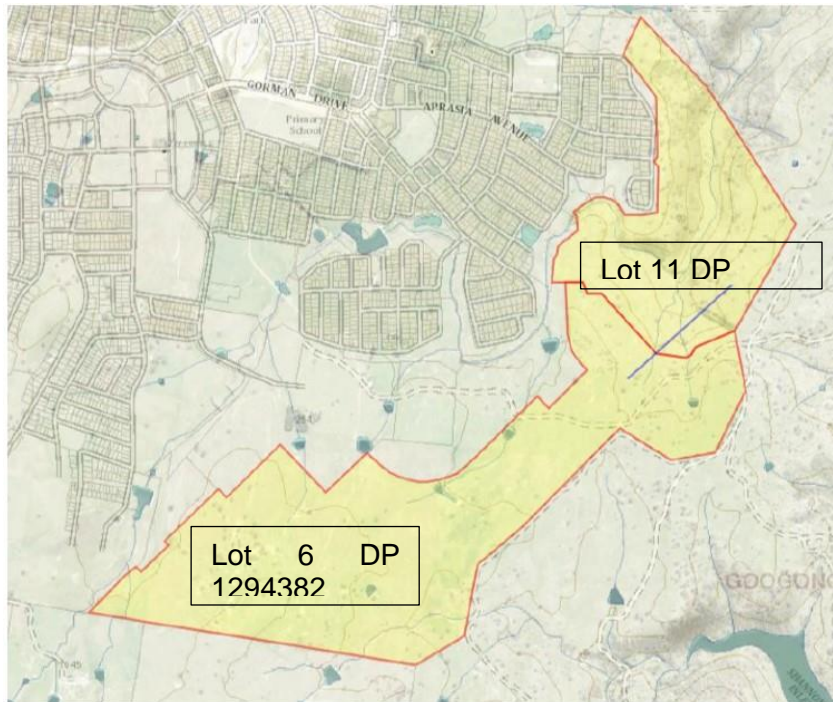


Figure 1 Googong Dam Catchment Realignment Planning Proposal area

The scoping proposal was considered at the 13 December 2023 Council meeting. Council resolved (**Resolution No 524/230**) to progress the scoping proposal for initial agency consultation. The scoping proposal was supported by several studies including a Biodiversity Certification Assessment Report (BCAR).

The scoping proposal was forwarded to five agencies, including Natural Resources Access Regulator, Icon Water, ACT Government, Department of Planning, Housing and Infrastructure (DPHI) and NSW Department of Climate Change, Energy, the Environment and Water - Biodiversity and Conservation Division (BCD). The proposal was also forwarded to Australian Government's Department of Climate Change, Energy, the Environment and Water at the request of BCD.

Agencies provided feedback on the scoping proposal which has been considered in the planning proposal. Attachment 11 provides a summary of the key issues raised.

Report

A planning proposal has now been lodged and proposes the following amendments to the QPRLEP 2022 (shown in Figures 2-7 below):

- Rezone all of the land within the Pink Tail Worm Lizard Conservation Area from R5 Large Lot Residential to C2 Environmental Conservation, in response to an approved Biodiversity Certification Assessment and development application (DA.2021.1549).
- Make a number of minor adjustments to the zone boundaries along the interface between Googong Neighbourhoods 4 and 5 (NH4&5) to align zone boundaries with future development areas.
The intention is that the Yellow Box Reserve is rezoned from R1 General Residential to C2 Environmental Conservation and the boundary between the residential and conservation zones adjacent to NH4&5 aligns with the proposed development area.
- Amend the minimum lot size map to reflect zoning outcomes

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

- Amend the Googong foreshore buffer area to align with the proposed zone boundaries.

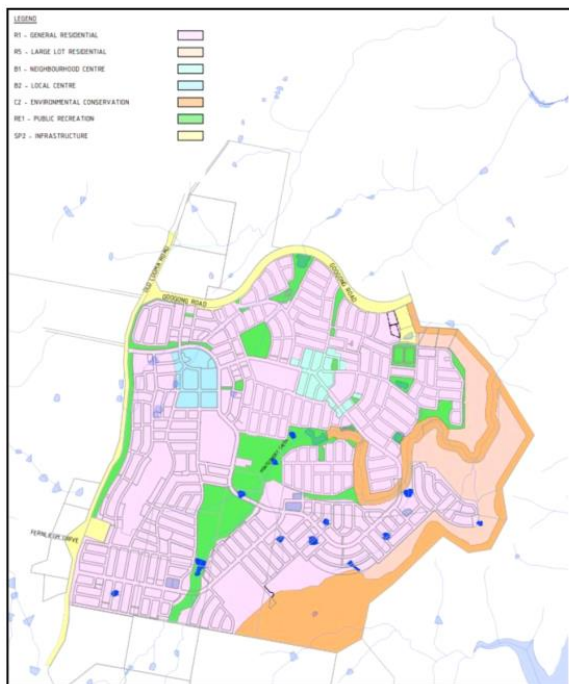


Figure 2 Existing Zone Boundaries (Source pg. 41 of planning proposal)

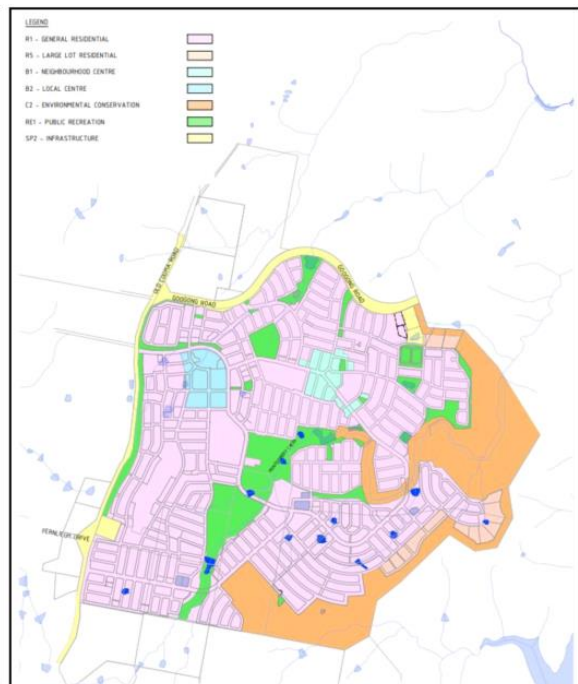


Figure 3 Proposed Zone Boundaries (Source pg. 41 of planning proposal)

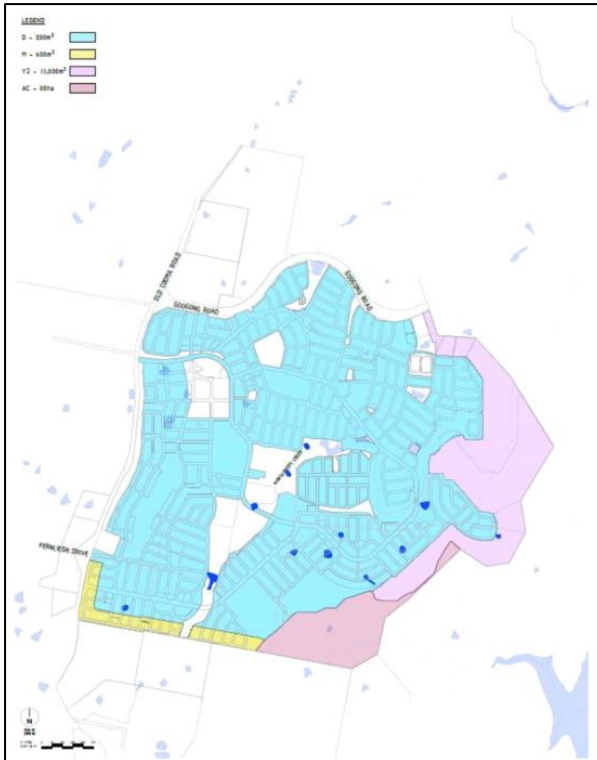


Figure 4 Existing Minimum Lot Size Map (Source pg. 42 of planning proposal)

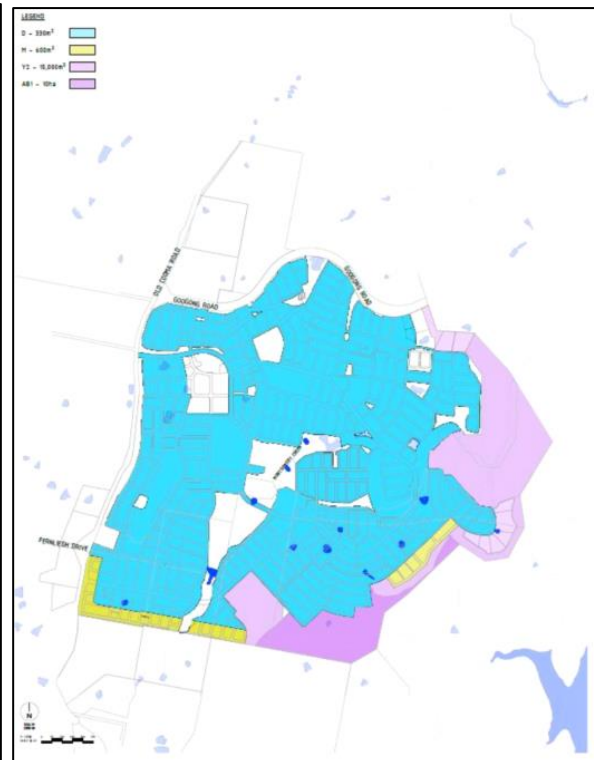


Figure 5 Proposed Minimum Lot Size Map (Source pg. 42 of planning proposal)

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

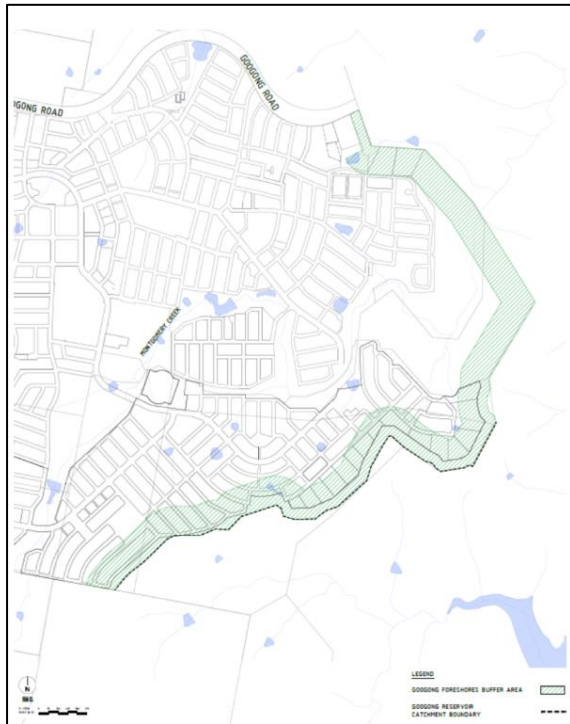


Figure 6 Existing Foreshore Protection Map (Source pg. 43 of planning proposal)

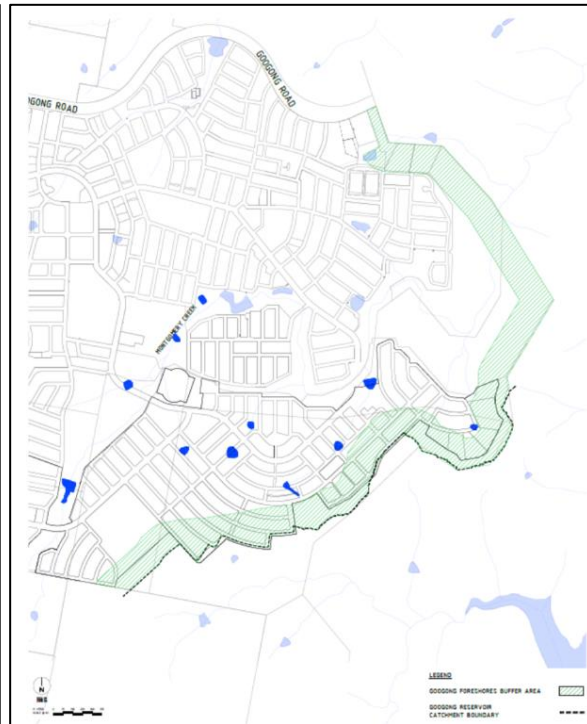


Figure 7 Proposed Foreshore Protection Map (Source pg. 43 of planning proposal)

The planning proposal will result in a reduction of 49.404ha of residential zoned land to 11.43ha, which represents a loss of approximately 92 residential lots. The planning proposal will increase environmental conservation zoned land from 11.34ha to 49.214ha.

Biodiversity and ecological protection

The planning proposal is accompanied by ecological advice (Attachment 10) confirming that the BCAR can be used to inform the planning proposal. The 21 March 2024 report also reiterated that future development of 'retained land not proposed for certification' would require a BDAR. However, development of the retained land would unlikely have significantly impact on ecological communities. Figure 8 below shows the areas that were subject to certification and 'retained land'. The planning proposal is considered to improve the environmental protection controls across the site.

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

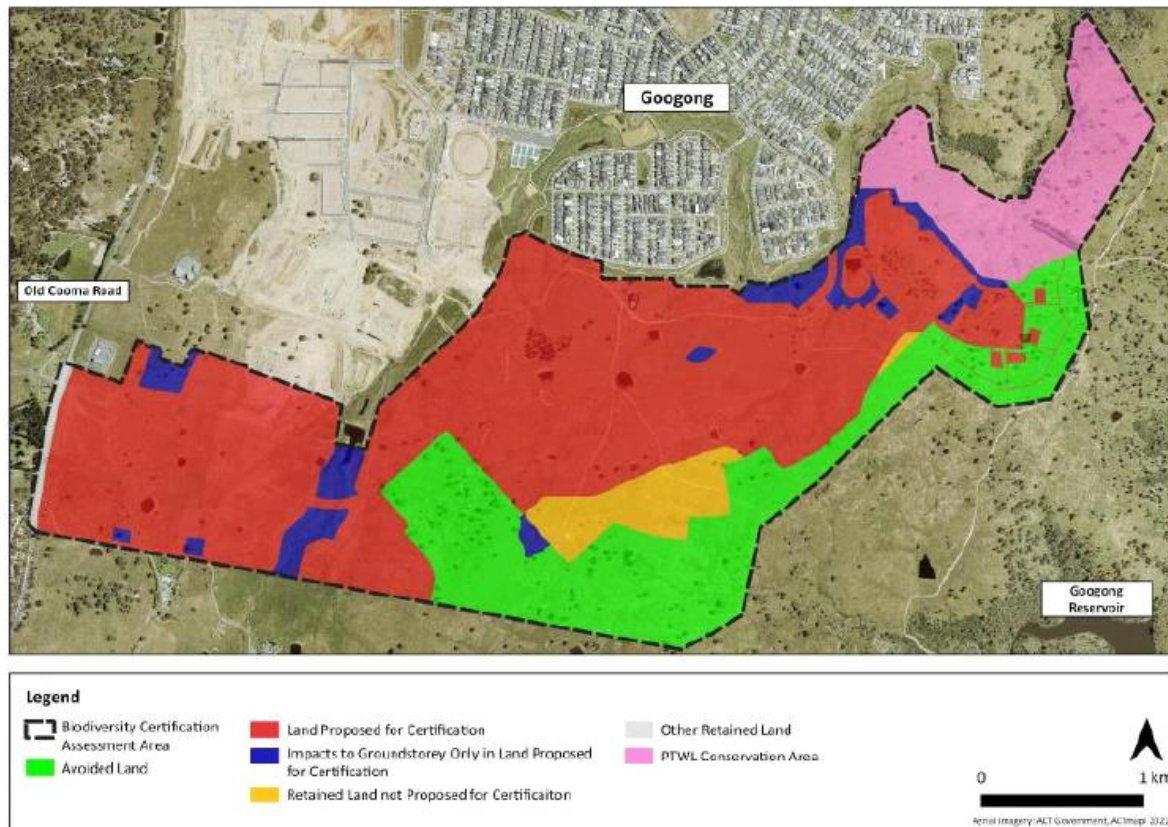


Figure 8 Biodiversity Certification

Googong dam foreshore protection

The south-eastern portion of the site is within the Googong Dam foreshore protection mapped area. As identified in Figure 6 and 7 the Googong Dam foreshore protection buffer is being amended to reflect the proposed zone boundaries. No changes are proposed to the controls in Clause 6.2 Development near Googong Dam foreshores in the QPLEP 2022.

The scoping proposal was referred to the Australian Government Department of Climate Change, the Environment and Water who advised that the scoping proposal appears to align with the existing Environment Protection and Biodiversity Conservation Act 1999 approval and the Googong Foreshore Interface Management Strategy. Formal consultation with the Department of Climate Change, the Environment and Water will be undertaken as part of the Gateway process.

Bushfire

The NSW Department of Planning, Housing and Infrastructure advised that feedback from the Rural Fire Services (RFS) be obtained prior to lodging the planning proposal for Gateway.

A bushfire report has been prepared and is discussed within the planning proposal. It is recommended that the planning proposal be updated to address Ministerial Direction 4.3 Planning for Bushfire Protection prior to agency consultation. A review of the bushfire assessment report indicates that this rezoning on the edge of urban land is capable of meeting the requirements of the Directions through the Gateway process. Formal consultation with the NSW Rural Fire Service will be undertaken through the Gateway process in accordance with Ministerial Direction 4.3.

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

Minimum lot size (MLS) and zoning on the south-eastern side of site

The proposal seeks to reduce the minimum lot size of land zoned R5 Large Lot Residential along the southwestern edge of the site from 15,000m² to 600m² (circled in figure 9 and 10). Considering the additional environmental protection measures being applied to the site and the loss of potential residential development yield, it is appropriate for the land to be identified as having a 600m². It is recommended that the planning proposal be amended to rezone this land to R1 General Residential, as it aligns with the zone objectives.

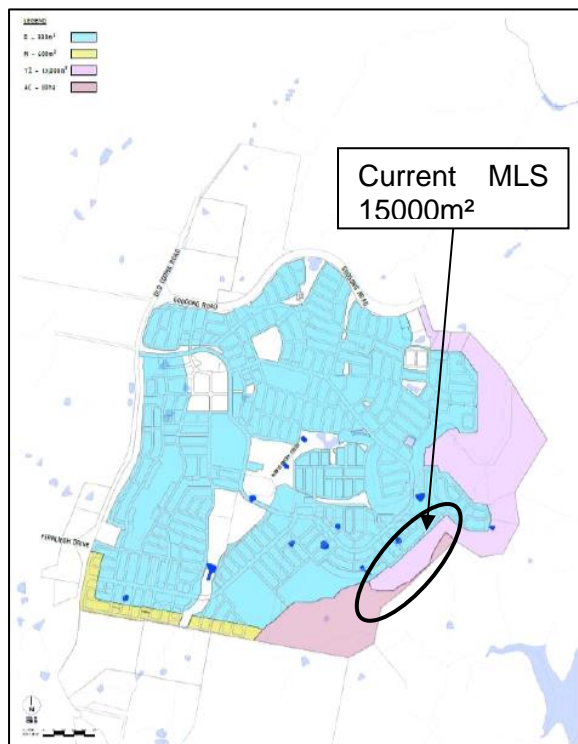


Figure 9 Current Lot Size Map

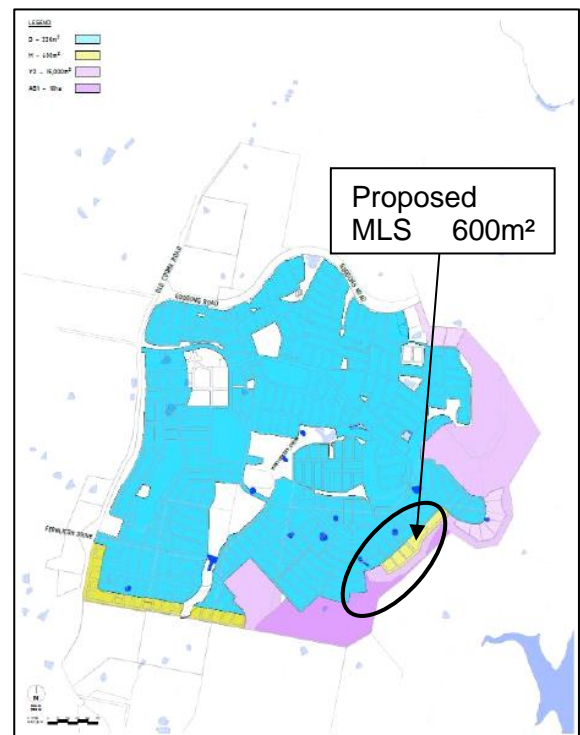


Figure 10 Proposed Lot Size Map

Risk/Policy/Legislation Considerations

The applicable legislative instruments are the Environmental Planning and Assessment Act 1979 and Regulations 2021. These instruments, along with the Department of Planning, Housing and Infrastructure guidelines on making LEPs, set out the process for preparing and progressing a scoping proposal. The planning proposal is required to be updated to address Ministerial Direction 4.3 Planning for Bushfire Protection prior to agency consultation. All other Ministerial Directions have been adequately addressed.

Financial, Budget and Resource Implications

Should the planning proposal be progressed, the review and progression of the planning proposal will attract the fees and charges for a complex planning proposal. The current fee for a complex planning proposal is \$49,134 plus \$175 per hour after 280 hours.

Links to QPRC/Regional Strategic Plans

The South-East and Tablelands Regional Plan applies to the proposal. This proposal is consistent with Objective 6 of the draft South-East and Tablelands Regional Plan, which seeks to enhance biodiversity, habitats, and the connections between them, by protecting additional

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ; Author: Ormella/Hogg) (Continued)

habitat for the Pink-Tailed Worm-Lizard. The Pink-Tailed Worm-Lizard is listed as Vulnerable under the (Cwlth) Environment Protection and Biodiversity Conservation Act 1999.

Queanbeyan-Palerang Community Strategic Plan

The planning proposal supports the strategic objectives of the QPRC Community Strategic Plan including objective 3.3 Our land, vegetation and waterways are managed in an integrated and sustainable manner.

Queanbeyan Residential and Economic Strategy Review

The Queanbeyan Local Environmental Plan (Googong) 2009 was gazetted in October 2009 rezoning the area known as Googong from a rural zone to an Urban Release Area accommodating approximately 6,190 dwellings. The site of the scoping proposal is located within the identified Urban Release Area in the QPRLEP 2022.

Googong DCP Structure Plans










The Googong DCP Structure Plans have been superseded following the approval of the DA.2021.1549 by the Southern Regional Planning Panel in September 2022. It is recommended that the Structure plans be amended to reflect the approved subdivision plans. A report illustrating these changes will be provided to Council prior to the planning proposal going on exhibition.

Conclusion

It is considered that the planning proposal has demonstrated both strategic and site-specific merit and that issues identified in this report can be addressed through the gateway process.

It is recommended that Council request a Gateway determination from the Department of Planning, Housing and Infrastructure.

Attachments

| | |
|---|---|
| Attachment 1 | Planning Proposal (<i>Under Separate Cover</i>) |
|  Attachment 2 | Extent of Technical Assessments (<i>Under Separate Cover</i>) |
|  Attachment 3 | Stormwater Management Report (<i>Under Separate Cover</i>) |
|  Attachment 4 | Hydrological Assessment (<i>Under Separate Cover</i>) |
|  Attachment 5 | Preliminary Site Investigation (<i>Under Separate Cover</i>) |
|  Attachment 6 | Bushfire Assessment Report (<i>Under Separate Cover</i>) |
|  Attachment 7 | Traffic and Transport (<i>Under Separate Cover</i>) |
|  Attachment 8 | Aboriginal Cultural Heritage Assessment Report (<i>Under Separate Cover</i>) |
|  Attachment 9 | BCAR (<i>Under Separate Cover</i>) |
|  Attachment 10 | Biodiversity - Capital Ecology Advice - 21 March 2024 (<i>Under Separate Cover</i>) |

**9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment (Ref: ;
Author: Ormella/Hogg) (Continued)**

Attachment 11 Summary of Initial State Agency submissions (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett)

File Reference: PP.2023.0003 / PJT0061-19-03

Recommendation**That Council:**

- 1. Receive and note the submissions in response to a community workshop and public exhibition for complying development in the C4 Environmental Living Zone in Bywong and Wamboin.**
 - 2. Support the Council led scoping proposal that provides a Hybrid Approach to enable complying development within the C4 Environmental Living Zone in Bywong and Wamboin for agency consultation.**
 - 3. Prepare a formal planning proposal that considers agency advice and community views, that will be presented to Council at a later date seeking approval to request Gateway determination.**
-

Summary

The purpose of this report is to provide a summary of the feedback received from the Complying Development in C4 Environmental Living Zone community workshop held 1 November 2023 and public exhibition.

It also seeks support to progress a Council initiated scoping proposal to enable complying development in the C4 Environmental Living Zone (C4 zone) (Attachment 1). It follows Council's decision at its meeting of 8 February 2023 to defer consideration of the scoping proposal until a community workshop and Councillor workshop can be conducted (**Resolution No. 025/23**).

Background

Council's consideration of enabling exempt and complying development in the C4 (formerly E4) zone has been examined for over a decade. A table indicating the key events and Council decisions that have occurred to date is provided in Attachment 2. In summary Council:

- Determined not to expand exempt development in the C4 zone, as the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) already facilitates many exemptions;
- Determined to enable a range of complying development types with standards already stipulated in the Codes SEPP (i.e. Inland Code);
- Noted the considerable change the Code SEPP has been through since its inception;
- Held workshops with Council and the Department of Planning, Housing and Infrastructure (DPHI); (formerly known as Department of Planning and Environment or DPE).

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett) (Continued)

In response to the above, property owners in the Bywong and Wamboin areas were invited to a Community Workshop in November 2023 to seek their input into the proposal to facilitate a range of complying development options.

Report

Community workshop and consultation findings

Following the community workshop and exhibition period, all submissions were collated and summarised. A complete list of responses is provided in Attachment 3.

The 360 submissions received have been reviewed and categorised. Overall, 96% of respondents confirmed they want complying development in some form and 4% wanted to retain the status quo.

Of the responses which supported complying development, there was an even spread amongst the preferred options. Submissions expressed that while complying development was desirable, the presented options were not acceptable and would benefit only a small proportion of the community. An equitable solution accessible to all property owners emerged as being very important to residents.

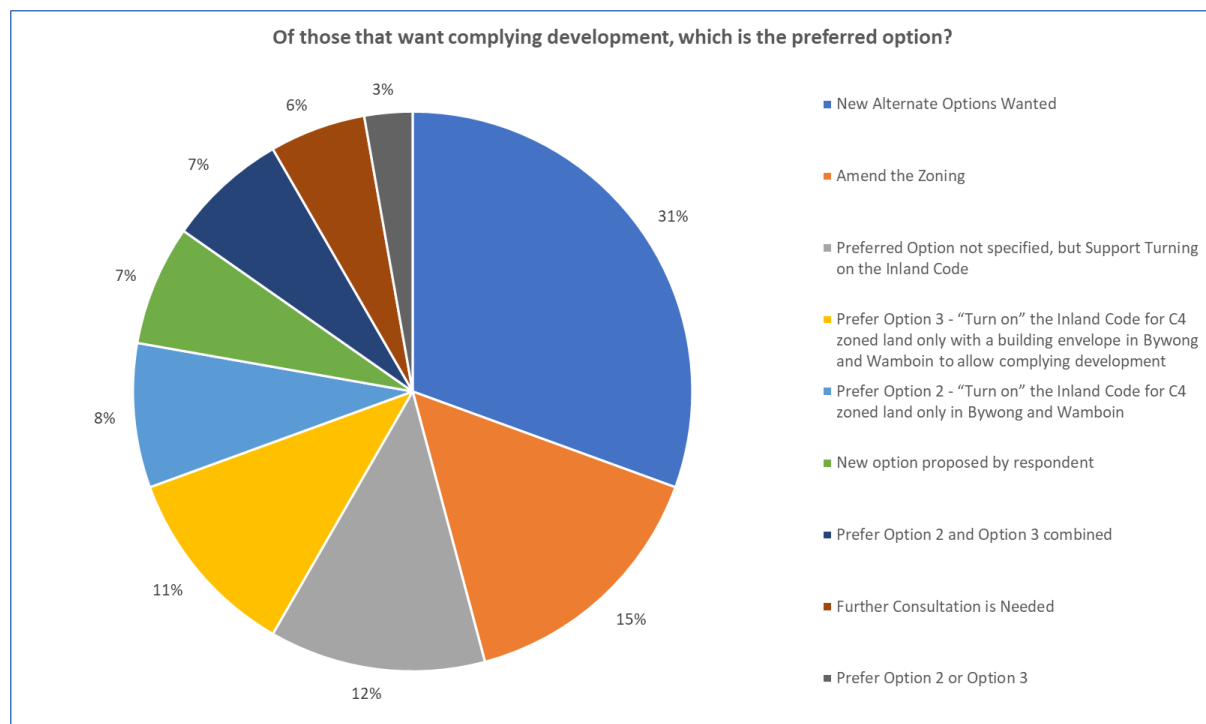


Figure 1 – Preferred Options for Enabling Complying Development

Residents were also asked to share what they valued most about their community and what they considered to be its most important attributes. The rural lifestyle clearly emerged as being of primary importance and many of the comments spoke to preservation of this way of life and protection of existing biodiversity.

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett) (Continued)

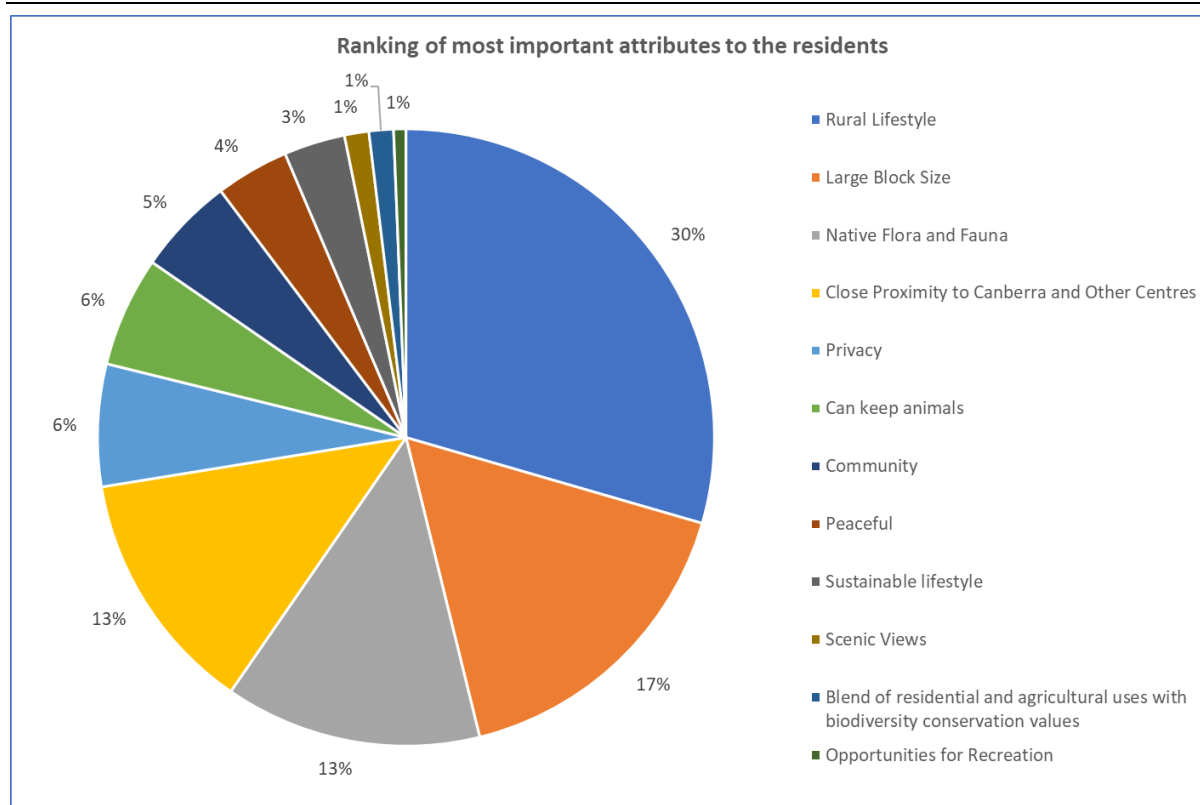


Figure 2 – Valued Community Attributes

Another issue that was consistently raised was the Biosis Study Report data and subsequent high environmental value (HEV) mapping based on those findings. The mapping is the cumulative result of various methods of data gathering, including previous biodiversity investigations, public databases, existing mapping, aerial photography from both public and subscription only sources, site visits and ground truthing. While this provides a good overall assessment of the area, and the methodology for the study was approved by the Biodiversity and Conservation Division of DPE, the reality is that not every property in Bywong and Wamboin can be accessed or ground truthed. The possibility of anomalies, high value features that get missed, or an incorrect representation of feature boundaries which can distort at different scales, always exists.

As a result, many residents indicated that they did not trust the HEV mapping and were not in favour of it being the basis upon which their ability to undertake complying development was established.

In addition, Council does not have confirmation from BCD as to what level of investigation would be substantive enough for it to support the inclusion of additional C4 zoned lands. If BCD require further investigation and mapping, the work would have to be undertaken by specialist consultants, the costs borne by Council, (which have not been budgeted for), and result in further delays.

A Way Forward

All options for enabling complying development in the C4 zone have been compiled and assessed in Attachment 4.

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett) (Continued)

In response to feedback from the Bywong and Wamboin communities and government agencies, it is recommended that a scoping proposal for Option 10 - Hybrid Approach (below) be supported for agency consultation.

The following types of complying development could be considered on properties with a registered building envelope by applying the Inland Code (Clause 3D of the Codes SEPP):

- Dwelling house – 1 or 2 storey and any attached development
- Alterations and additions to a 1 or 2 storey dwelling house and any attached development
- Detached development and the alteration or addition to any detached development
- Cabana, cubby house, fernery, garden shed, gazebo or greenhouse
- Carport or garage
- A balcony, deck, patio, pergola, terrace or verandah
- A rainwater tank (above ground)
- A shade structure or shed
- Driveways, fences, pathways and paving, retaining walls, downpipes, electricity or gas meters, fascias, gutters, light fittings, aerials, antennae, awnings, chimneys, cooling or heating appliances, eaves, flues, pipes, structures associated with the provision of a utility service
- Swimming pool, swimming pool coping and decking, child resistant barrier
- Farm buildings (as defined in the Standard Instrument and only on lots 4000m2 or larger and subject to meeting specific development controls i.e. setbacks), ancillary office to a farm building
- Shipping container
- Stock holding yard, grain silo, grain bunker (subject to specific development controls)
- Earthworks, retaining walls and structural support.

To account for lots within the C4 zone that do not have a registered building envelope, it is proposed to allow the following minor development types.

- Alterations and additions to a 1 or 2 storey dwelling house and any attached development
- Detached development and the alteration or addition to any detached development
- Cabana, cubby house, fernery, garden shed, gazebo or greenhouse
- Carport or garage
- A balcony, deck, patio, pergola, terrace or verandah
- A rainwater tank (above ground)
- A shade structure or shed
- Driveways, fences, pathways and paving, retaining walls, downpipes, electricity or gas meters, fascias, gutters, light fittings, aerials, antennae, awnings, chimneys, cooling or heating appliances, eaves, flues, pipes, structures associated with the provision of a utility service
- Swimming pool, swimming pool coping and decking, child resistant barrier
- Farm buildings (as defined in the Standard Instrument and only on lots 4000m2 or larger and subject to meeting specific development controls i.e. setbacks), ancillary office to a farm building
- Shipping container
- Stock holding yard, grain silo, grain bunker (subject to specific development controls)
- Earthworks, retaining walls and structural support.

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett) (Continued)

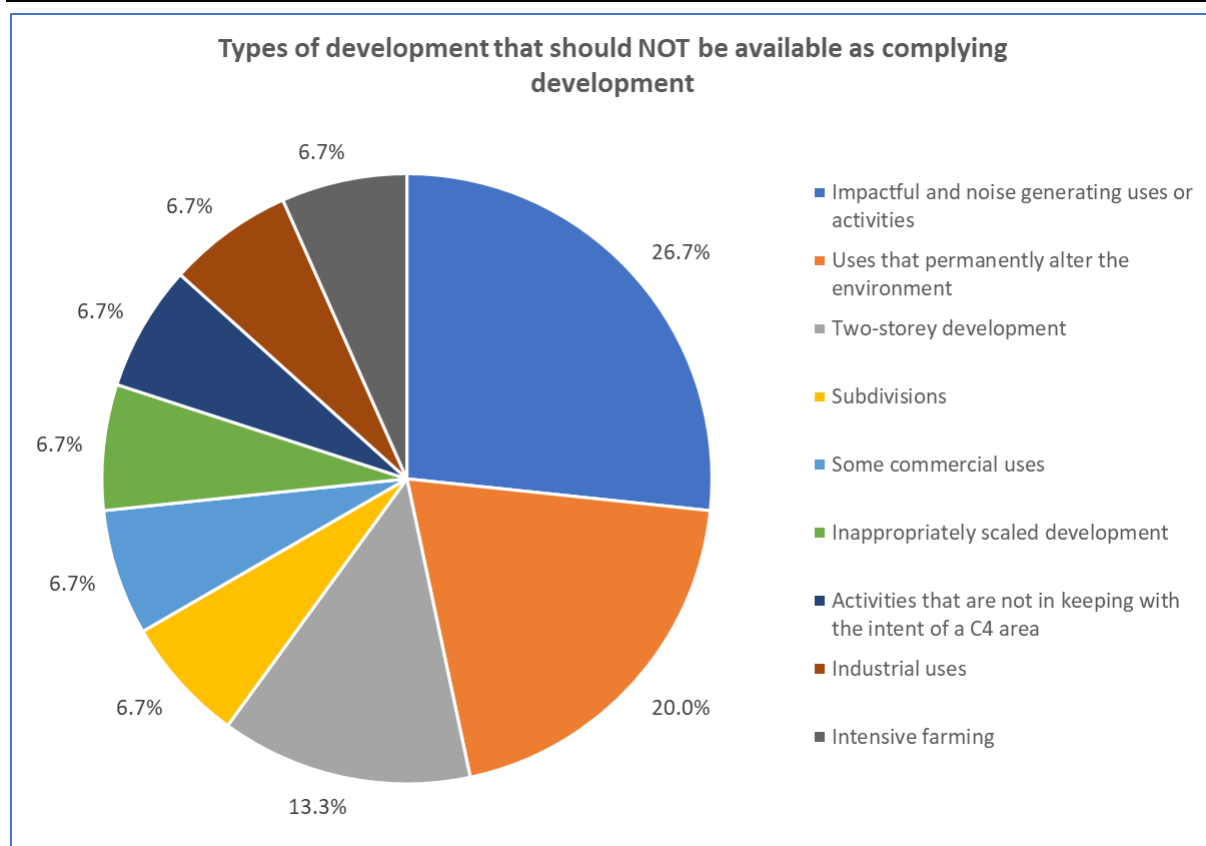


Figure 3 – Types of Development NOT Wanted as Complying Development

The community has clearly indicated what features it values about the area (Figure 2) and what types of development it would consider unacceptable (Figure 3). This input from the community is important when considering appropriate minor development for the area.

The proposed Hybrid Approach provides opportunity to consider a variety of development types appropriate and tailored to the Bywong and Wamboin areas. This approach also provides equitably across Bywong and Wamboin, which residents of both communities have indicated is important.

Investigation is required with State agencies to determine the application of these development types, to minimise impacts on HEV. Options for investigation include;

- A measurable distance from existing dwellings
- Development is to be located inside an established asset protection zone
- Land identified as low value in the Biosis Study.

Risk/Policy/Legislation Considerations

Preparation of the scoping proposal is consistent with DPHI policy, as per its Local Environmental Plan Making Guideline, August 2023.

A possible risk to Council is that the scoping proposal cannot be supported by one or more State Government agencies. The Hybrid Approach provides flexibility to meet the needs of individual agencies, while balancing community aspirations. Council officers are confident that the potential risk of non-support by key agencies is minor and will be arranging an agency forum to discuss the approach through the scoping proposal process.

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin (Ref: ; Author: Ormella/Adsett) (Continued)

Financial, Budget and Resource Implications

The costs of preparing the original Scoping Proposal, the subsequent planning and associated processes have been met solely by Council's Land Use Planning branch's budget. Both the original and amended scoping proposal have been prepared in-house. To date, the process has required, and will continue to require, one planner on a part time basis as well as input from the GIS section of the Land Use Planning branch.

Links to QPRC/Regional Strategic Plans

The scoping proposal is consistent with two of the five Strategic Pillars and their respective objectives and strategies from the Queanbeyan-Palerang Community Strategic Plan 2042, as follows:

Strategic Pillar No. 3 – Character: A clean, green community that cherishes its natural and physical character.

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

Strategic Pillar No. 5 – Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

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





Conclusion

It is considered that the Hybrid Approach described in the amended Scoping Proposal:

- takes into account the wishes of the community;
- will facilitate complying development provisions in the C4 Environmental Living Zone in the quickest and simplest way possible;
- can be generally supported by key state government agencies; and
- will still ensure protection of lands identified through the Biosis Study as having high biodiversity values.

As such, it is recommended that Council support the scoping proposal and it be forwarded to the relevant stakeholder agencies for written comment.

Attachments

| | |
|--|--|
|  Attachment 1 | Scoping Proposal - Complying Development - C4 Zone - Bywong and Wamboin (<i>Under Separate Cover</i>) |
|  Attachment 2 | Key Events - Consideration of Complying Development in the C4 Zone (<i>Under Separate Cover</i>) |
|  Attachment 3 | Submission Register (<i>Under Separate Cover</i>) |
|  Attachment 4 | Options Table – Assessment of Proposed Options to Enable Complying Development (<i>Under Separate Cover</i>) |

**9.3 Submissions Report on Scoping Proposal for Complying Development in the C4
Environmental Living Zone - Bywong and Wamboin (Ref: ; Author:
Ormella/Adsett) (Continued)**

9.4 Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Ormella/Zhao)

File Reference: 26.1.98-08

Recommendation

That Council adopt the Procedure for Proponent Initiated Planning Proposals as outlined in the report.

Summary

This report seeks Council's endorsement to update the procedure for proponent initiated planning proposals.

The revised procedure is consistent with the NSW Government's Local Environmental Plan Making Guideline which provides a streamlined and consistent framework for proponent-initiated planning proposals.

Background

Proponent-initiated planning proposals are those initiated by proponents seeking to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022).

The scoping proposal is the first stage to amend the QPRLEP 2022 and it is not a legislative requirement. It provides an overview of planned amendments and enables Council and relevant agencies to provide technical feedback on key issues prior to lodging a planning proposal.

The existing procedure endorsed by Council March 2022 (**Resolution No 147/22**), has been in place for two years and Council has received several scoping proposals during this period. An unnecessary step in the process has been identified, which requires a scoping proposal to be reported to Council seeking permission to consult with the relevant agencies.

Report

Detailed process steps of the revised process can be found at Attachment 1. The key change relates to the scoping proposal process. It is proposed to remove the requirement for a Council resolution to forward a scoping proposal to agencies.

The NSW Government's Local Environmental Plan Making Guideline outlines the timeframe for scoping proposals to be completed (20-60 working days, dependent on complexity). The NSW Government's Local Environmental Plan Making Guideline also clarifies that the process is technical in nature. It aims to provide advice on strategic alignment and site-specific issues to reduce time and costs through the formal planning proposal process. In principle support is not being provided at the scoping proposal stage.

The advice in Council's response back to the scoping proposal allows the proponent to make a risk-based decision on whether they would like to proceed to lodge a formal planning proposal. If a proponent does decide to proceed the following fees will be levied at lodgement.

- Basic and some standard proponent-initiated Planning Proposals - \$7,384

9.4 Procedure for Proponent Initiated Planning Proposals (Ref: ; Author: Ormella/Zhao) (Continued)

- Standard (not falling into the above category) proponent-initiated Planning Proposals – e.g. those requiring background studies - \$25,854
- Complex proponent-initiated Planning Proposal – e.g. new land release - \$49,134

Council will then be presented a full assessment report of the planning proposals strategic merit and site-specific matters with a recommendation as to whether a Gateway determination should be requested from the Department of Planning, Housing and Infrastructure.

The new procedure allows staff to manage the high volume of rezoning requests from QPRC's significant growth and proximity to the ACT, within the recommended timeframes, by reducing the number reports to Council. The new procedure also reflects Council's fees and charges and the complexity of the scoping proposal process.

Scoping proposals fees are \$1,846 (levied at lodgement) with an additional \$185 per hour after the first 10 hours. Strictly applying this fee in accordance with the current process would require all scoping proposals to incur the additional \$185 per hour. This is an administrative burden on staff and does not represent the best use of Council resources.

Risk/Policy/Legislation Considerations

The applicable legislative instruments include the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. These instruments, along with the Local Environmental Plan Making Guideline 2023 from DPHI, provide detailed guidance on the revised procedure.

Financial, Budget and Resource Implications

The revised procedure enhances staff efficiency during the scoping proposal stage, aligning work complexity with the current fee structure. It also minimises staff time spent preparing Council reports that do not require a decision to be made.

Links to QPRC/Regional Strategic Plans


The process supports the following pillars in the Queanbeyan-Palerang Regional Council Community Strategic Plan:

- 5.1 Our community is serviced by an efficient, effective and innovative Council.
- 5.2 Council is an open, accessible and responsive organisation.

Conclusion

The revised procedure streamlines the existing process for proponent initiated planning proposals in accordance with the Local Environmental Plan Making Guideline 2023. It eliminates redundant steps and reduces time and costs. It is recommended that Council adopt these changes to improve the proponent-initiated planning proposal process.

Attachments

- | | |
|---|--|
| Attachment 1 | Process Diagram - Proponent Initiated Planning Proposals (<i>Under Separate Cover</i>) |
|  | |

File Reference: 26.4.1-4 Road Naming

Recommendation

That Council:

1. Adopt in principle the name Murumba Road as the proposed road name for a road in Bombay, as shown in Figure 1.
2. Publish a notice in the NSW Government Gazette.

Summary

This report is to consider a request from a resident of Bombay to assign a name to a portion of the road known as Butmaroo Firetrail and a connecting unnamed Council road in Bombay. The name Murumba has been selected from the Register of Proposed Road Names, approved for use by Council on 10 April 2024 (**Resolution No 137/24**). The name meets the requirements of QPRC Road Names Policy and the NSW Geographical Names Board's NSW Address Policy. The Batemans Bay Local Aboriginal Land Council has endorsed the name and as such, Council's endorsement of the proposed road name Murumba is recommended.

Background

Council received a report on 13 March to assign a name to a portion of the road known as Butmaroo Firetrail and a connecting unnamed Council road in Bombay, Braidwood. The item was withdrawn to enable additional research into the proposed naming.

The extent of the road to be named originates at the intersection of Butmaroo Firetrail and Little Bombay Road and heads west for approximately 250 metres. It then heads northwest for approximately 1,170 metres where it intersects with an unnamed Council road and continues north for approximately 750 metres. The road terminates at the southeastern corner boundary of Lot 2 DP573146. The proposed name is Murumba Road. The full extent of the road is identified in red in Figure 1.

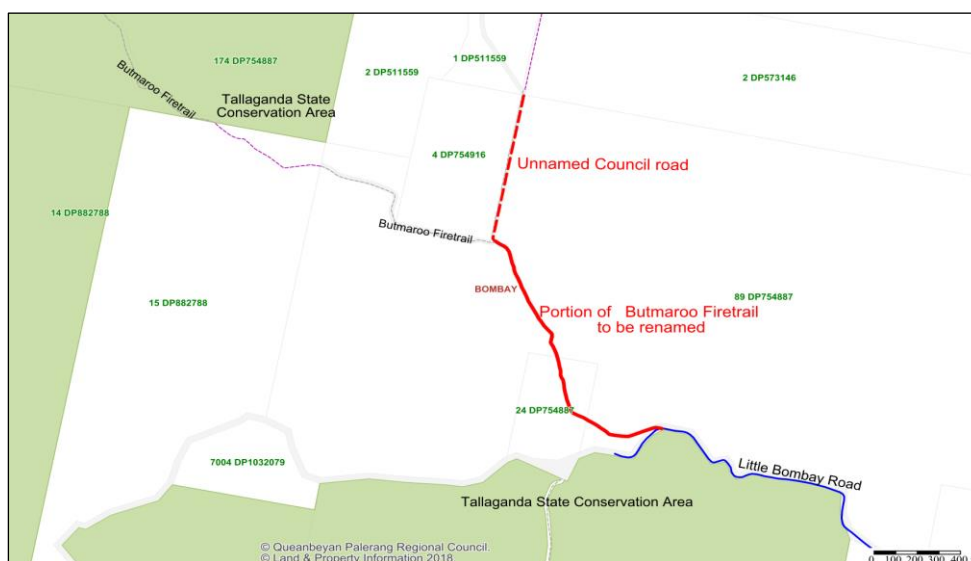


Figure 1

9.5 Road Naming - Murumba Road, Bombay (Ref: ; Author: Ryan/Knight) (Continued)

Report

Council is seeking to assign a name to a portion of the road known as Butmaroo Firetrail and a connecting unnamed Council road to better enable the accurate and timely delivery of emergency services and wayfinding to the five properties that are accessed from this road.

This proposal requires renaming approximately 1.4 km of the starting section of the road known as Butmaroo Firetrail and to a 750 m long section of connecting unnamed Council road (dashed red line Figure 1).

The name Murumba has been selected from the Register of Proposed Road Names, approved for use by Council. In the Dhurga language of the Yuin People, Murumba means brown snake. This word was sourced from the Dhurga Dictionary and Learner's Grammar Book published by Patricia Ellis, Kerry Boyenga and Waine Donovan.

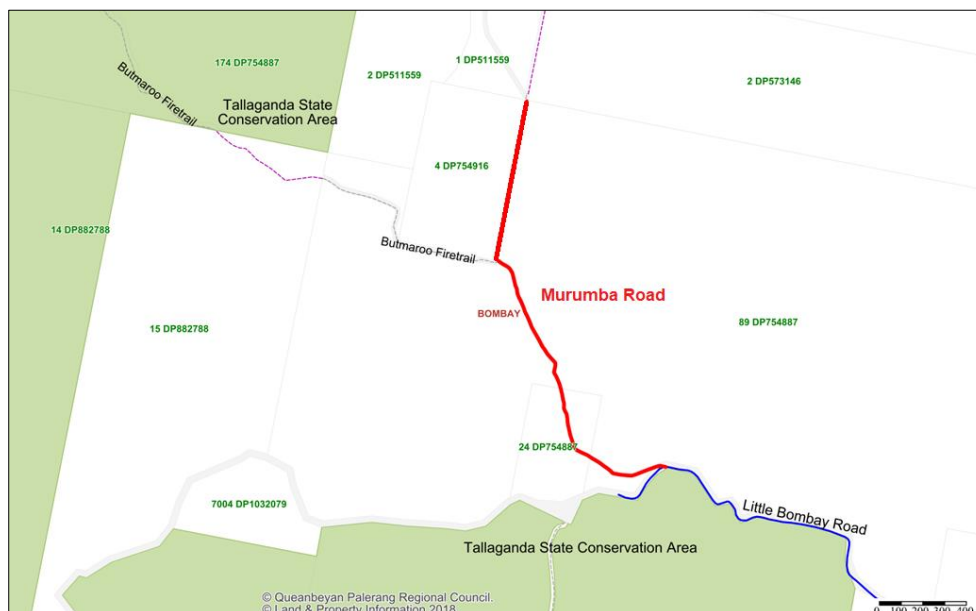


Figure 2

Staff worked with residents, the Batemans Bay Local Aboriginal Land Council and the NSW Geographical Names Board to ensure the proposed name Murumba is a unique road name for use in the locality of Bombay.

Risk/Policy/Legislation Considerations

The road name Murumba Road has been assessed under the following policies:

QPRC Road Names Policy clause 6.1.2

The use of First Nations Peoples' words and names is encouraged. Proposed road names in this theme shall be in the local language of the area in which the road name is to be used. Council will work with Local Aboriginal Land Councils to identify suitable road names. Proposed road names should include the meaning of the words or the person's historical link to the area.

QPRC Road Names Policy clause 6.2.1(b)

Community members with connections to the local government area and property developers are encouraged to submit proposed road names to Council in accordance with NSW

**9.5 Road Naming - Murumba Road, Bombay (Ref: ; Author: Ryan/Knight)
(Continued)**

Government guidelines as set out by the GNB for inclusion in the Register of Proposed Road Names. Criteria for proposed road names can include (but is not limited to) the following:

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

The proposed road name satisfies the requirements of QPRC Road Names Policy clauses 6.1.2 and 6.2.1(a).

NSW Address Policy and User Manual

Names are to be unambiguous words that are easy to spell, pronounce and appropriate for the area. The recommended road names are required to be reported to Council and then advertised for public comment.

The name Murumba Road meets the requirements for each of these policies. Should the name be endorsed by Council as recommended, the name will be notified in the NSW Government Gazette.

Financial, Budget and Resource Implications

There are costs associated with the supply and installation of road signs for the name Murumba Road and these are borne by Council.

Assigning the proposed name Murumba Road to this road extent will require staff to issue new street addresses to the five properties being accessed off this road. This readdressing project will improve the geographical accuracy of the properties' street addresses as they are all currently addressed off Little Bombay Road.

The cost for the supply and installation of new address numbers will be covered by Council and any replacements in the future will be at the residents' cost.

Links to QPRC/Regional Strategic Plans

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

Conclusion

Council is seeking to assign a name to a portion of the road known as Butmaroo Firetrail and a connecting unnamed council road in Bombay to better enable the accurate and timely delivery of emergency services and wayfinding. The name Murumba has been chosen from the Register of Proposed Road Names, approved for use by Council on 10 April 2024.

It is recommended that Council endorse Murumba Road and publish the notice of the name in the NSW Government Gazette.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.6 Investment Report - April 2024 (Author: Sligar/Drayton)

File Reference: 43.6.5-01

Recommendation

That Council:

1. Receive the Investment Report for the month of April 2024.
 2. Note the investment return for April 2024 was \$189,266.
 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 April 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 30 April 2024 is detailed in the attached Investment Report Pack.

Market Update – At their meeting on 7 May 2024, the Reserve Bank (RBA) elected to keep the cash rate at 4.35%. In the decision statement, the Board continued to recognise that “while recent data indicate that inflation is easing, it remains high. The path of interest rates that will best ensure that inflation returns to target in a reasonable timeframe remains uncertain and the Board is not ruling anything in or out.”

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.

9.6 Investment Report - April 2024 (Author: Sligar/Drayton) (Continued)

Council has \$5,000,000 (1.96% 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 30 April 2024, Council held \$131.2 million in non-fossil fuel investments.

Risk/Policy/Legislation Considerations

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

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

Certified by Tracy Sligar, Responsible Accounting Officer, 10/5/2024.

The Investment Policy is due for review in April 2025.

Financial, Budget and Resource Implications

Over the last 12 months, Council's portfolio produced an annualised rate of return of 5.18%, outperforming the benchmark Bank Bill Index by 0.94%.

On 30 April 2024, the principal amount invested was \$255,524,342.

On 30 April 2024, Council's investment return was \$10,312,682. The third quarter budget review has a proposed increase to the budget for interest earned on investments. A sizeable portion of this income is restricted to water, sewer and waste funds, and developer contributions.

Of the total \$255.5 million investment portfolio, Council holds \$30.6 million in TCorpIM long-term (LTGF) and medium-term (MTGF) funds with returns after ten months of \$1,388,451 at an average of 9.7% pa and \$618,576 at an average of 6.4% pa respectively.

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

| | LTGF \$ | MTGF \$ |
|--------------------------|------------------|----------------|
| 2017-18 | 981,891 | -44,845 |
| 2018-19 | 1,160,462 | 635,485 |
| 2019-20 | 21,702 | 37,815 |
| 2020-21 | 2,557,413 | 927,076 |
| 2021-22 | -1,300,450 | -742,711 |
| 2022-23 | 1,692,084 | 658,145 |
| 2023-24 | | |
| July | 301,703 | 107,428 |
| August | -48,162 | 36,962 |
| September | -401,639 | -146,775 |
| October | -239,092 | -92,286 |
| November | 630,238 | 265,888 |
| December | 533,742 | 288,303 |
| January | 253,712 | 91,332 |
| February | 471,303 | 115,178 |
| March | 394,759 | 150,232 |
| April | -508,112 | -197,687 |
| 2023-24 YTD Total | 1,388,451 | 618,576 |
| Return since inception | 6,501,554 | 2,089,541 |
| 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.

9.6 Investment Report - April 2024 (Author: Sligar/Drayton) (Continued)

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 30 April 2024 cash and investments balance by fund and by restriction.

| Fund | \$ |
|-------------------------------------|--------------------|
| General | 98,493,969 |
| Water | 46,857,405 |
| Sewer | 102,921,243 |
| Trust | 18,211 |
| SEWOL Fund | -73,603 |
| Unrestricted* | 7,307,117 |
| Total Cash & Investments | 255,524,342 |

| Restriction | \$ |
|-------------------------------------|--------------------|
| Unexpended Loans | 713,974 |
| Developer Contributions | 66,884,748 |
| Unexpended Grants | 23,924,146 |
| External Restrictions (Other) | 136,211,455 |
| Internal Restrictions | 13,030,191 |
| DOE – Compensation | 6,749,132 |
| Total Restrictions | 248,217,225 |
| Unrestricted* | 8,010,696 |
| Total Cash & Investments | 255,524,342 |

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

While the South East Weight of Loads (SEWOL) fund is showing a negative balance as at 30 April 2024, this is due to a short term timing issue regarding the invoicing for the member council contributions. This is being actioned in May and will correct itself before 30 June 2024.

Attachments

Attachment 1 Investment Report Pack - April 2024 (Under Separate Cover)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.7 Licence Agreement - Queanbeyan Leagues Club for Seiffert Oval (Author: Flint/Turland)

File Reference: 46.1.1-18

Recommendation

That Council:

- 1. Rescind the existing access licence with the Queanbeyan Leagues Club over Seiffert Oval Sports Ground.**
 - 2. Approve the new Licence Agreement with the Queanbeyan Leagues Club for a 5 year term.**
-

Summary

The Queanbeyan Leagues Club has a current licence access agreement over Seiffert Oval.

Approval from Council is sought to rescind the existing agreement and enter into a new licence in order to simplify and streamline the fee collection process.

Background

This item was previously considered by the Queanbeyan Crown Reserves Trust Management Committee in September 2011 and October 2014 respectively.

Report

In September 2011, the Queanbeyan Leagues Club entered into a five year access agreement over Seiffert Oval.

In February 2015, an addendum was added to this agreement. As well as extending the termination date of the agreement until March 2035, the addendum set out Performance Measures for turf ovals, listing standards to which the sports grounds needed to be maintained. These included items such as grass length, line markings, and irrigation practices.

The Licensee was to pay Council 50% of the additional costs involved with maintaining the oval to this standard in addition to the existing license fee.

After several years of administering this access agreement, it has been determined that calculating the cost difference between meeting these performance measures, and the maintenance Council would have otherwise performed, as well as attributing these differences on a percentage basis, is both unrealistic and not feasible.

Instead, the proposal is to return to a flat licence fee, increased from what was originally payable to Council.

Rather than adding a second amendment, rescinding the first amendment to the existing agreement, the proposal is that it will be more straightforward to simply enter into a new licence with the Leagues Club. This also has the added advantage of ensuring this licence agreement

9.7 Licence Agreement - Queanbeyan Leagues Club for Seiffert Oval (Author: Flint/Turland) (Continued)

is consistent with the terms and format of other licence agreements over Council managed Crown Land.

Risk/Policy/Legislation Considerations

The office space forms part of the Crown Reserve that includes Seiffert Oval and is managed under the Crown Land Management Act 2016.



Financial, Budget and Resource Implications

The revised fee payable under the new licence agreement is \$35,000 per annum. This fee takes into account the higher maintenance costs of meeting the performance measures set out in the previous addendum.

Conclusion

It is recommended that Council rescind the current agreement and enter into a new licence agreement to improve the efficiency of licence fee collection.

**Attachments**

- | | |
|---|--|
| Attachment 1 | Draft Licence - QLC 2024 (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | Previous Licence Addendum 2015 (<i>Under Separate Cover</i>) |
|  | |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.8 Renewal of Access Licence - Veterans Motorcycle Club (Author: Flint/Turland)

File Reference: 46.1.1

Recommendation

That Council:

1. **Approve the renewal of the Licence Agreement with Queanbeyan Veteran's Motorcycle Club for a further 5 year term.**
 2. **Re-affirm the boundaries of the intended licence area, and that the southern shower and changeroom area are included under the licence agreement.**
-

Summary

Approval from Council is sought to renew the access licence with the Queanbeyan Veteran's Motorcycle Club for a further five year term.

Background

This item was considered by the Queanbeyan Crown Lands Reserve Trust on 6 November 2013 (Ref: **SF120566/05**) and by Council on 27 March 2019 (**Resolution No 001/19**).

Report

The Veterans Motorcycle Club (VMC) describes themselves as Military Veterans and Bikers, a Brotherhood that exists to support veterans & their families. As well as acting as a fraternal support group, VMC is involved in multiple non-profit events and community initiatives. The group also have an active role in ANZAC Day proceedings and other commemorative ceremonies.

Since 2014, The Federal Chapter of VMC have occupied the unused function room at Seiffert Oval as a clubhouse under a licence agreement with Council. VMC have expressed an interest in renewing the agreement on similar terms. Under the agreement, the licensee has a general obligation to clean, upkeep and maintain the area.

Additionally, under the previous agreement with Council, questions were raised as to whether the intended licenced area extended to the shower and change room area, as highlighted in **Annexure A**. Council endorsement is sought to reaffirm the entirety of the licenced area, including the shower and changeroom section, identified as the Bunkhouse area in **Annexure A**.

Risk/Policy/Legislation Considerations

The office space forms part of the Crown Reserve that includes Seiffert Oval and is managed under the Crown Land Management Act 2016.

As a condition of the licence, VMC are required to upkeep and maintain their own Public Liability insurance. A copy of their Certificate of Currency has been provided to Council.

9.8 Renewal of Access Licence - Veterans Motorcycle Club (Author: Flint/Turland) (Continued)

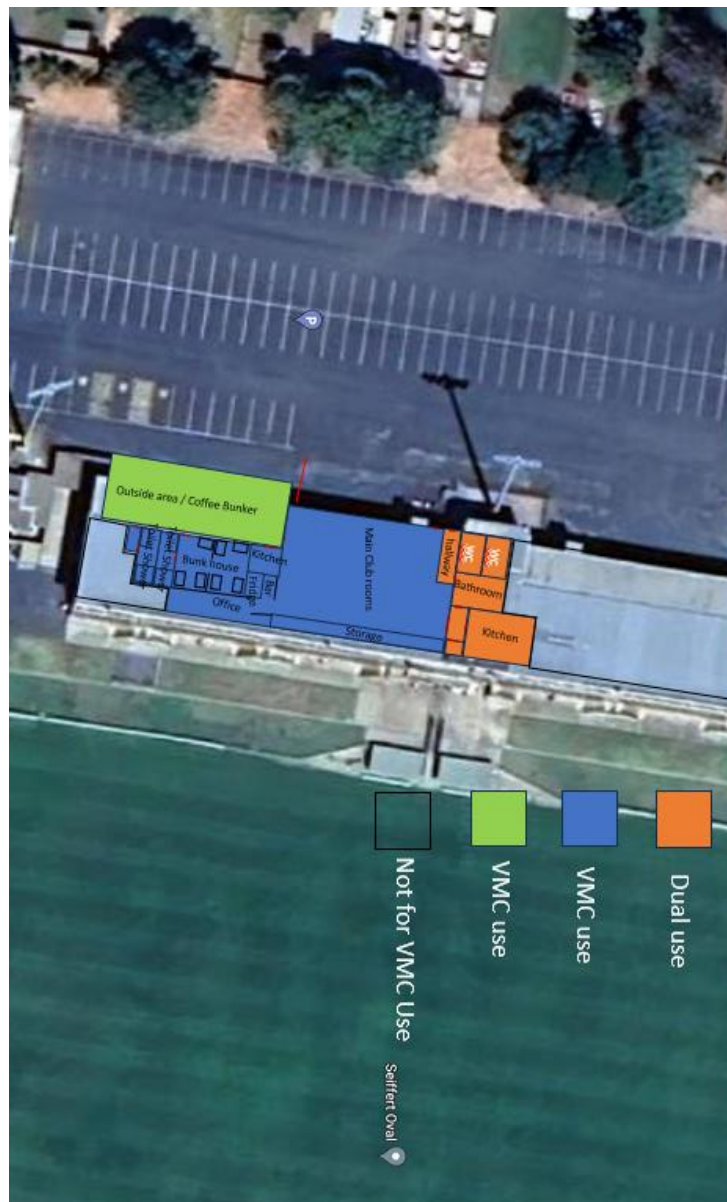
Financial, Budget and Resource Implications

Due to the community-oriented nature of the Club, and overall positive social benefits of VMC, the proposed licence fee is the statutory minimum allowable for Council managed Crown Land. At the time of writing, this fee is \$595 per annum.

Conclusion

It is recommended that Council support the renewal on the proposed terms.

ANNEXURE A – MAP



Attachments

Attachment 1



Draft Crown Land Licence Agreement - Queanbeyan VMC (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.1 Bungendore High School Update (Ref: ; Author: Ryan/Hansen)

File Reference: 46.1.1-34

Recommendation

That the report be received for information.

Report**Temporary Construction Site Fencing**

At the 27 March 2024 meeting, Council raised the matter of the temporary construction fencing along the top side of Bungendore Park, including Majara Street and shared path where the proposed High School is to be located. A formal request was sent to the Minister for Education and Early Learning, and the local member, the Hon Steve Whan MP to remove this fencing.

The fencing was moved to enable pedestrian access along the path in time for ANZAC Day marches and celebrations, and Council has received a Licence Agreement to formalise this access. It is noted that if works commence on the high school in this location that access to the footpath will be removed.

Bungendore Pool

The Bungendore Pool Lease has been extended to 31 March 2025, under the current arrangements. A request to the Minister to contribute to the cost of operating the pool has been sent, and a response at this stage remains pending.

Infrastructure Works Mick Sherd Oval

Due to the land acquisition of part of Bungendore Park, by the Department of Education, several items of infrastructure require relocation. These include a new footpath across the western portion of Mick Sherd Oval (connecting Turallo Terrace and Gibraltar Street), relocation of a field light and the irrigation ring main.

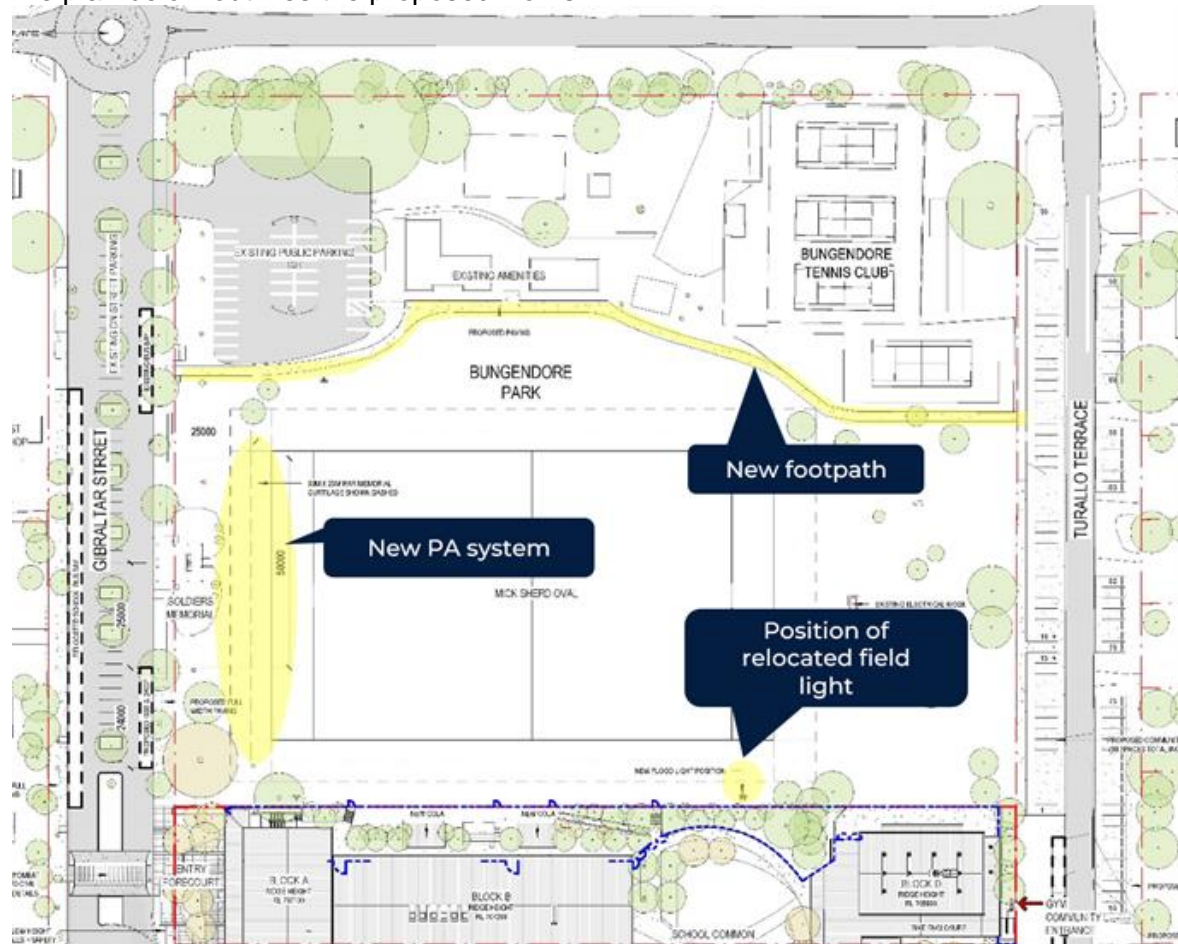
Schools Infrastructure NSW (SINSW) have enquired if Council would deliver these projects, in addition to some levelling of the oval near the northeastern area and installation of a new public address system to the War Memorial.

Works would not progress until the SSDA is determined, however Council Projects, and Urban Landscape teams have the capacity to deliver these projects on behalf of the Department of Education if and when they are ready to proceed.

The shared path has already been identified in Council's, Bungendore Bicycle and Pedestrian Facilities Plan (2019). The works would be completed under SEPP provisions, to facilitate improvements on Council managed Crown Land reserves.

10.1 Bungendore High School Update (Ref: ; Author: Ryan/Hansen) (Continued)

The plan below outlines the proposed works.

**State Significant Development Application**

Council is of the understanding that the modified SSDA will be lodged soon with NSW Major Projects and resulting in public notification on the website:

<https://www.planningportal.nsw.gov.au/major-projects/projects/new-high-school-bungendore>

SISNW representatives will be presenting this information to a Councillor workshop planned in June, after lodgement.

The normal exhibition period, assessment and determination process will follow by the NSW Department of Planning, Housing and Infrastructure (DPHI) as the consent authority.

Compensation Claim Matter

A separate confidential report will be presented to Council which is in regard to the compensation claim matter in the Land and Environment Court for both the Swimming Pool, Council Administration building and Community Centre.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.2 Monaro Street Upgrade (Ref: ; Author: Hansen/Long)

File Reference: 36.1

Recommendation

That the report be received for information.

Report

In April 2023, Council resolved to negotiate a variation to the funding agreement for RNIG2-010 Queanbeyan CBD Transformation and Activation Project with Regional NSW (**Resolution No 141/23**). This is the project known as the Monaro Street Upgrade.

Following extended negotiations, the Department of Regional NSW has approved a Deed of Variation for this project which extends the time for completion of expenditure of the \$10m funding to December 2026.

In addition to this \$10m funding Council has included \$5.25m loan funding in the Long Term Financial Plan. A further \$2m grant funding has been provided by Transport for NSW.

It has been confirmed with both funding bodies that payment for work on this project prior to December 2026 will be made initially from the \$10m funding and work after this date will be funded from the other sources.

As identified in April 2023, the project is now proposed to be undertaken in three stages:

- Stage 1 being the Detailed Design and Opinion of Costs of the entire project
- Stage 2 being the construction from Lowe Street to Crawford Street.
- Stage 3 being the construction from Crawford Street to Collett Street.

Major risks to the project are still the timely approval from Transport for NSW for the final design of road pavement and signal changes, the escalation of costs in the construction industry and the availability of suitable contractors.

To progress the project, Council will prepare documents and invite tenders for Stage 1. Council's approval will be sought for a preferred consultant to complete Stage 1 by December 2025.

A review of the scope of works will be undertaken, with consultation and engagement with stakeholders and local businesses, in particular along Monaro Street will be included in this next stage.

A further report to Council with the Detailed Design and the assessment of the Opinion of Costs, will be necessary before proceeding with any tender process and delivery of Stages 2 and 3.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland)

File Reference: 36.1

Recommendation

That the report be received for information.

Report

Council requested a report on the progress of the Bicycle and Pedestrian Facilities Plans (PAMPs) and current priority projects (**Resolution No 099/23**).

The PAMPs along with the wider QPRC Integrated Transport Strategy were adopted in 2020 for Queanbeyan, Bungendore and Braidwood following three rounds of community consultation. The plans can be found on the Strategies and Plans page of Councils' website. <https://www.qprc.nsw.gov.au/Policies-Strategies-and-Plans/Strategies-and-Plans>.

The plans identify a program of works proposing new paths, crossing points and links to the existing active transport network to better connect people through walking and cycling. The plans also recommended installation of bicycle parking.

Since the adoption of the PAMPs, staff have actively pursued grant funding for the construction of new paths and refuge islands with some success such as the recently constructed paths on Lascelles Street, Elrington Street and Coronation Avenue, Braidwood as well as refuge islands at various locations around Queanbeyan. The focus has been to address the items listed in the PAMPs as being high priority first where possible.

As previously notified grants have been submitted for the 24/25 Get NSW Active program for the following works:

- Updating the PAMPs (noting community consultation for the current plans began in 2017 and therefore priorities need revisiting due to new developments in town centres)
- Shared path between Waterfall Drive and Mariners Court, Jerrabomberra
- Shared path Barracks Creek to Dane Street, Queanbeyan River
- Shared path Dane Street to Glenrock Drain, Queanbeyan River
- Shared path Glenrock Drain to Thorpe Avenue, Queanbeyan River

The outcome of these applications is yet to be released by the funding body.

Bicycle parking infrastructure that already exist in projects and prominent Council owned locations include:

- Aunty Louise Brown Park - 3 bike racks and 48 places in the Bicycle storage facility
- Malunggang Walk - a bike rack
- Nellie Hamilton Centre – 12 secure bike racks with the basement carpark
- Crawford Street Lifestyle Precinct – 19 bike racks
- QEII Park – 8 bike racks
- Queanbeyan Bus Interchange – 20 places within the bicycle storage
- Queanbeyan Pool – 6 racks

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

Other existing bicycle racks sit within private land installed by adjacent commercial centres, schools, or developers as part of their new developments. The general location is shown in the images below. The images are for Queanbeyan, Bungendore and Braidwood only. Many of the schools have bicycle racks within school properties.

A summary of what has been completed as part of the PAMPS can be found in the following tables and images. The draft 24/25 Operational Plan currently has \$416,000 assigned to progress further PAMP items and it is proposed to use S94 contributions in 24/25 to fund new shared path in Forster Street, between Majara Street and No.10 Forster Street, Bungendore.

The progress of works included in the respective PAMPs is in the table below. Notations within the table are F = footpath (min 1.2m), S = shared path (min 2.5m), M = marked mixed traffic street, R = refuge.

Table 1 PAMP Schedule of Works Progress

| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|----|--|----------|-----------|---------------------------|--|
| F2 | Wilson Street - Between Wallace Street and the Braidwood Multi-Purpose Service | High | Braidwood | Y | 2021 |
| F7 | Elrington Street - Between Wilson Street and Duncan Street | High | Braidwood | Y | 2023 |
| R4 | Refuge Island – Lascelles Street west of Wallace Street | High | Braidwood | Y | 2023 |
| F3 | Lascelles Street - Between Wallace Street and Elrington Street | Medium | Braidwood | Y | 2023 |
| F8 | Elrington Street - Between Duncan Street and the Recreation Ground | Medium | Braidwood | Y | 2023 |
| S2 | Link between Wallace Street and the Services Club | High | Braidwood | P | 2023 - Ryrie Street to Services Club |
| S7 | Monkittee Street- Between Wilson Street and Duncan Street | High | Braidwood | P | This would be pulling out ex footpath and replace with shared path |
| S5 | Ryrie Street and McKellar Street - Between Duncan Street and Kings Highway | Medium | Braidwood | P | 2023 - McKellar Street bus stop |
| F1 | Kings Highway - between McKellar Street and the Braidwood Colonial | High | Braidwood | N | |
| F6 | Wallace Street - Between Park Lane and Wilson Street | High | Braidwood | N | |
| S1 | Shared path link across the recreation grounds | High | Braidwood | N | |
| S3 | Duncan Street - between Wallace Street and Monkittee Street | High | Braidwood | N | |
| R1 | Refuge Island – McKellar Street west of Wallace Street | High | Braidwood | N | |
| R2 | Refuge Island – Wallace Street north of Duncan Street | High | Braidwood | N | |

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|-----|--|----------|------------|---------------------------|--|
| R3 | Refuge Island – Wallace Street north of Lascelles Street | High | Braidwood | N | |
| R5 | Refuge Island – Lascelles Street west of Monkitee Street | Medium | Braidwood | N | GetNSW Active application - 2022 and 2023; unsuccessful |
| R6 | Refuge Island – Lascelles Street west of Elrington Street | Medium | Braidwood | N | GetNSW Active application - 2022 and 2023; unsuccessful |
| F4 | Wallace Street - Lascelles Street and Coghill Street | Medium | Braidwood | N | |
| F5 | Wilson Street - Between Ryrie Street and Park Lane | Medium | Braidwood | N | |
| S4 | Monkitee Street - between Duncan Street and Cowper Street | Medium | Braidwood | N | |
| S6 | Link between Wallace Street along Coghill to Coronation Avenue | Medium | Braidwood | N | Route via Bombay Rd and Garvey St |
| S8 | Wallace Street - Between Coghill Street and Cowper Street | Medium | Braidwood | N | |
| M1 | Along Garvey Street - Between Flood Creek and Coronation Avenue | Medium | Braidwood | N | |
| M2 | Along Coghill Street - Between the Recreation Ground and Monkitee Street | Medium | Braidwood | N | |
| F3 | Malbon Street - between Majara Street and Butmaroo Street | High | Bungendore | Y | ~2019 |
| F1 | Connecting Kings Highway to Ellendon Street | Medium | Bungendore | Y | |
| PR3 | Refuge Island - Ellendon Street north of Gibraltar Street | High | Bungendore | P | kerb extension, not refuge |
| S8 | Ellendon Street - King Street to Finch Street | High | Bungendore | P | existing footpath for some of Ellendon Street would need to be replaced by shared path |
| S11 | Ellendon Street - Gibraltar Street to Turallo Creek | High | Bungendore | P | section from kerb extension/roundabout |
| S13 | Gibraltar Street - Ellendon Street to Molonglo Street | High | Bungendore | P | section at roundabout, footpath exists, constructability issues for shared path |
| S15 | Ellendon Street - Gibraltar Street to Kings Highway | High | Bungendore | P | section at roundabout, footpath exists, constructability issues for shared path |
| S19 | Gibraltar Street - Majara Street and Ellendon street | High | Bungendore | P | section at roundabout, footpath exists, constructability issues for shared path |

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|-----|--|----------|------------|---------------------------|--|
| PR1 | Refuge Island - Ellendon Street near Forster Street | High | Bungendore | N | Likely removal from PAMP due to road only 6m wide |
| PR2 | Refuge Island - Powell Street near Kings Highway | High | Bungendore | N | Likely removal from PAMP due to road only 6m wide |
| S2 | Off-Road - Molonglo Street towards Community Gateway | High | Bungendore | N | |
| S5 | Mick Sherd Oval | High | Bungendore | N | SINSW will construct most of this as part of BHS |
| S10 | Forster Street - Ellendon Street to Majara Street | High | Bungendore | N | programmed for 24/25 |
| S16 | Majara Street - Gibraltar Street to Kings Highway | High | Bungendore | N | |
| S17 | Forster St - Between Molonglo Street and Ellendon Street | High | Bungendore | N | programmed for 24/25 |
| F2 | Connecting Malbon Street, Gibraltar Street and Ellendon Street | Medium | Bungendore | N | through private properties |
| F5 | Between Powell Street and Kings Hwy along Gibraltar Street | Medium | Bungendore | N | |
| F6 | From Ashby Drive, along McCusker Drive and along Hyland Drive | Medium | Bungendore | N | |
| F7 | From Day Circuit to Ashby Drive | Medium | Bungendore | N | |
| F8 | Butmaroo Street – Between Turallo Terrace and Kings Highway | Medium | Bungendore | N | |
| F9 | Molonglo Street – Between Gibraltar Street and Rutledge Street | Medium | Bungendore | N | |
| F10 | Rutledge Street - Between Ellendon Street and Molonglo Street | Medium | Bungendore | N | |
| F11 | Turallo Creek Track – between Tarago Road and Elmslea Drive | Medium | Bungendore | N | |
| M1 | From Lamer Street along Eyre Street | Medium | Bungendore | N | |
| S1 | Bungendore Road - Molonglo Street towards the Showground | Medium | Bungendore | N | |
| S3 | Off-Road - Community Gateway towards Kings Highway | Medium | Bungendore | N | |
| S4 | Wild Terrace - McMahon Drive to Larmer Street | Medium | Bungendore | N | This would be pulling out existing footpath and replace with shared path |
| S6 | Off-Road - Kings Highway to Bungendore Road | Medium | Bungendore | N | |

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|-----|--|----------|------------|---------------------------|---|
| S9 | Ellendon Street and Trucking Yard Lane | Medium | Bungendore | N | Existing footpath on Ellendon St would need to be replaced with shared path |
| S12 | Kings Highway - From Majara Street along Kings Hwy | Medium | Bungendore | N | |
| S14 | Molonglo Street - Gibraltar Street to Turallo Creek | Medium | Bungendore | N | |
| S18 | Molonglo Street - Between Forster Street and King Street | Medium | Bungendore | N | |
| PR1 | Uriarra Road east of Richard Avenue | High | Queanbeyan | Y | |
| PR3 | Thurrallilly Street west of Yass Road | High | Queanbeyan | Y | |
| PR4 | Mulloon Street east of Yass Road | High | Queanbeyan | Y | |
| S2 | Along Ellerton Drive between Kings Highway and Mowatt Street | High | Queanbeyan | Y | |
| S29 | Edwin Land Parkway Crossing near the shops | High | Queanbeyan | Y | |
| F2 | Waterfall Drive between Bellbush Close and two end connections near Lake Jerrabomberra. | High | Queanbeyan | P | Existing shared path between Woodhill Link and Tamarind Place, existing footpath between Tamarind Place and No.53 Waterfall Drive. Shared path between Woodhill Link and Mariners Court proposed for 24/25. GetNSW Active application - 2022 and 2023; unsuccessful |
| S1 | Along the Queanbeyan River between the Riverside Plaza and Ellerton Drive | High | Queanbeyan | P | Missing link between Barracks Creek and Thorpe Avenue. GetNSW Active application - 2022 and 2023; unsuccessful |
| S5 | Along Morisset Street between Queanbeyan River and Brad Haddin Oval (Including the eastern side of Brad Haddin Oval) | High | Queanbeyan | P | Morissett Street already paved. Need to replace footpath along Oval with shared path |
| S19 | Along Alanbar Street between Donald Road and Cameron Road | High | Queanbeyan | P | Currently footpath width both sides of road |
| S20 | Southbar Road Connection that combined with Sassafras Crescent run parallel to Southbar Road | High | Queanbeyan | P | Currently footpath width |
| C1 | Southbar Road between Donald Road and Cooma Street | High | Queanbeyan | N | |

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|-----|---|----------|------------|---------------------------|---|
| PR2 | Campbell Street near Morton Street | High | Queanbeyan | N | |
| S11 | Connections on southern side between Edwin Land Parkway's existing shared path and both Poplar Crescent and Rosewood Glen | High | Queanbeyan | N | |
| S13 | Along Lorn Road and Kealman Road between Uriarra Road and John Bull Street | High | Queanbeyan | N | |
| S15 | Lanyon Drive connections allowing cyclists and pedestrians to have access to a shared path that uses the underpass | High | Queanbeyan | N | Currently footpath width |
| S16 | Along Cooma Street and Thornton Road in the vicinity of the Karabar Preschool and the local sporting facilities | High | Queanbeyan | N | |
| S18 | Cooma Street between Southbar Road and Lowe Street and also additional connections near Candlebark Road to Edwin Land Parkway | High | Queanbeyan | N | |
| S21 | Along Limestone Drive between Edwin Land Parkway and Jerrabomberra Parkway intersection to O'Sullivan Road | High | Queanbeyan | N | |
| S22 | From Carolyn Jackson Drive to Pepper Place | High | Queanbeyan | N | |
| S23 | Along Lanyon Drive between Southbar Road and Esmond Avenue | High | Queanbeyan | N | |
| S24 | Connection from Brudenell Drive to and the end of Tea Tree Close | High | Queanbeyan | N | Currently footpath width |
| S26 | Connection from Waniassa Street to Carinya Street across the bridge | High | Queanbeyan | N | Currently footpath width across bridge. Also shared path on caravan park side |
| S32 | Connections on northern side of Edwin Land Parkway near the shops that enable access from Dora Street to Unwin Avenue | High | Queanbeyan | N | No space due to ICON Water land |
| M2 | Along Nimmitabel Street between the underpass on Canberra Avenue and the underpass on Lanyon Drive | High | Queanbeyan | N | |
| M3 | Along Fergus Road between Tharwa Road and Cooma Street | High | Queanbeyan | N | |
| M4 | Along Sassafras Crescent parallel to Southbar Road | High | Queanbeyan | N | |

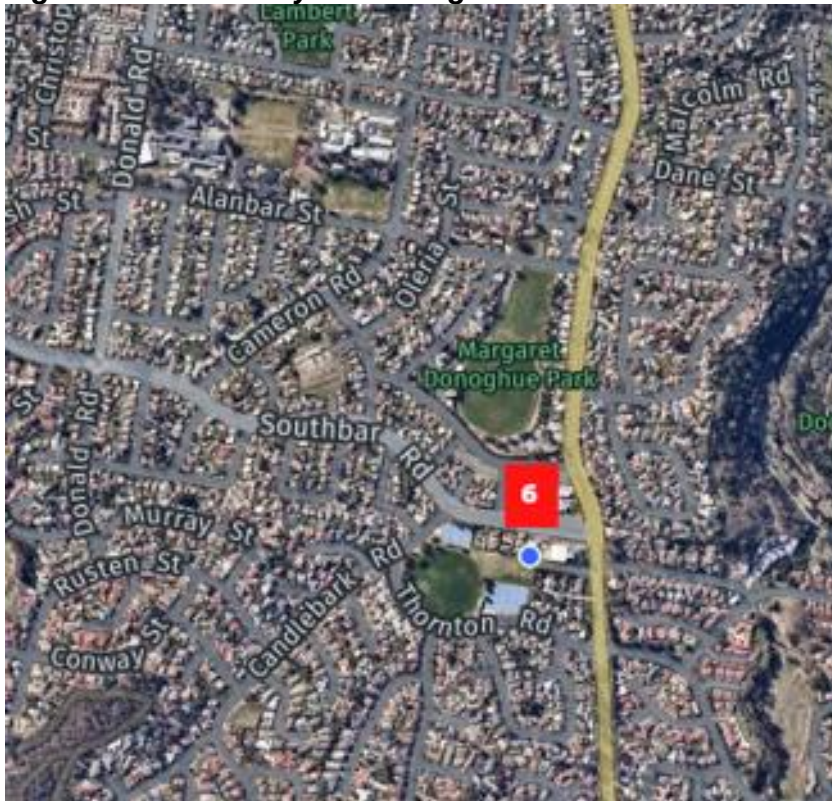
10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)

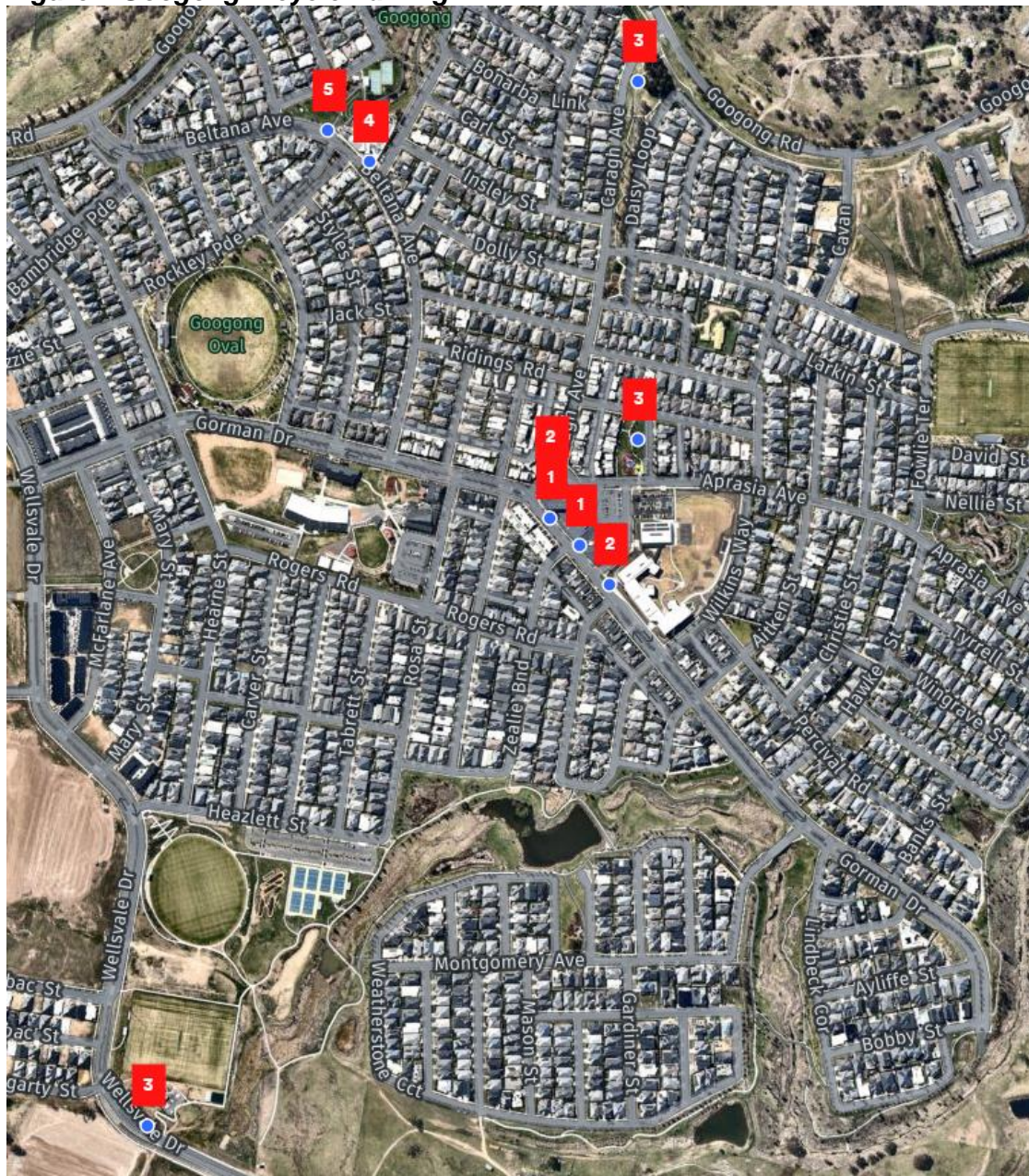
| ID | Link Description | Priority | Location | Complete (Yes/No Partial) | Comments |
|-----|--|----------|------------|---------------------------|----------|
| M5 | Along Halloran Drive between Allambee Street and Numeralia Drive | High | Queanbeyan | N | |
| M8 | O'Sullivan Road and Esmond Drive between Limestone Drive and path connecting to Kinlyside Avenue | High | Queanbeyan | N | |
| M9 | Along Halloran Drive, Kinlyside Avenue, Carolyn Jackson Drive between Carolyn Jackson Drive and Hamilton Place | High | Queanbeyan | N | |
| M11 | Along Stringybark Drive and Brudennel Drive between Edwin Land Parkway and Bicentennial Drive | High | Queanbeyan | N | |
| M12 | Along Candlebark Road between Cooma Street and Southbar Road | High | Queanbeyan | N | |
| M16 | Along Gilmore Place between Tharwa Road and Lanyon Drive | High | Queanbeyan | N | |
| M17 | Along Telopea Place between Crest Park Parade and Southbar Road | High | Queanbeyan | N | |
| M18 | From Letchworth Park to Maloney Street | High | Queanbeyan | N | |
| M19 | Along Unwin Avenue parallel to Edwin Land Parkway connecting the shared path | High | Queanbeyan | N | |
| M20 | Along Lerra Street between Numeralia Drive and a future shared path | High | Queanbeyan | N | |
| M22 | Along Miller Street and Harman Place | High | Queanbeyan | N | |

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)**Figure 1 Queanbeyan Bicycle Parking****Figure 2 Jerrabomberra Bicycle Parking**

10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author:
Hansen/Ramsland) (Continued)

Figure 3 Karabar Bicycle Parking



10.3 Update on Bicycle and Pedestrian Facilities Plan Progress (Ref: ; Author: Hansen/Ramsland) (Continued)**Figure 4 Googong Bicycle Parking****Attachments**

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.4 LCLI Funding Agreement Amendment (Ref: ; Author: Monaghan/Drayton)

File Reference: 43.6.5-04

Recommendation

That the report be received for information.

Report

Council is receiving a loan interest subsidy rebate under the Low Cost Loans Initiative (LCLI) program. The scheme jointly administered by the Office of Local Government (OLG) and the Department of Planning Housing and Infrastructure, was introduced to accelerate the delivery of infrastructure that facilitates new housing supply.

The Ellerton Drive Extension project has benefited from this scheme since 2019 by receiving a rebate of 50% of the interest expense, claimed by lodging semi-annual returns with the OLG.

The Department of Planning Housing and Infrastructure (DPHIE) has announced an update to the funding process, now providing an option for Councils to claim the full payment of the remaining subsidy in a lump sum in the current financial year.

This option will result in a one off payment of \$880,419 in the current financial year to replace the same amount paid in 116 monthly instalments over the life of the loan to January 2029.

Council received correspondence from the OLG on 24 April requesting execution of a revised funding agreement and invoice by 3 May to exercise the option. In order to meet the timeframe, the General Manager signed the funding agreement amendment which was returned together with an invoice for \$880,419.

This final claim brings QPRC's total subsidy payments for the LCLI program to \$2,982,740.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint)

File Reference: 22 May 2024 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Mareeta Grundy on 17 April 2024.

1. Who are the former Mayors of Queanbeyan-Palerang Regional Council, Queanbeyan City Council, Braidwood Municipal Council, Palerang Council, Yarralumla Council and Tallaganda Council?
2. What were their respective years of service as Mayor?
3. Which former Mayors have public assets named after them?
4. Is there a policy, protocol, procedure or precedence for the naming of public assets after former Mayors?

Staff Response

The following table details the former Mayors, respective years of service and if they have a public asset named after them.

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|--------------------------------|------------------|-------------|-------------------------------------|
| Queanbeyan City Council | | | |
| JJ Wright | 1885-1888 | 4 | Wright Park Queanbeyan |
| John Bull | 1888-1889 | 2 | John Bull Street Queanbeyan |
| George Tomsitt | 1889-1890 | 2 | Tomsitt Drive Queanbeyan |
| Edwin Henry Land | 1890-1891 | 2 | Edwin Land Parkway Queanbeyan |
| Nathan Moses Lazarus | 1891-1892 | 2 | Lazarus Crescent Queanbeyan |

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint) (Continued)

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|------------------------------|---|--------------------------|-------------------------------------|
| Edwin Henry Land | 1892-1897 | 6 | Edwin Land Parkway Queanbeyan |
| William Pike | 1897-1899 | 3 | Pike Place Queanbeyan |
| Patrick Blackall | 1900 - 1903 | 4 | Blackall Avenue Queanbeyan |
| James Pike | February 1900 - July 1900 | 6 months | Pike Place Queanbeyan |
| Henry John Hungerford | 1904 - 1906 | 2 | Hungerford Street Queanbeyan |
| Edwin George Atkinson | 1906 - 1907 | 2 | Atkinson Street Queanbeyan |
| Ernest Creamore Hincksman | 1907 - 1909 | 3 | Hincksman Street Queanbeyan |
| Richard Moore | 1909 - 1910 & May 1913 - 1914 | 3 years and 10 months | Moore Park Queanbeyan |
| Arthur Henry Collett | 1910 - 1912 & July 1917 - 1920 | 6 years and 6 months | Collett Street Queanbeyan |
| Frederick Percy Woodward | March 1913-May 1913 & 1915-1917 & 1920-1921 | 5 years and 3 months | |
| Richard Moore | 1913-1914 | 2 | Moore Park Queanbeyan |
| Frederick Percy Woodward | 1915-1917 | 3 | |
| Arthur Henry Collett | 1917-1920 | 4 | Collett Street Queanbeyan |
| Frederick Percy Woodward | 1920-1922 | 2 | |
| James George Harris | 1922 - 1924 | 3 | Harris Park Queanbeyan |
| William Byrne Freebody | 1925-1927, 1929- 1932 & 1950 | 8 | Freebody Oval Queanbeyan |

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint) (Continued)

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|---|------------------|-------------|-------------------------------------|
| Henry Thomas Land | 1927-1929 | 3 | |
| William Byrne Freebody | 1929 - 1932 | 4 | Freebody Oval Queanbeyan |
| Henry Charles Taylor | 1932-1935 | 4 | Taylor Park Queanbeyan |
| John Esmond | 1935-1939 | 5 | Esmond Avenue Queanbeyan |
| Henry Charles Taylor | 1939-1951 | 13 | Taylor Park Queanbeyan |
| Ralph Archibald Spendelove | 1951-1954 | 4 | Spendelove Street Queanbeyan |
| Arthur Lambert, M.B.E | 1954-1963 | 10 | Lambert Park Queanbeyan |
| Frederick Edwin Land | 1963 - 1980 | 18 | |
| David Michael Madew, A.M | 1980-1991 | 12 | David Madew Oval Queanbeyan |
| Frank John Pangallo, M.B.E | 1991-2008 | 18 | |
| Tim Overall | 2008 - 2016 | 9 | |
| Queanbeyan-Palerang Regional Council | | | |
| Tim Overall | 2016-2022 | 7 | |
| Kenrick Winchester | 2022 - present | 2.5 | |
| Braidwood Municipal Council | | | |
| J W Bunn | 1891-1894 | 4 | |
| W L Chapman | 1894-1895 | 2 | |
| R M Higgins | 1895-1897 | 3 | |
| W L Chapman | 1897-1898 | 2 | |
| A Ross | 1898-1899 | 2 | |
| R M Higgins | 1899-1904 | 6 | |
| P Maher | 1904-1906 | 3 | |

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint) (Continued)

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|---------------------------------|------------------|-------------|-------------------------------------|
| R M Higgins | 1906-1908 | 3 | |
| W J Olivey | 1908-1910 | 3 | |
| J Higgins | 1910-1913 | 4 | |
| F E Grenenger | 1913-1915 | 3 | |
| P Coffey | 1915-1916 | 2 | |
| J Stoyles | 1916-1917 | 2 | |
| N V Draper | 1917-1917 | 1 | |
| J J Donnelly | 1917-1921 | 5 | |
| M Anderson | 1921-1928 | 8 | |
| J Grigg | 1928-1931 | 4 | |
| J Roberts | 1931-1936 | 6 | |
| Tallaganda Shire Council | | | |
| R G Hassall (President) | 1906-1912 | 7 | Hassall Reserve Braidwood |
| C Byrne (President) | 1912-1914 | 3 | |
| P Roberts (President) | 1914-1918 | 5 | |
| W U Alley (President) | 1918-1920 | 3 | |
| L Chapman (President) | 1920-1925 | 6 | |
| J Hynes (President) | 1925-1926 | 2 | |
| J Hyland (President) | 1926-1926 | 1 | |
| L Chapman (President) | 1926-1928 | 3 | |
| W U Alley (President) | 1928-1937 | 10 | |
| J Grigg (President) | 1937-1941 | 5 | |
| W U Alley (President) | 1941-1944 | 4 | |
| E C Smith (President) | 1944-1947 | 4 | |
| O F Roberts (President) | 1947-1948 | 2 | |

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint) (Continued)

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|--|------------------|-------------|-------------------------------------|
| E S Byrne (President) | 1948-1953 | 6 | |
| Lt Col R T Hassall (President) | 1953-1955 | 3 | |
| J L Garvey Bem (President) | 1955-1976 | 22 | |
| A D Mackay (President) | 1976-1977 | 2 | |
| Cdr A D Black (President) | 1977-1981 | 5 | |
| W E Cox (President) | 1981-1982 | 2 | |
| R G C Hassall (President) | 1982-1987 | 6 | Hassall Reserve Braidwood |
| D J Cargill (President) | 1987-1989 | 3 | Cargill Park Burra |
| Cdr A D Black OAM RFD (President) | 1989-1991 | 3 | |
| D J Cargill (President) | 1991-1992 | 2 | Cargill Park Burra |
| D J Cargill (Mayor) | 1992-1993 | 2 | Cargill Park Burra |
| K E Park (Mayor) | 1993-1995 | 3 | |
| D J Cargill (Mayor) | 1995-1997 | 3 | Cargill Park Burra |
| R G C Hassall | 1997-2001 | 5 | Hassall Reserve Braidwood |
| LF Hart | 2001-2004 | 4 | |
| Amalgamated to form Eastern Capital City Regional Council on 11 February 2004 | | | |
| Palerang Council | | | |
| Terry Bransdon | 2004-2005 | 2 | |
| Jim MacLachlan | 2005-2008 | 4 | |
| Ian Marjason | 2008-2009 | 2 | |

10.5 Questions With Notice - Former Mayors (Author: Ormella/Flint) (Continued)

| Name of Mayor | Years of Service | No of Years | Asset in Commemoration and Location |
|---------------------------|------------------|-------------|-------------------------------------|
| Walter Raynolds | 2009-2012 | 4 | |
| Pete Harrison | 2012-2016 | 5 | |
| Yarralumla Council | | | |
| W F Rutledge | 1907-1916 | 10 | Rutledge Street Bungendore |
| T J Kelly | 1916-1934 | 19 | |
| W G Alley | 1934-1938 | 5 | |
| P Hardy | 1938-1946 | 8 | |
| C Moore | 1946-1949 | 4 | |
| C R Southwell | 1949-1952 | 4 | |
| Cedric Southwell | 1952-1953 | 2 | |
| R E Southwell | 1953-1954 | 2 | |
| N E McTernan | 1954-1957 | 4 | |
| P J Osbourne | 1957-1961 | 5 | |
| P J B Osborne | 1961-1964 | 4 | |
| T N Gorman | 1964-1967 | 4 | |
| L J Reardon | 1967-1977 | 11 | |
| Les Reardon | 1977-1980 | 4 | |
| John McDiarmid | 1980-1986 | 7 | |
| Jenny Breen | 1987 (1 month) | 1 month | |
| J MacDiarmid | 1987-1990 | 4 | |
| Bob Perriman | 1990-1992 | 3 | |
| P Greenwood | 1992-1993 | 2 | |
| Ian Marjason | 1993 - 2003 | 11 | |
| Terry Bransdon | 2003 - 2004 | 2 | |

There is presently no policy, protocol, procedure or precedence for the naming of public assets after former Mayors.

Attachments

Nil

REPORTS TO COUNCIL - ITEMS FOR INFORMATION

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

File Reference: 22 May 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 2 to 15 May 2024, the following workshop was held:

| Date | Workshop Items | External Presenter/s (if applicable) |
|------------|---|--|
| 15/05/2024 | 1. Presentation on DA.2024.0064: Proposal for Queanbeyan Leagues Club | From Purdon Planning: Richard Nash; From Altis Architecture: Andrew O'Connell and Dominic Fedrigo; and from Queanbeyan Leagues Club: Jeremy Wyatt and Kieren Fordhan |
| | 2. Wamboin C4 Planning Proposal | N/A |
| | 3. Proponent Led Scoping Proposal Process | N/A |

Attachments

Nil

11.1 Bungendore Floodplain Risk Management Committee Meeting Minutes - 9 April 2024 (Ref: ; Author: Hansen/de Jongh)

File Reference: 104213

Recommendation

That Council note the minutes of the Bungendore Floodplain Risk Management Committee held on 9 April 2024.

Summary

The Bungendore Floodplain Risk Management (FRM) committee met on 9 April 2024. The attached minutes are submitted for Councils' information. The main objective of an FRM committee is to assist Council in developing flood related studies and plans and to provide advice on priorities for implementation for a specific study area.

The Bungendore FRM committee is currently providing advice on a review of the Bungendore Floodplain Risk Management Study and Plan (FRMSP). An update of the Bungendore FRMSP is required to include land identified in the recently adopted Bungendore Structure Plan which is being investigated for future urban uses beyond the current town boundary. The Bungendore FRMSP will also be updated to comply with recently revised national guidelines for flood estimation.

Funding for the project has been obtained from NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) as part of the 2019/20 NSW Floodplain Management Program


Worley Consulting have been engaged to produce the updated Bungendore FRMSP.

The purpose of this meeting of the Bungendore FRM committee was to review work to date, view updated model results and discuss potential floodplain management options in Bungendore.

The next stages of this project include:

- Flood mitigation options development (including meetings with the Bungendore FRM committee)
- Draft Bungendore FRMSP report
- Public Exhibition of the Draft Bungendore FRMSP
- Finalise Bungendore FRMSP

Attachments

Attachment 1  Minutes of the Bungendore Floodplain Risk Management Committee meeting - 9 April 2024 (*Under Separate Cover*)

REPORTS OF COMMITTEES

11.2 Local Traffic Committee Extraordinary Meeting - 23 April 2024 (Ref: ; Author: Hansen/Harris)

File Reference: 31.4.1

Recommendation

That Council:


- 1. Note the minutes of Local Traffic Committee Extraordinary Meeting held on 23 April 2024.**
- 2. Adopt recommendation for LTC 10/2024 from the meeting held on 23 April 2024:
LTC 10/2024: The Queanbeyan Reconciliation Walk 2024 is supported TGS as per LTC meeting minutes.**
- 3. Advise TfNSW and NSW Police of Council's intention to hold the Reconciliation Walk.**

Summary

The Local Traffic Committee (LTC) has submitted the minutes and recommendations of its extraordinary meeting held on 23 April 2024 for Councils information and consideration. The only item was the Reconciliation Walk planned for 28 May 2024. The minutes note a majority decision in support of the Event.

Noting the decision and subsequent support for the event within our community, Council staff have followed the Local Traffic Committee Guidelines and advised both TfNSW and NSW police representative of the intention to hold the Event in accordance with feedback received at the LTC meeting.

Attachments

Attachment 1  LTC Minutes - Extraordinary Meeting 23 April 2024 (*Under Separate Cover*)

REPORTS OF COMMITTEES

11.3 QPRC Sports Council Meeting - 6 May 2024 (Ref: ; Author: Geyer/Duncan)

File Reference: 4.3.3

Recommendation

That Council note the minutes of the QPRC Sports Council held on 6 May 2024.

Summary

The QPRC Sports Council is an Advisory Committee of Council. It has submitted for Council's information, the minutes of their meeting held on 6 May 2024.

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

There are no formal recommendations referred to Council in the May 2024 Minutes.

Attachments

| | |
|--------------|--|
| Attachment 1 | Draft Minutes - QPRC Sports Council - 6 May 2024 (<i>Under Separate Cover</i>) |
|--------------|--|



NOTICE OF MOTIONS

12.1 Notice of Motion - Albion Complex Heritage Listing (Ref: ; Author: Ryan/Ormella)

File Reference: 26.5.1-01

Notice

At the Council meeting held on 9 May 2024, Councillor Katrina Willis foreshadowed a Notice of Motion regarding the Albion Complex Heritage Listing:

Motion

That Council staff:

- 1. Seek a meeting with Heritage NSW to discuss the removal in error of the local listing of the Albion Complex and a process to expedite reinstating the listing on Schedule 5 of the Queanbeyan-Palerang Regional LEP 2022, and**
 - 2. Make use of the Braidwood Historical Society's records and extensive knowledge of local heritage, including the site in question and its local heritage values, to assist in this matter.**
-

Comment from Cr Willis in support of this Notice of Motion

To be presented at the meeting.

Staff Comment

To assist with responding to this Motion, refer to Attachment 1 which is a chronology of the statutory instruments specifically relevant to the Albion Listing. It is important to note that over time the way in which Local Plans Heritage Schedules are presented has changed.

In 2006 The Standard Instrument – Principal Local Environmental Plan (2006 EPI 155a) came into effect. Refer to Attachment 2 being the direction on Schedule 5 Environmental heritage items that was in force in August 2014, just prior to the making of the Palerang LEP 2014.

The relevance of the introduction of the Standard Instrument and direction is that it was intended to resolve the inconsistencies across NSW in the way LEP's were drafted and made. Specifically in relation to the Heritage Schedules it sets out how they are to be set out and the information to be included. It is noted that it states that *'anything that is part of the heritage significance of a heritage item should also be included in the inventory of heritage items'*, refer to Attachment 3.

Council is looking to systematically review all of the heritage listed items in the Local Government Area (LGA), and this is the correct and most evidential based way to review a Schedule. It is noted that when the Premier and Cabinet Office advised Council in July 2020, refer Attachment 3, of their comments on the Schedule 5 of the draft QPRLEP there were 21 items that were noted to be of State significance. All these items need to be reviewed, to ensure that this is an accurate list, as well as to ensure that the significance of items is also recorded.

**12.1 Notice of Motion - Albion Complex Heritage Listing (Ref: ; Author: Ryan/Ormella)
(Continued)**

For avoidance of doubt, it is the NSW Heritage Inventory that is used for the assessment of applications significance and details in relation to listings. The extracted description contained in Schedule 5 of the LEP is not the full listing, and it has never been purported to be so.

Council is assured that when the Premier and Cabinet Office advised Council on 21 July 2020, refer to Attachment 3, they were providing their expert direction in relation to the content and form of Schedule 5 of the QPRLEP 2022.

There is no reason to doubt or consider there to be an error in how the LEP has been drafted, prepared, and made, and as such the benefit of meeting Heritage NSW is questioned.

The Chronology Table (refer to Attachment 1) clarifies the changes that have been made in relation to how the Albion description has changed. The reason to do this is to clarify that there is no error, nothing has been lost from the listing.

Tallaganda LEP 1991 defined heritage item as; *a building, work, relic, tree or place of heritage significance to the Shire of Tallaganda described in Schedule 1*. The Tallaganda LEP 1991 did not identify any heritage assets as being of State Significance. The Schedule never had a column to identify significance, it only relied on the definition in the Plan. The NSW Heritage Inventory existed at the time, and we know that the Albion was protected through a Permanent Conservation Order under the Heritage Act 1977, the date of that Order was 15 June 1984. It is important to note that the asset was across more than one parcel at the time, and this was rectified with the making of the Palerang LEP 2014.

Not only was the Albion only identified as Local significance, but all other state items in the Shire of the day were also only identified as Local significance, refer to Attachment 4. The use of the State Inventory was the practice at the time, and this is one of the reasons why the introduction of the Standard Instrument became important for Heritage Schedules as for avoidance of doubt, State Significance is the highest level of protection and does not in any way mean the item is not of local significance as well.

If a search is undertaken of the State Inventory for the Albion you would see two listings, both State and Local, refer to Attachment 5. Using the drill down arrows the State Inventory recognises SHR Item 00304 being the State Significant listing, and then under the Local Significance tab it lists I126 being the reference within the LEP, referencing the QPRLEP 2022 but using the date on which the Palerang LEP 2014 was gazetted.

Palerang LEP 2014 had a schedule that included a column titled significance which was the requirement of the Standard Instrument, and it was a request of Heritage NSW to seek consistency with the State Inventory description. There were no items within the listing that were removed, lost, or misdescribed, there was no error. A copy of the entire listing for the Albion site and all the items, curtilage, buildings and structures is contained in Attachment 6.

It is important to note that the QPRLEP 2022 is a consolidation Plan, it brought forward the content of both the Palerang and Queanbeyan LEP's, it did not modify the content and it is now for Council to review the entire Schedule 5 as a project leading to a Planning Proposal.

There is no error in the listing, description, or State Inventory and given the review undertaken into this Notice of Motion, staff do not support the meeting request with Heritage NSW. Further, accessing of the Braidwood Historical Society's records is not necessary and is deemed counterproductive.

At Council's meeting 8 May 2024, the Council received two written submissions relating to Item 10.2. These submissions address concerns held in relation to Local Heritage Listings.

**12.1 Notice of Motion - Albion Complex Heritage Listing (Ref: ; Author: Ryan/Ormella)
(Continued)**






Heritage values are important within our community, and it is through our work that we preserve, protect, and ensure the future of assets and social history. There are a number of charities and organisations that advocate in this space, and their work, archives, records and registers are all important and valued.

The experts that will be engaged to review Schedule 5 of QPRLEP 2022 would refer to all materials needed for their assessment.

In relation to the decisions taken at Council and under delegated authority, we rely on the legislative framework, planning instruments, directions, and advice from statutory agencies. We look to the gazetted material which include the State Inventory and can rely on these with certainty that our work is sound and defensible.

Officers are cognizant of our duties when assessing and advising Council and the community on these matters.

Attachments

- | | |
|--|--|
| Attachment 1 | Chronology Table (<i>Under Separate Cover</i>) |
|  Attachment 2 | Standard Instrument Direction Schedule 5 (<i>Under Separate Cover</i>) |
|  Attachment 3 | Letter Premier and Cabinet 21 July 2020 (<i>Under Separate Cover</i>) |
|  Attachment 4 | Tallaganda LEP Schedule 1 Heritage items (<i>Under Separate Cover</i>) |
|  Attachment 5 | State Inventory Snapshot (<i>Under Separate Cover</i>) |
|  Attachment 6 | Heritage Inventory Report of Items (<i>Under Separate Cover</i>) |

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 Compulsory Acquisition

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

Item 16.2 Bungendore Office and Property Development

Item 16.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains 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.