



Ordinary Meeting of Council

AGENDA

27 November 2024

Commencing at 5:30pm

**Council Chambers
Nellie Hamilton Centre
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.

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.

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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

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Confidential - Not for Publication

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Item 16.1 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.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

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| Item 9.1 | DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood |
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ORDINARY MEETING OF COUNCIL**

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- Item 9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood
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- Item 9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee
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- Item 9.8 Appointment of Statutory Committees Delegates
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- Item 10.4 Post-Exhibition Report: Mobile Library Survey
Attachment 1 Community Report - Mobile Library Survey (Under Separate Cover)
- Item 10.5 Evaluation Report - Extended Hours Trial QPRC Libraries for HSC Students
Attachment 1 Queanbeyan-Palerang Libraries - Evening Statistics (Under Separate Cover)
- Item 12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell
Attachment 1 Expression of Interest - Access to Containment Cell (Under Separate Cover)

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- Item 9.3 QPRC Local Heritage Place Grants 2024-2025
Attachment 3 Applications For Local Heritage Grants 2024 - 2025 (Under Separate Cover)
- Item 9.14 Sale of Land for Unpaid Rates
Attachment 1 Properties for sale of land for unpaid rates (Under Separate Cover)
- Item 16.1 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement
Attachment 1 Letter Abbeyfield
Attachment 2 Letter BHS Minister Seeking Undertaking



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, Nellie Hamilton Centre, 257 Crawford Street, Queanbeyan on Wednesday, 13 November 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Broadbent

Cr Grundy

Cr Livermore

Cr Macdonald

Cr Preston

Cr Schweikert

Cr Taskovski

Cr Waterhouse

Cr Willis

Cr Wilson

Staff:

R Ryan, General Manager

M Duff, 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.

3.1 Application for Leave of Absence - Cr Bryce Wilson

486/24

RESOLVED (Winchester/Macdonald)

That Council approve the Leave of Absence application submitted by Councillor Bryce Wilson for the 27 November 2024 Council meeting.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 23 October 2024**

487/24

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 23 October 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

488/24

RESOLVED (Winchester/Wilson)

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

The resolution was carried unanimously.

There were no disclosures.

6. ADJOURNMENT FOR PUBLIC FORUM

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

489/24

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 6.08pm.

7. MAYORAL MINUTE

There was no Mayoral Minute

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 490/24 **9.1 2023-24 Audited Financial Statements**
RESOLVED (Taskovski/Waterhouse)
- That Council accept the audited General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2024, and note that public submissions will be accepted until 12 December 2024.

The resolution was carried unanimously.

PROCEDURAL MOTION

- 491/24 **RESOLVED (Macdonald/Winchester)**
- That Item 12.1 be brought forward for consideration at this juncture.

The resolution was carried unanimously.

- 492/24 **12.1 Notice of Motion - Determination of DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**
RESOLVED (Macdonald/Wilson)
- That item DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street Queanbeyan, be brought back to Council for consideration at this meeting.

The resolution was carried unanimously.

- 9.2 DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**
MOVED (Macdonald/Wilson)

That:

1. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for minimum lot size.
2. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for side boundary setbacks.
3. Development application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street Queanbeyan NSW 2620 be granted conditional consent.

Cr Willis foreshadowed a CONTRARY motion:

That Development Application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street, Queanbeyan be refused for the following reasons:

- a. The Clause 4.6 variation application does not demonstrate that the non-compliance is unreasonable or unnecessary, nor are there planning grounds sufficient to justify the non-compliance with the development standard.
- b. The area cannot be classified as an accessible area as Queanbeyan Railway Station has a total of 3 services per day each way. This is clearly not in keeping with the contextual and purposive reading of the Housing SEPP and therefore the Queanbeyan DCP provisions for parking should apply to the development requiring 20 car parking spaces and not 4.
- c. It is not in the public interest to use a semantic interpretation of the Housing SEPP to argue that being within 800m of Queanbeyan Railway Station would provide residents without a vehicle access to public transport.

The motion (of Crs Macdonald and Wilson) was put.

493/24

RESOLVED (Macdonald/Wilson)

That:

1. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for minimum lot size.
2. Approval be granted to a variation to Section 69 Standard for Co-living housing of State Environmental Planning Policy Housing 2021 for side boundary setbacks.
3. Development application DA.2023.0461 for a Co-living housing development including demolition of existing structures on Lot 4 DP 8874, 95 Crawford Street Queanbeyan NSW 2620 be granted conditional consent.

The resolution was carried.

For: Crs Broadbent, Grundy, Livermore, Macdonald, Preston, Schweikert, Taskovski, Wilson, Waterhouse and Winchester

Against: Cr Willis

9.3 Roads to Recovery 2024-25

494/24

RESOLVED (Wilson/Schweikert)

That Council endorse the expenditure of Roads to Recovery grant funds to complete projects identified for 2024/25 as detailed in this report.

The resolution was carried unanimously.

- 495/24 **9.4 Investment Report - August 2024**
RESOLVED (Macdonald/Wilson)
That Council:
1. Receive the Investment Report for the month of August 2024.
 2. Note the investment return for August 2024 was \$1,009,334.
 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.
- The resolution was carried unanimously.
- 496/24 **9.5 Investment Report - September 2024**
RESOLVED (Wilson/Taskovski)
That Council:
1. Receive the Investment Report for the month of September 2024.
 2. Note the investment return for September 2024 was \$832,649.
 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.
- The resolution was carried unanimously.
- 497/24 **9.6 HoA for Proposed Lease Agreement with Amplitel Pty Ltd - 32A Severne Street, Queanbeyan**
RESOLVED (Waterhouse/Wilson)
That Council endorse a Heads of Agreement with Amplitel Pty Ltd for a telecommunications tower at 32A Severne Street, Greenleigh, with a rental income of \$24,000 (excl GST) per annum + 3% increase each year.
- The resolution was carried unanimously.
- 498/24 **9.7 Appointment of Section 355 Committees Delegates**
RESOLVED (Macdonald/Waterhouse)
That Council:
1. Nominate a Councillor delegate and alternate for each Section 355 Committee as listed in the report.
 2. Dissolve the Araluen Area Committee, Mick Sherd Oval Canteen, Braidwood Recreation Ground and Nerriga Sports Ground Reserve Trust as delegated Section 355 Committees.

3. Establish user groups to facilitate regular consultation, community engagement and project delivery for the Araluen Area, Mick Sherd Oval Canteen, Braidwood Recreation Ground and Nerriga Sports Ground.

The resolution was carried unanimously.

Committees with appointed Councillor delegates as determined:

| S355 Committee | Delegate | Alternate |
|---|-----------------|------------------|
| Braidwood Common | Cr Willis | Cr Waterhouse |
| Braidwood National Theatre and Community Centre | Cr Waterhouse | Cr Preston |
| Braidwood Showground Reserve Trust | Cr Winchester | Cr Livermore |
| Bungendore School of Arts | Cr Preston | Cr Livermore |
| Bungendore War Memorial | Cr Grundy | Cr Schweikert |
| Burra/Cargill Park Reserves | Cr Broadbent | Cr Wilson |
| Canning Close Reserve | Cr Livermore | Cr Macdonald |
| Captains Flat Area | Cr Macdonald | Cr Wilson |
| Carwoola/Stoney Creek Community Hall | Cr Wilson | Cr Willis |
| Fernleigh Park | Cr Macdonald | Cr Broadbent |
| Bywong/Wamboin Greenways | Cr Willis | Cr Grundy |
| Hoskinstown Hall | Cr Macdonald | Cr Taskovski |
| Les Reardon Reserve | Cr Taskovski | Cr Grundy |
| Mongarlowe Hall | Cr Waterhouse | Cr Winchester |
| Royalla Common | Cr Broadbent | Cr Winchester |
| Wamboin Community Hall | Cr Macdonald | Cr Taskovski |

9.8 Appointment of Organisational Committees Delegates

499/24

RESOLVED (Winchester/Wilson)

That Council:

1. Nominate Councillor delegates for the Australia Day and Community Awards Committee.
2. Not appoint Councillor delegates to the Australia Day Organising Committee.

The resolution was carried unanimously.

Crs Grundy, Macdonald, Waterhouse and Wilson were appointed to the Australia Day and Community Awards Committee.

9.9 Audit, Risk and Improvement Committee Charter

MOVED (Wilson/Preston)

That Council adopt the Audit, Risk and Improvement Committee (ARIC) Charter.

AMENDMENT (Broadbent/Macdonald)

That consideration of this Item be deferred following the presentation of the new Charter to the Audit Risk and Improvement Committee (ARIC).

The amendment (of Crs Broadbent and Macdonald) was put and carried unanimously.

The amendment became the motion.

500/24

RESOLVED (Broadbent/Macdonald)

That consideration of this Item be deferred following the presentation of the new Charter to the Audit Risk and Improvement Committee (ARIC).

The resolution was carried unanimously.

9.10 Review of Code of Meeting Practice**MOVED (Macdonald/Winchester)**

That Council:

1. Endorse the draft Code of Meeting Practice as presented.
2. Place the draft Code of Meeting Practice on public exhibition for 42 days inviting submissions.

AMENDMENT (Willis/Waterhouse)

That Council:

1. Endorse the draft Code of Meeting Practice as presented, with the exception of clauses 4.12; 10.22; 10.23; and 14.17, which are to be amended as follows:
 - a. 4.12 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
 - b. 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
 - c. 10.23 Despite clause 10.22, the Chairperson may permit a Councillor who claimed to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
 - d. 14.17 Each speaker will be allowed five (5) minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a

speaker digresses to irrelevant matters, the Chairperson, the speaker will not be further heard.

2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The amendment (of Crs Willis and Waterhouse) was put and lost.

For: Crs Preston, Taskovski, Waterhouse, Willis and Winchester
Against: Crs Broadbent, Grundy, Livermore, Macdonald, Schweikert and Wilson

AMENDMENT (Schweikert/Macdonald)

That Council:

1. Endorse the draft Code of Meeting Practice as presented with the following amendments:
 - a. Sections 3.10 and 10.22 remain as the previous version.
 - b. Section 4.5: remove the words 'but must do so within the allocated time limit as set by this code'.
 - c. Resolution 261/19 be applied to the public display version.
2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The amendment (of Schweikert and Macdonald) was put and carried unanimously.

The amendment became the motion.

501/24

RESOLVED (Schweikert/Macdonald)

That Council:

1. Endorse the draft Code of Meeting Practice as presented with the following amendments:
 - a. Sections 3.10 and 10.22 remain as the previous version.
 - b. Section 4.5: remove the words 'but must do so within the allocated time limit as set by this code'.
 - c. Resolution 261/19 be applied to the public display version.
2. Place the draft Code of Meeting Practice, amended as per paragraph 1 above, on public exhibition for 42 days inviting submissions.

The resolution was carried unanimously.

- 502/24 **9.11 Review of Code of Conduct and Procedures for the Administration of the Code of Conduct**
RESOLVED (Wilson/Livermore)
- That Council adopt the QPRC Code of Conduct and Procedures for the Administration of the Code of Conduct.
- The resolution was carried.
- For: Crs Broadbent, Livermore, Macdonald, Preston, Schweikert, Taskovski, Wilson, Waterhouse and Winchester
- Against: Crs Grundy and Willis

ADJOURNMENT: The meeting adjourned for a short break at 7.31pm and resumed at 7.42pm.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 503/24 **10.1 Annual Food Activity Report to NSW Food Authority 2023-2024**
RESOLVED (Wilson/Preston)
- That the report be received for information.
- The resolution was carried unanimously.
- 504/24 **10.2 Land-Use Planning Branch Update**
RESOLVED (Willis/Livermore)
- That the report be received for information.
- The resolution was carried unanimously.
- 505/24 **10.3 Summary of Road Renewal and Maintenance Activities - 1st Quarter 2024/25**
RESOLVED (Wilson/Preston)
- That the report be received for information.
- The resolution was carried unanimously.
- 506/24 **10.4 Queanbeyan Sewage Treatment Plant Upgrade Progress Update**
RESOLVED (Willis/Macdonald)
- That the report be received for information.
- The resolution was carried unanimously.
- 507/24 **10.5 PFAS Testing for QPRC Drinking Water Supplies**
RESOLVED (Schweikert/Waterhouse)
- That the report be received for information.
- The resolution was carried unanimously.

- 508/24 **10.6 QPRC v Minister Education and Early Learning: Case Numbers 2022/3377152 and 2022/3377095**
RESOLVED (Waterhouse/Preston)

That the report be received for information.

The resolution was carried unanimously.

Supplementary Report

- 509/24 **10.7 Site Inspection - DA.2023.0461 - Demolition of Existing Building and Construction of Three Storey Rental Accommodation (co-living housing) – 95 Crawford Street, Queanbeyan**
RESOLVED (Winchester/Macdonald)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

- 510/24 **11.1 Audit, Risk and Improvement Committee Minutes - 5 September 2024 and 9 September 2024**
RESOLVED (Wilson/Broadbent)

That Council note the minutes of the Audit, Risk and Improvement Committee meetings held on 5 September and 9 September 2024.

The resolution was carried unanimously.

- 511/24 **11.2 Audit, Risk and Improvement Committee - Chair's Annual Report 2024**
RESOLVED (Wilson/Broadbent)

That Council note the Audit, Risk and Improvement Committee Chair's Annual Report 2024 provided for information.

The resolution was carried unanimously.

12. Notices of Motions

- 12.1 Notice of Motion - Determination of DA.2023.0461 - Proposed Co-living Housing Development - 95 Crawford Street, Queanbeyan**

This item was dealt with in earlier business.

- 512/24 **12.2 Notice of Motion - Proposal to Name the Frank Pangallo Heritage Library**
RESOLVED (Winchester/Wilson)

That Council place on public exhibition the proposal to name the former Queanbeyan Council Chambers which is now the Heritage Library, the Frank Pangallo Heritage Library.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates reports.

14. QUESTIONS WITH NOTICE

There were Questions with Notice.

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

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

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

There were no presentations.

16. REPORTS FOR CLOSED SESSION

513/24

RESOLVED (Winchester/Preston)

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

Item 16.1 RFT for 2000055 - Turallo Reservoir Rectification Works

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

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.13 pm to discuss the matters listed above.

16.1 RFT for 2000055 - Turallo Reservoir Rectification Works

514/24

RESOLVED (Schweikert/Willis)

That Council:

1. Award Contract 2000055 for the Bungendore Turallo #1 Reservoir Rectification Works to Maxcim Pty Ltd for the lump sum of \$530,127 (excluding GST).

2. Approve a supplementary vote of \$281,053 from the Palerang Communities Water Fund Reserve for this project.

The resolution was carried unanimously.

515/24

RESOLVED (Winchester/Preston)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.20pm.

The doors of the Chambers were opened to allow the public to enter.

In accordance with Clause 253 of the Local Government (General) Regulations 2005, the Mayor then read out the decisions of Council made in Closed Session.

17. CONCLUSION OF THE MEETING

The time being 8.21pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ;
Author: Ormella/Ravi)

File Reference: DA.2024.0368

Recommendation

That development application DA.2024.0368 for a Boundary Adjustment on Lot 13 DP 829963, No. 114 Duncan Street Braidwood and Lot C DP 158060, part of 110 Duncan Street Braidwood be granted conditional consent.

Summary

Reason for Referral to Council

This application has been referred to Council because a variation of development standards is sought under the provisions of Clause 4.6 of Queanbeyan-Palerang Regional Local Environmental Plan 2022.

| | |
|--|--|
| Proposal: | Boundary adjustment |
| Applicant/Owner: | Upside Planning/ Ellen Mildred Cochrane |
| Subject Property: | Lot 13 DP 829963, No. 114 Duncan Street Braidwood, Lot C DP 158060, part of 110 Duncan Street Braidwood |
| Zoning and Permissibility: | R2 under Queanbeyan Palerang Regional Local Environmental Plan 2022 |
| Public Submissions: | 0 |
| Issues Discussed: | Planning Requirements Clause 4.1 Minimum subdivision lot size Clause 4.6 Exceptions to development standards |
| Disclosure of Political Donations and Gifts: | Applicant Declared no Donations or Gifts to any Councillor or Staff have been made |

Background

Proposed Development

The development application seeks Council consent for the boundary adjustment of 17 sqm between Lot 13 DP 829963 and Lot C DP 158060, which forms one part of 110 Duncan Street Braidwood.

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)



Lot 13 DP 829963
114 Duncan Street

Lot C DP 158060
Part of 110 Duncan Street

Figure 1: Existing lots



Proposed boundary adjustment

Figure 2: Proposed Boundary adjustment

Following adjustment, Lot 13 would be 1085 sqm while Lot C would be 114.4 sqm. The table below summarises the existing and proposed lot sizes.

| Existing Lot | Existing Size | Proposed Lot | Proposed Size |
|------------------|---------------|--------------|---------------|
| Lot 13 DP 829963 | 1102 sqm | Lot 6 | 1085 sqm |
| Lot C DP 158060 | 97.4 | Lot 5 | 114.4 sqm |

Subject Property

The subject site is legally described as Lot 13 DP 829963, commonly known as 114 Duncan Street Braidwood and Lot C DP 158060, which forms one part of 110 Duncan Street Braidwood. Both the lots are located on the north side of Duncan Street.

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)

Lot 13 DP 829963 has an area of 1102 sqm and Lot C DP 158060 has an overall area of 97.4 sqm.

The subject lots are regular in shape with a southern frontage facing Duncan Street. Lot 13 DP 829963 currently comprises of a single storey residential dwelling and associated landscaping.

110 Duncan Street, which comprises of Lot B DP 158059 & Lot C DP 158060, consists of a single storey residential dwelling, associated sheds and landscaping.

The site is flat in terrain and a vehicular access exists across verge from Duncan Street.

Existing development within the locality consists of residential dwellings with a similar scale and density.



Figure 3: Satellite Imagery of the subject site

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

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 (Resilience and Hazards) 2021
2. State Environmental Planning Policy (Biodiversity and Conservation) 2021
3. Queanbeyan Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)
4. Braidwood Development Control Plan 2006 (Braidwood DCP)

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)

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

(a) Compliance with LEP

The subject site is Zoned R2 Low Density Residential zone under Queanbeyan Palerang Regional Local Environmental Plan 2022.

Development for the purposes of a boundary adjustment (subdivision) such as is proposed is permissible within the R2 Low Density Residential zone. The objectives of this zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure new development complements the scale, density and form of existing development.*
- *To encourage development that is consistent with the low density amenity of existing and future residents.*
- *To encourage development that is designed to recognise the bushland character of the locality, where appropriate, and to minimise the impact of urban development, particularly on the edge of the urban area.*

The proposed boundary adjustment does not create any additional allotments for residential use and does not involve any physical works. The proposed boundary adjustment is consistent with the relevant objectives of this zone.

Clause 2.6 Subdivision – consent requirements

- (1) *Land to which this Plan applies may be subdivided, but only with development consent. Development application submitted.*

The proposed boundary adjustment (subdivision) is permissible with consent. All existing infrastructure on the site such as the dwelling and access will be located within proposed Lot 6.

Clause 4.1 of the QPRLEP 2022 provides requirements for the minimum lot size requirements for subdivision of land.

| Cl. | Standard | Controls | Proposed | Complies |
|------------|----------------------------------|-----------------|----------------------------|-----------------|
| 4.1 | <i>Minimum Lot Size Standard</i> | 850 sqm | Proposed Lot 6 – 1085 sqm | Yes |
| | | | Proposed Lot 5 – 114.4 sqm | No |

As seen above, the proposed lot 5 is well below the minimum lot size criteria of 850 sqm. The applicant has submitted a formal request to allow a variation to this standard, pursuant to Clause 4.6 of QPRLEP 2022, which is discussed below.

Clause 4.6 Exceptions to development standards

Under Clause 4.6 of the QPRLEP 2022, the consent authority may consider a variation, where that variation would achieve a better outcome.

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)

As demonstrated in the table above, the proposed development fails to comply with the minimum lot size development standard permitted under Clause 4.1 Minimum subdivision lot size of the QPRLEP 2022. The amount of non-compliance equates to 86%.

Clause 4.6(3) of the QPRLEP 2022 states the following:

“Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating that -

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and*
- (b) there are sufficient environmental planning grounds to justify contravening the development standard.”*

The applicant has provided a written request that seeks to justify the proposed contravention of the minimum lot size development standard on the following grounds:

- Lot C is an undeveloped portion of land, with a minor encroachment of a shed from Lot B DP 158059 (110 Duncan Street)
- The boundary adjustment of an undersized lot is consistent with the Braidwood’s historic pattern of development and subdivision
- The boundary adjustment is consistent with the desire to protect the integrity of the conservation area
- The boundary adjustment would have no adverse impact on the areas amenity

The applicant’s written request to justify the contravention of the minimum lot size standard adequately addresses the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is considered to provide sufficient substantive information on the environmental planning grounds relating to the amenity of existing residents, streetscape, bulk, scale and historic subdivision form.

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

- The proposed boundary adjustment will reinforce the predominant subdivision pattern of the area
- Unlikely to result in any adverse impact on the amenity of the existing dwellings
- Despite Lot C with a proposed area of 114.4 sqm, is currently under the same ownership as Lot B DP 158059, forming 110 Duncan Street, which is large enough to accommodate any future development
- The lots are relatively unconstrained and therefore unlikely to result in any adverse environmental impacts associated with flooding, bushfire risk and other hazards

The site is Zoned R2 Low Density Residential under QPRLEP 2022 wherein development for the purposes boundary adjustment (subdivision) is permissible with consent pursuant

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)

to Clause 2.6 of the Plan. The proposal is generally consistent with the objectives of the Zone in that:

- Development is consistent with the low-density nature of the area and unlikely to impact the amenity of existing and future residents
- Boundary adjustment complements the scale and form of historic subdivision in Braidwood Town Centre
- Unlikely to result in any increase in the required services as no additional allotments are proposed

Council may assume the concurrence of the Director-General under the Planning Circular PS 20-002 issued in May 2020.

In conclusion, the applicant's written request to justify the contravention of the Clause 4.1 Minimum subdivision lot size development standard is considered to be well founded in that the applicant has **satisfactorily** demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

It should also be noted that the applicant is not seeking a building entitlement for this allotment of land, rather an adjustment of the boundary to better reflect the historical grid pattern of Braidwood.

(b) Compliance with DCP

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

(c) Other Matters

The subject site is located within C1 Conservation Area - General - State Significance. The proposed development will have a minimal impact in relation to heritage as there are no physical works proposed. The application was not required to be referred to Councils Heritage Advisor as no physical works are proposed and the development complies with the Braidwood Development Control Plan 2006.

The proposed boundary adjustment is unlikely to result in any changes to the existing heritage fabric of the locality and the impact of the subdivision is considered to be negligible in nature.

The proposed boundary adjustment is consistent with Braidwood's historic pattern of development and subdivisions and unlikely to result in any adverse impacts on the historic subdivision patterns.

Financial Implications

There are no financial implications to Council as a result of determining this application.

Engagement

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

9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood (Ref: ; Author: Ormella/Ravi) (Continued)

Conclusion






The submitted proposal for a Boundary Adjustment on Lot 13 DP 829963, No. 114 Duncan Street Braidwood and Lot C DP 158060, part of 110 Duncan Street Braidwood is a Local Development and is supported by a Statement of Environmental Effects and a written Clause 4.6 Request. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 4.15 Environmental Planning & Assessment Act 1979 including the relevant provisions of Queanbeyan-Palerang Regional Local Environmental Plan 2022 and Braidwood Development Control Plan 2006.

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

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

Attachments

- | | |
|---|--|
| Attachment 1  | Statement of Environmental Effects - DA.2024.0368 - 114 Duncan Street Braidwood (<i>Under Separate Cover</i>) |
| Attachment 2  | Clause 4.6 Variation Request - DA.2024.0368 - 114 Duncan Street Braidwood (<i>Under Separate Cover</i>) |
| Attachment 3  | Plans of Subdivision - DA.2024.0368 - 114 Duncan Street Braidwood (<i>Under Separate Cover</i>) |
| Attachment 4  | S4.15 Table - Matters for Consideration - DA.2024.0368 - 114 Duncan Street Braidwood (<i>Under Separate Cover</i>) |
| Attachment 5  | Draft Consent - DA.2024.0368 - 114 Duncan Street Braidwood (<i>Under Separate Cover</i>) |

9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood (Ref: ; Author: Ormella/Kurzyniec)

File Reference: PP.2024.0005 & 36.3.3-01 & 100862

Recommendation

That Council:

1. Endorse the updated planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022:
 - a. Reclassify Lots 4 and 7 DP 240640, 88 Wallace Street, Braidwood and Lot 5 DP 835748, 41 Ryrie Street, Braidwood from community land to operational land under the Local Government Act 1993.
 - b. Rezone part of Council-owned operational land, part of Lot 1 DP 212019 and part of Lot 3 DP 240640, 41A Ryrie Street, Braidwood from Zone SP1 - Depot to Zone SP2 Infrastructure – Public Car Park.
 - c. Rezone various adjoining public sealed roads from Zone R2 – Low-Density Residential to Zone SP2 Infrastructure – Public Car Park.
 - d. Rezone Lot 4 DP 240640 and part of Lot 7 DP 240640 – 88 Wallace Street, Braidwood from Zone R2 – Low Density Residential to Zone SP2 Infrastructure – Public Car Park.
 2. Forward the updated planning proposal to the NSW Department of Planning Housing and Infrastructure (DPHI) requesting an amended Gateway determination.
 3. Request delegation of Plan Making Powers, for this planning proposal.
 4. Undertake agency consultation and public exhibition according 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 Regional Local Environmental Plan 2022.
-

Summary

On 14 August 2024 (**Resolution No 375/24**), Council resolved to progress a planning proposal to reclassify 88 Wallace Street, Braidwood (Lots 4 and 7 DP 240640) and 41 Ryrie Street, Braidwood (Lot 5 DP 835748) from community to operational status under the Local Government Act 1993.

Council has obtained a Gateway determination for the reclassification, on 13 September 2024; however additional information has been received that identifies the exact location of the carpark which is to be constructed at 88 Wallace Street, 41A Ryrie Street, Braidwood.

Council approval is sought to update the planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022), to ensure the land use zone is consistent with the purpose of the land including that a car park is permissible. This will facilitate the full extent of the carpark and the updated planning proposal which is attached for Council's information.

9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood (Ref: ; Author: Ormella/Kurzyniec) (Continued)

Background

Subsequent to Council receiving a Gateway determination for the planning proposal for the reclassification from community land to operational land, additional information has been received that identifies the full extent of the carpark. As a result, the planning proposal, as attached has been updated to rezone land at 41A Ryrie Street, 88 Wallace Street, Braidwood (see figure 1) below.

Federal Government funding has been received to construct the car park area, as previously reported to Council on 8 May 2024 (**Resolution No 197/24**). The rezoning is required to facilitate the following:

- Provisions of stormwaters and water main infrastructure,
- Allowance for Power Upgrades,
- Provisions of Car Parking (incl RV Charging),
- Decontamination of the site,
- Reconstruction of 88 Wallace Street, Braidwood.

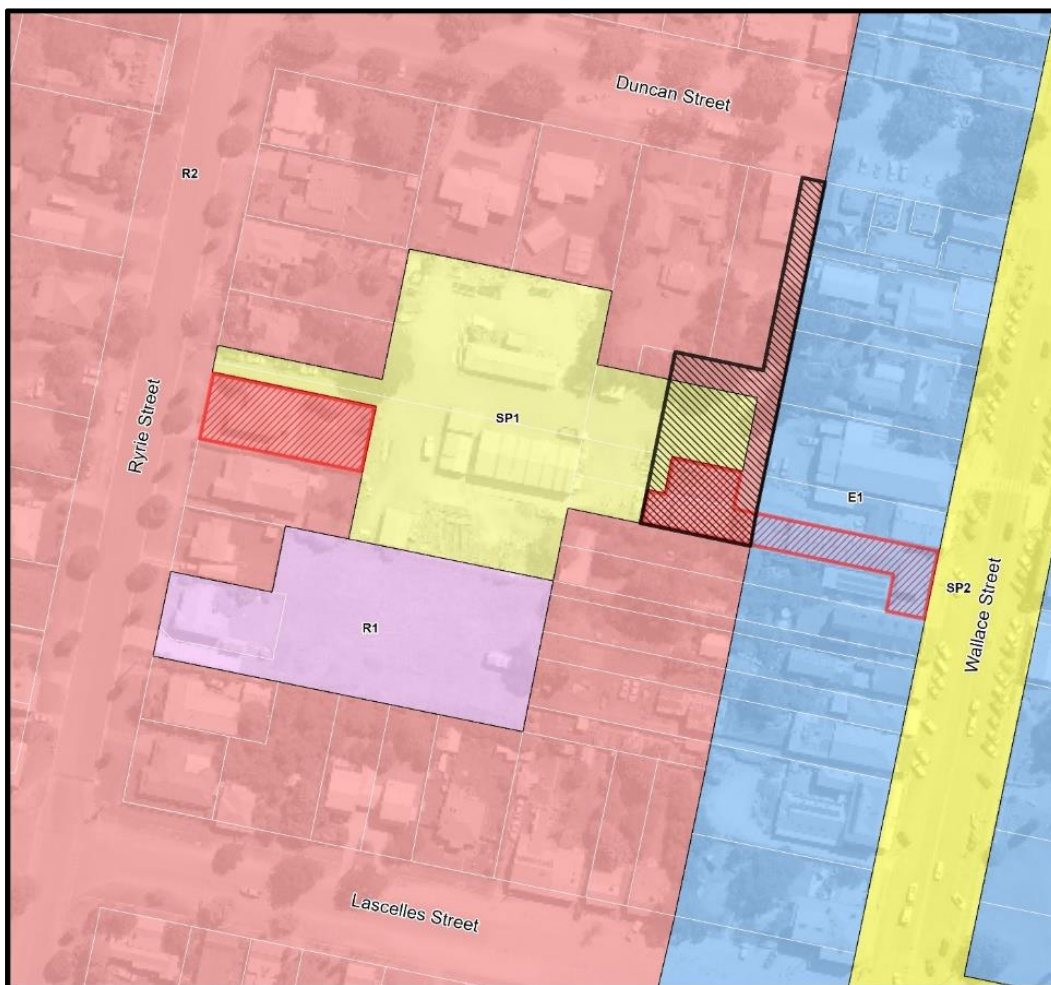


Figure 1:

- RED hatched area is Council-owned Community Land to be reclassified to Operational Land
- BLACK hatched area is Council-owned land to be rezoned to SP2 Infrastructure – Public Car Park

**9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood (Ref: ; Author: Ormella/Kurzyniec)
(Continued)**

Report

The updated planning proposal now facilitates future development of 88 Wallace Street, Braidwood (Lots 4 and 7 DP 240640) and 41 Ryrie Street, Braidwood (Lot 5 DP 835748) by:

- Reclassifying the above three lots from community land to operational land.
- Rezoning part of Council-owned operational land, part of Lot 1 DP 212019 and part of Lot 3 DP 240640, 41A Ryrie Street, Braidwood from Zone SP1 - Depot to Zone SP2 Infrastructure – Public Car Park.
- Rezoning various adjoining public sealed roads from Zone R2 – Low-Density Residential to Zone SP2 Infrastructure – Public Car Park.
- Rezoning Lot 4 DP 240640 and part of Lot 7 DP 240640 – 88 Wallace Street, Braidwood from Zone R2 – Low Density Residential to Zone SP2 Infrastructure - Car Park.

This will identify the site as zone SP2 – Infrastructure for the purposes of a public car park and allow the development of pedestrian access, public amenities and landscaping. Currently under zone SP1 – Depot zoning, car parks and additional amenities are prohibited.

On 30 September 2024, Council received a response from the Department of Climate Change, Energy, the Environment and Water – Heritage NSW regarding the reclassification of Council community to operational land. Council will be seeking referring the updated planning proposal to Heritage NSW.

Subject to Council's endorsement, the amended draft planning proposal will be submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) to seek a revised Gateway determination.

This submission will also include the request for Council to have delegation to make the Plan. This is appropriate given the more administrative nature of this proposed amendment. Once a Gateway determination is received from the DPHI, the proposal will be placed on public exhibition for a minimum of 28 days.

After the public exhibition period has ended, an independent chairperson will be appointed to convene a public hearing and assess any submissions regarding the reclassification. The Local Government Act requires that an independent consultant be engaged to conduct and report on the outcome of the public hearing.

Where there are no objections, received, it is proposed to complete the necessary actions to finalise the amendment to the QPRLEP 2022.

Risk/Policy/Legislation Considerations

The draft Planning proposal has been prepared following the relevant provisions of the Environmental Planning and Assessment Act (1979), the Environmental Planning and Assessment Regulations (2021), the Local Government Act (1993) and the Heritage Act (1977).

Financial, Budget and Resource Implications

Staff costs to process the planning proposal including public exhibition have been attributed to the project budget, which includes the cost of engaging an independent consultant to

**9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood (Ref: ; Author: Ormella/Kurzyniec)
(Continued)**

convene and report on the public hearing for the reclassification of 88 Wallace and 41 Ryrie Street, Braidwood.

The review is consistent with Council's ongoing obligations regarding the classification of Council-owned land and the management of assets.

Links to QPRC/Regional Strategic Plans

The planning proposal is consistent with the Queanbeyan-Palerang Regional Council Local Strategic Planning Statement – Towards 2040 (LSPS) and the Community Strategic Plan 2018-2028, set out in the community's long-term vision and aspirations for Council's planning activities.

Planning Priority 4 – 4.4.9 – Provide a range of housing choices at different costs to meet the changing needs of the community and consider the options for community housing provider partnerships to provide affected housing.

Vision for Braidwood in 2040 (LSPS - 5.3) - Traffic issues on Wallace Street have been improved by ensuring identified road works are carried out and provide suitable car parking options for visitors and the local community.

Planning Priority 11 Planning Actions for Braidwood – 4.11.9 – Ensure appropriate car parking facilities are available for the community.


The planning proposal is consistent with the Draft Southeast and Tablelands Regional Plan 2041 and the South East and Tablelands Regional Plan 2036 which plan for the supply of housing in appropriate locations and plan for more affordable low-cost and social housing together with environmentally sustainable housing choices.

Conclusion

The updated planning proposal for 88 Wallace Street and 41 Ryrie Street facilitates the delivery of residential housing, off-street parking, public amenities and landscaping within the Braidwood township.

It is recommended that Council support the new draft planning proposal with additional information being forwarded to the DPHI seeking a Gateway determination and requesting delegation to make the plan.

Attachments

Attachment 1  Planning Proposal for 88 Wallace and 41 Ryrie Streets Braidwood
(Under Separate Cover)

9.3 QPRC Local Heritage Place Grants 2024-2025 (Ref: ; Author: Ormella/Steele)

File Reference: 26.5.1-29

Recommendation

That Council endorse the recommended applications for the QPRC Local Heritage Grant Program 24/25 which total \$25,000.

Summary

This report provides Council the assessment summary of the QPRC Local Heritage Places Grant program for 2024 – 2025 and seeks Council's endorsement of the recommended successful applications.

Background

The QPRC Local Heritage Places Grant Program has operated at QPRC since amalgamation in 2016. Funding for the grants is provided by the Department of Climate Change, Energy, the Environment and Water (Environment and Heritage Group).

Eligible projects need to be for works on properties listed in the Queanbeyan-Palerang Regional Local Environmental Plan 2022. This includes properties within the Heritage Conservation Area of Queanbeyan and Braidwood. The aim of the grant is to encourage and support owners of heritage properties so that they can maintain and enhance the heritage asset.

Applicants needed to complete an application form (Attachment 1) together with at least two quotes for their proposed works.

Applicants are required to contribute at least 50% of the total cost of works to be eligible for the funding and meet the criteria as outlined in Council's guidelines for the program (Attachment 2).

Report

The QPRC Local Heritage Places Grant Program was advertised between 13 August and 27 October 2024. Six applications were received, with five being recommended for funding. Last year 11 applications were received, with seven being offered grant funding. All applications were of a high quality.

Applications were assessed against established guidelines. The panel comprised officers from the Land Use Planning Branch and Council's Heritage Advisor.

Following a decision of Council, successful applicants will be notified and given a defined time in which to complete the proposed works. Unsuccessful applicants will be notified with feedback.

A summary of the projects, total project cost and recommended funding with some assessment comments follow.

9.3 QPRC Local Heritage Place Grants 2024-2025 (Ref: ; Author: Ormella/Steele) (Continued)

| No. | Project Description | Project Cost | Recommended Funding | Assessment/Comment |
|--------------|--|------------------|---------------------|--|
| 1 | Re-roof | \$18,700 | \$8,000 | Locally listed weatherboard cottage – application was well researched, and works would ensure on going preservation. |
| 2 | Re-Roof | \$57,950 | \$0 | Locally listed cottage – works listed in the application require further refinement. This site is an important site in Queanbeyan's early history. |
| 3 | Replace front windows | \$19,000 | \$5,000 | House is in a conservation area. Works would return the function of the windows. |
| 4 | Replace aluminium framed windows with timber, remove vinyl cladding, reinstate original architrave detail, paint weatherboards, wall insulation. | \$30,000 | \$5,000 | House is located within a conservation area. The restoration of the windows would have a positive impact on the streetscape. |
| 5 | Restore and preserve the brick wall | \$4,000 | \$2,000 | House is a locally listed cottage. The proposed works would begin to address the damp issues. |
| 6 | Replace gutters and down pipes | \$13,000 | \$5,000 | House is a locally listed cottage; the proposed works start to address the damp issue in the dwelling. Well researched application. |
| Total | | \$142,650 | \$25,000 | |

Risk/Policy/Legislation Considerations

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

Successful applicants will be required to submit a signed Project Funding Agreement, comply with conditions set out in the Guidelines and align with QPRC heritage works practice.

Financial, Budget and Resource Implications

A total budget of \$25,000 is available for the 2024/25 QPRC Local Heritage Grants Program and the total amount is recommended to be allocated. It is noted that the total estimated value of the works in the applications amounted to \$129,650 and development costs ranged from \$4,000 to \$57,950.

Endorsement of the recommended list will lead to the grant funding for the 2024-25 being fully subscribed across the five recommended projects. All successful projects must be completed, and invoices submitted to Council by 18 April 2025 to claim the monies.

**9.3 QPRC Local Heritage Place Grants 2024-2025 (Ref: ; Author: Ormella/Steele)
(Continued)**

Links to QPRC/Regional Strategic Plans



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

Conclusion

The QPRC Local Heritage Places Grants provide funding for local property owners to maintain and repair local heritage items and/or items within a Heritage Conservation Area. Attachment 3 provides the full summary assessment and recommendation.

It is recommended that Council endorses the project list as set out in Attachment 3 and that funding agreements be entered into with the successful applicants.

Attachments

- | | |
|--|--|
| Attachment 1 | Local Heritage Grant Application Form (<i>Under Separate Cover</i>) |
|  Attachment 2 | Local Heritage Grants Funding Guidelines 2024 - 2025 (<i>Under Separate Cover</i>) |
|  Attachment 3 | Applications For Local Heritage Grants 2024 - 2025 (<i>Under Separate Cover</i>) - CONFIDENTIAL |

9.4 Request for Donation Bungendore Park Tennis Club (Ref: ; Author: Goiser/Duncan)

File Reference: 4.3

Recommendation

That Council provide a donation of \$9,355 to Bungendore Park Tennis Club for essential items identified in the report.

Summary

This report seeks a donation to provide essential items to complete the new clubhouse/meeting facility currently being constructed at Bungendore Park Tennis Club (BPTC).

Background

In November 2023, the BPTC was awarded a \$300,000 grant through the NSW Government's Clubgrants Category 3 Infrastructure Grants: Sport and Recreation fund.

The funding provides for construction of a new clubhouse/meeting facility that replaces a smaller, inadequate, impractical facility that was prone to flooding. The previous facility had no running hot water or toilet/change space and the kitchen sink was plumbed into a nearby pit.

The Club has also been successful in gaining financial support from: Bendigo Bank Community Bank Bungendore (\$80,000); Veolia Mulwaree Trust Grants and Donations Program (\$15,000); and Bungendore Rotary (\$1,000). Members of the community have also contributed to the project through donations of fittings and fixtures such as doors, kitchen taps, tiling etc.

The old clubhouse was demolished to make way for the new purpose-built facility to serve the Club's growing 200-person membership and also to provide a meeting space for other grass roots sporting clubs.

To complete the project, the Club is seeking Council's support, by way of a donation, for the following:

| Item | Cost |
|---|----------------|
| Fold-down baby change table unit for the bathroom | \$3,586 |
| Wall-mounted hand air dryer for the bathroom | \$421 |
| External Water bottle refilling station | \$3,575 |
| Round meeting table and 12 x stackable chairs | \$1,773 |
| Total | \$9,355 |

9.4 Request for Donation Bungendore Park Tennis Club (Ref: ; Author: Goiser/Duncan) (Continued)

Report

BPTC's request for \$9,355 financial assistance from Council will allow the purchase of essential items previously removed from their budget to keep costs within the original grant scope.

The Club will use professionally qualified members of their volunteer base to install the essential items as in-kind support to the project.

These items will help BPTC provide a comfortable, relaxed and safe environment for all users of the facility including grass roots sporting and other non-for-profit groups holding meetings.

The membership dynamic of BPTC has changed dramatically over the last five years with the majority of members now comprising young families with a large increase in people using the clubhouse/meeting facility. The users of the facilities will benefit from the essential items being included.

The club has absorbed hours of labour costs to build the new facilities to contain the overall cost of the build.

Financial, Budget and Resource Implications

There is currently no suitable donation stream available from Council from where the donation can be funded. To minimise the impact on Council's unrestricted cash, support for this request would need to be identified in savings at the second QBRs.

Links to QPRC/Regional Strategic Plans

This project and Council support is in line with the Community Strategic Plan, Strategic Pillar No 4 Connection: A safe, resilient and well connected community with good infrastructure enhancing quality of life.

Strategic Objective – 4.3 Our community facilities and assets are well planned, meet the needs of the community and enhance social connection.

Strategies – Enhance community and recreational use of facilities through robust maintenance and management.

Conclusion

Council has previously supported donation requests from community and sporting groups to assist meet financial shortfalls. This donation will enhance the new facility and contribute to user comfort in a safe environment.

It is a small contribution to the external funds sourced by the BPTC for this project being undertaken on a Council asset.

Attachments

Nil

9.5 Application for a Council Cultural Grant (Ref: ; Author: Richards/Mirowski)

File Reference: Arts Grant Applications – External 1.1.3-03

Recommendation

That Council approve a Cultural Grant of \$500 to Roz Townsend towards costs for a podcast on healthy ageing.

Summary

On 4 November 2024 Roz Townsend submitted an online application for a Council Cultural Grant, seeking assistance with costs of producing a podcast for seniors, titled '70+ Roz'.

This report seeks Council's approval of the grant.

Background

The podcast will present issues of interest to older people in a friendly conversational format. It will interview unsung heroes/heroines of our local community on the benefits of staying active and socially connected, to live a longer, healthier life. The podcast will contain inspiring stories, conversations, and tips on healthy ageing for residents over the age of 70. It will also educate on what resources are available locally.

Report

The Cultural Grants Guidelines state that Individuals undertaking not-for-profit creative projects in the Queanbeyan-Palerang local government area may be eligible for a Cultural Grant of \$500. The project has been assessed as eligible, as it has educational components which will advance the knowledge of our community, will involve working in and with the local community, will be of benefit through its cultural outcomes, and is able to demonstrate a matching dollar-for-dollar cash contribution.

The applicant is seeking a contribution of \$500, towards technical support \$370 and \$130 for software. The applicant advises that this is a not-for-profit project. The total budget of \$2,080 includes:

| | |
|------------------------------------|--------------|
| Technical support | \$370 |
| Computer software | \$540 |
| Computer hardware | \$630 |
| <u>In-kind administration cost</u> | <u>\$540</u> |
| Total | \$2,080 |

Interviewees will be sourced from the Jerrabomberra Probus Club, the Queanbeyan Heart Foundation Walking Group, and the Queanbeyan Senior Citizens. Roz is a member of these community groups. The application demonstrates the potential for positive social, physical and mental health outcomes for local people over the age of 70. It will educate on the benefits of keeping moving and keeping socially connected, for healthy ageing. The application provides a link to an interesting example podcast from this experienced podcaster, featuring an interview with a senior Jerrabomberra resident titled 'Who's got the password to your phone if you die?'

**9.5 Application for a Council Cultural Grant (Ref: ; Author: Richards/Mirowski)
(Continued)**

The podcast, will be broadcast by the Jerrabomberra Probus Club and the Council on the Ageing ACT (COTA). Information will also be available through local newsletters, the Queanbeyan Senior Citizens and Queanbeyan Library. The podcasts will be available on Spotify, Amazon and Apple.

Risk/Policy/Legislation Considerations

Under s356 of the Local Government Act 1993, Council may exercise a function by resolution to provide various forms of financial assistance to the community through grants, donations, rental rebates, rate relief, non-financial contribution, in-kind donations and sponsorships.

Council's Cultural Grants are administered in compliance with the QPRC Donations Policy under which Council commits to providing financial assistance for the development of positive and beneficial projects which address the identified objectives of the QPRC Community Strategic Plan.

Financial, Budget and Resource Implications

There are sufficient funds available to pay this grant. The Cultural Grants allocation for the 2024/25 financial year is \$15,000. Two 2024/25 Cultural Grants totalling \$4,200 have been dispersed, leaving \$10,800 still available for distribution this financial year.

Links to QPRC/Regional Strategic Plans

The project aligns with the Mission of the QPRC Community Strategic Plan, through supporting the inclusiveness of our diverse communities. It will also progress Council's efforts under pillar 1 'Community' of 'A safe, harmonious, happy and healthy community leading fulfilled lives.'

Conclusion

The funding application aligns with the aims and eligibility criteria for a Council Cultural Grant and is recommended for funding.

Attachments

Nil

9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee (Ref: ;
Author: Ormella/Bhusal)

File Reference: 2816279

Recommendation

That Council:

1. Adopt the fee for Electric Vehicle Charging of \$0.55 per kWh (inc. GST), which is based on a user / beneficiary pays principle.
 2. Approve the supplementary vote of \$40,000 income generated by EV Charging Station fees and \$40,000 for EV Charging Station costs; which is assumed a net zero impact on the 2024/25 Operational Plan.
-

Summary

At its meeting of 24 July 2024 Council resolved to place the proposed fee for Electric Vehicle Charging of \$0.60 per kWh (inc. GST) on public exhibition for 28 days (**Resolution No. 347/24**). The proposed fee was exhibited from 25 July to 22 August.

Notable findings from the public exhibition included:

- 468 visits occurred on the 'Your Voice – Electric Vehicle Charging Fee'.
- 63 visitors downloaded the 'Proposed Electric Vehicle Charging Fee document'.
- 44 'Your Voice' Comments.

In response to the community feedback Council has reassessed the proposed EV charging fee. The proposed fee has been adjusted to \$0.55/kWh (inc. GST). This reduction aligns with the feedback received during the consultation period.

The EV charging fee will be reviewed annually, with the review to include monitoring of the charging stations' usage patterns as well as any required maintenance and repairs. This data will be used to review the fee to ensure that the fee is high enough to cover associated costs and also to ensure that the fee remains competitive when compared to other providers.

Adoption of the proposed fee is now sought.

Background

Queanbeyan-Palerang Regional Council aims to increase the availability of EV charging infrastructure to support the uptake of EVs in the Local Government Area. EV sales are expected to make up to 52% of new car sales in NSW by 2030-2031. This trend is evident in the QPRC area, where EV registration surged by nearly 160% in 2024 compared to the previous year. Council currently owns 12 public electric vehicle charging stations but does not have an associated fee for use of these chargers.

Report

Taking into account the feedback from the community, Council staff have undertaken further research and data analysis and have revised the proposed fee from \$0.60/kWh to 0.55/kWh.

An updated cost estimation report is included in Attachment 1.

9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee (Ref: ; Author: Ormella/Bhusal) (Continued)

Risk/Policy/Legislation Considerations

Council develops and exhibits its draft Fees and Charges in March/April each year, for adoption in June. Any fees that are created, or significantly changed, outside of this period must be advertised in accordance with Section 610F of the Local Government Act, 1993.

Financial, Budget and Resource Implications

The estimated annual income from the EV chargers is \$67,452. If the fee is approved, then an amount of \$40,000 (equivalent to 7 months of estimated income) will be brought into the budget at the first quarter budget review.

The budgeted income amount is calculated using the below formula, on the assumption that each EV charger will be used for 4 hours per day.

- 12 chargers x 4hrs per day = 48 hours use per day
- 48 hours/day x 365 days = 17,520 hours use per year

Assumption

Considering Level 2 AC charging station with an average charging rate of 7kW (90% of EVs in Australia are assumed to utilise the 7kW charging rate on AC Chargers). (Note: Council EV chargers are 22kW AC Level 2 Chargers)

- 7kW x 17,520 hrs x 0.55c/kWh = \$67,452

There is currently no budget allocation for the installation of further EV charging infrastructure, or maintenance of the existing EV charging infrastructure. A supplementary vote request of \$40,000 is sought to note this expected income and expenditure for the remainder of 2024/25; being 7 months.

Council will review this fee, with further usage data, operational and maintenance costs incurred when reviewing the Fees and Charges for the 2025/26 Operational Plan.

This is a fee that should be funded on a user pays basis as an individual or group of individuals directly receive benefits of the activity exclusively and the costs of the activity can easily be attributed to that individual or group of individuals.

Links to QPRC/Regional Strategic Plans

The adoption of the proposed fee for EV charging aligns with several of the objectives of the Community Strategic Plan including:

- 2.3 Our business practices support a productive and efficient local economy by providing enabling infrastructure,
- 3.1 We acknowledge climate change, and we work towards reducing our region's carbon footprint.
- 4.1 Our transport network and infrastructure are safe, support a zero emissions target and allow for ease of movement throughout Queanbeyan-Palerang and across the ACT border and region.

9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee (Ref: ; Author: Ormella/Bhusal) (Continued)

The proposal also supports the goals of the QPRC Community Climate Change Action Plan including the following specific actions from the plan:



- Facilitate the installation of electric car recharging points.

Additionally, Council has committed to installing at least 100 EV charging stations on public land by 2030. To achieve this target, Council must own, operate and maintain EV charging infrastructure where there are gaps in services provided by third party operators.

Conclusion

Adopting the new EV Charging fee allows Council to charge a fee for the use of its twelve existing EV chargers. It will also allow for data collection and analysis to ensure that in future years the fee is set at a level that allows for full cost recovery while still being competitive in the market.

Attachments

| | |
|---|--|
| Attachment 1  | Fees Estimation for EV Charging Station - QPRC 2024 (<i>Under Separate Cover</i>) |
| Attachment 2  | Summary of Submissions Recieved and Council Response (<i>Under Separate Cover</i>) |

9.7 Post Exhibition Report - Draft Climate Change Resilience Policy (Ref: ;
Author: Ormella/Bhusal)

File Reference: 2635929

Recommendation

That Council adopt the Climate Change Resilience Policy.

Summary

The draft Climate Change Resilience Policy was originally presented to Council at the meeting on 26 June, with Council resolving to place the draft policy on public exhibition for 28 days (27 June 2024-25 July 2024) (**Resolution No 282/24**).

Notable findings from the public exhibition included:

- 108 visits occurred on the Your Voice Draft Climate Change Resilience Policy
- 35 visitors downloaded the Draft Climate Change Resilience Policy
- 10 Your Voice Comments

Adopting this policy sets future direction and reinforces the inclusion of adaptation measures in all Council project.

Background

Council's Climate Change Resilience Policy was developed in response to Council's internal Audit of Climate Change Adaptation in March 2024. The audit identified a need for a more cohesive approach to climate change adaptation across Council. Despite the significant adaptation work being undertaken across various Council areas, the report has found that Council lacks a cohesive climate change adaptation strategic plan across Council.

The report also has identified that the existing Council policies related to climate change and sustainability focus mostly on mitigation measures. This Policy is to bring adaptation to the fore through the overarching policy.

Report

Changes due to climate change are significant to Council. Long-term weather patterns are shifting, and extreme weather events are increasing in number and intensity. Council areas have already experienced an increase in temperatures, heatwaves, increased storm intensity, and reduced rainfall. This could impact the availability of drinking water and/or for irrigation. The risk of bushfires is also increasing which could have a significant impact on the Council's property and infrastructure.

By having climate change adaptation governance structure, Council asset owners can lead responsibly and undertake the overall management of their respective areas.

This Policy will serve as an overarching framework for climate change mitigation, adaptation and resilience across all Council Climate change and sustainability policies and strategies.

Through the survey, refer to Attachment 2, the community commented on sustainable urban planning, increased support for renewable energy, and strong alignment with NSW's climate

9.7 Post Exhibition Report - Draft Climate Change Resilience Policy (Ref: ; Author: Ormella/Bhusal) (Continued)

targets. Conversely, some community members expressed concern about Council's involvement in climate issues, suggesting that resources should focus on Council's core services like waste management and infrastructure management.

Based on the submissions received, the Policy remains unchanged. This policy serves as an umbrella policy for all QPRC climate change and sustainability activities. It emphasises integrating climate change considerations into every aspect of Council's operations, from decision-making to staff training. Council's existing adopted plans and policies will sit under this overarching policy.

Risk/Policy/Legislation Considerations

There are various risks to the policy adoption and implementation. The policy is needed to embed adaptation across the Council's work.

Officers have undertaken Climate Change Adaptation through Climate Change Risks Assessment workshops. The Draft Policy would be an overarching policy under which all of the risk-related work can be captured.

Ensuring the policy aligns with existing and future climate change legislation requires ongoing monitoring and potential adjustments.

Financial, Budget and Resource Implications

Implementing the Climate Change Resilience Policy will have financial, budget, and resource implications for Council across operations and projects.

The policy itself does not directly increase resource demands, rather, it requires that climate change adaptation be integrated into operations, and the design of new infrastructure, which will ultimately enhance the resilience of services.

More resilient infrastructure may also lead to lower operational costs depending on the risk scenario and ongoing repair and maintenance. For this reason, climate change governance in decision-making will enable that detailed understanding to be provided early in infrastructure and project design.

By proactively preparing for a changing climate, Council can potentially save money in the long term and can ensure the continued functionality of its services and infrastructure.

Links to QPRC/Regional Strategic Plans

The Draft Climate Change Resilience Policy aligns with Strategic Pillar No 3: Character: A clean, green community that cherishes its natural and physical character, in the Queanbeyan Palerang Community Strategic Plan 2042 which includes:

Strategic Objective: 3.1 We acknowledge climate change and we work towards reducing our region's carbon footprint.

- Partner with Government departments and other organisations to reduce carbon emissions and mitigate the effects of climate change
- Increase community education, resilience, confidence and resolution in dealing with the challenges of climate change.

9.7 Post Exhibition Report - Draft Climate Change Resilience Policy (Ref: ; Author: Ormella/Bhusal) (Continued)

The Draft Climate Change Resilience Policy would be an overarching policy under which the following Council adopted plans would sit:

- QPRC Climate Change Action Plan: Council Operations plan period 2020:2023
- QPRC Net Zero Pathway Plan.



Conclusion

An overarching policy not only reduces the risk of climate change impacts on Council infrastructure and services but also fosters a culture of environmental responsibility.

The financial implication can be understood in detail with each operational and project area and can be mitigated through potential cost savings from proactive adaptation.

This policy positions Council as a leader in climate change preparedness, ensuring the long-term well-being of our community and the environment.

Attachments

- | | |
|---|---|
| Attachment 1 | Draft Climate Change Resilience Policy (<i>Under Separate Cover</i>) |
|  Attachment 2 | Public Submissions and Council Response (<i>Under Separate Cover</i>) |
|  | |

9.8 Appointment of Statutory Committees Delegates (Ref: ; Author: Ryan/Flint)

File Reference: 27 November 2024 Council Reports

Recommendation

That Council nominate Councillor delegates for each Statutory Committee as listed in the report.

Summary

Following the local government elections, Council is now required to fill vacancies on each Committee of Council. This report seeks to appoint a Councillor delegate to the remaining eight Statutory Committees, noting a Councillor delegate has already been appointed to the Audit, Risk and Improvement Committee at the 9 October 2024 Council Meeting (**Resolution 463/24**)

Background

It is common practice for all Council's to consider appointing delegates to all Committees (both internal and external) for the duration of the Council term to ensure continuity in consultation by various user groups.

Report

All Statutory Committees other than the Dangerous Dog Panel are external Committees. The Terms of Reference for the Dangerous Dog Panel are attached to this report for reference. Council may determine to appoint an alternate delegate for each Committee in the instance the primary delegate cannot attend the meeting.

It is noted that the Local Traffic Committee is also considered a Statutory Committee however the Director Infrastructure Services will bring about a report to a later Council Meeting discussing how this Committee is to proceed into the new term. No Councillor delegate is to be appointed at this time.

| Committee | Staff Representatives | Councillor Delegate/s |
|---|--|-------------------------------|
| Dargues Reef Community Consultative Committee | Director Development & Environment | One Councillor Representative |
| Dangerous Dog Panel | Director Development & Environment Manager Environment & Compliance | One Councillor Representative |

**9.8 Appointment of Statutory Committees Delegates (Ref: ; Author: Ryan/Flint)
(Continued)**

| Committee | Staff Representatives | Councillor Delegate/s |
|---|--|-------------------------------|
| Integrated Water Cycle Management Project Reference Group | Director Infrastructure Services IWCM Project Manager | One Councillor Representative |
| Lake George Bush Fire Management Committee | Director Infrastructure Services LEMO | One Councillor Representative |
| Lake George District Liaison Committee | General Manager | One Councillor Representative |
| Lake George Emergency Management Committee | Director Infrastructure Services | One Councillor Representative |
| Local Traffic Committee | Director Infrastructure Services | One Councillor Representative |
| Old Cooma Road Holcim Quarry Consultative Committee | Director Development & Environment | One Councillor Representative |
| Woodlawn Community Liaison Committee | Director Development & Environment | One Councillor Representative |

Risk/Policy/Legislation Considerations

Many of the Statutory Committees operate in accordance with, and are governed by relevant legislation (ie, Dangerous Dog Panel in accordance with the Companion Animal Act 1998, Lake George Emergency Management Committee in accordance with the State Emergency & Rescue Management Act 1989). There are no delegations afforded to these groups – they are advisory and consultative in nature.

Financial, Budget and Resource Implications

There are no financial implications as a result of appointing delegates to each Committee. There are no financial delegations associated with each Committee.

Councillors attending these Committee meetings are eligible to claim travel expenses, as per the QPRC Councillor Expense and Facilities Policy, which are included in the Councillor expenses budget.

**9.8 Appointment of Statutory Committees Delegates (Ref: ; Author: Ryan/Flint)
(Continued)**

Links to QPRC/Regional Strategic Plans

The adoption of both policies helps support Strategic Pillar No 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

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

Conclusion

Council is asked to consider appointing at least one primary delegate to each of the abovementioned Statutory Committees for the duration of the term of the current Council (2024-2028).

Attachments

Attachment 1 Terms of Reference - Dangerous Dog Panel (*Under Separate Cover*)



9.9 Appointment of Regional/External Committees Delegates (Ref: ; Author: Ryan/Flint)

File Reference: 27 November 2024 Council Reports

Recommendation

That Council endorse the staff representatives and nominate Councillor delegates for each Regional/External Committee as listed in the report.

Summary

Following the local government elections, Council is now required to fill vacancies on each Committee of Council. This report seeks to appoint a Councillor delegate to the 15 Regional/External Committees, where a delegate is required.

Background

It is common practice for all Council's to consider appointing delegates to all Committees (both internal and external) for the duration of the Council term to ensure continuity in consultation by various user groups.

Report

All Committees requiring delegates be appointed as part of this report are external committees, not governed by QPRC. QPRC is considered a participatory member. Council may determine to appoint an alternate delegate for each Committee in the instance the primary delegate cannot attend a committee meeting.

Where the Mayor is the Council representative, it is expected that the Deputy Mayor is delegated should the Mayor not be in a position to attend.

Committees that are seeking Councillor Delegates includes:

| Committee | Staff Representatives | Councillor Delegate/s | Meeting Frequency |
|---|-------------------------------|------------------------------|--------------------------|
| Canberra Airport Community Aviation Consultation Group | General Manager or delegate | One Councillor delegate | Quarterly |
| Canberra Region Joint Organisation | General Manager or delegate | Mayor | Bi-Monthly |
| Community Safety Precinct Committee – Monaro Local Area Command | Manager Economy, Place & Arts | One Councillor delegate | As required |

9.9 Appointment of Regional/External Committees Delegates (Ref: ; Author: Ryan/Flint) (Continued)

| Committee | Staff Representatives | Councillor Delegate/s | Meeting Frequency |
|---|--|-------------------------|-------------------|
| PCYC Advisory Committee | Manager Community & Recreation | One Councillor delegate | As required |
| Queanbeyan-Palerang Library Service – NSW Public Library zone | Manager Customer, Communication & Libraries | One Councillor delegate | As required |
| Regional Cities NSW | General Manager or delegate | Mayor | Quarterly |
| Country Mayors | General Manager or delegate | Mayor | Quarterly |
| South East Australia Transport Strategy (SEATS) | Director Infrastructure Services | One Councillor delegate | Bi-Annual |
| Southern Regional Planning Panel | <p>Director Development & Environment (Yass Valley Council)</p> <p>*Note – previously, two Councillor delegates were appointed to this Committee with no staff delegate however it has been determined that in the interest of transparency, a Director from within the CRJO network become a standing delegate at each Council's SRPP meetings. This ensures a level of technical expertise is also gained.</p> | One Councillor delegate | As required |
| Southern Tablelands Arts Board | Director Community, Arts & Recreation | One Councillor delegate | As required |
| Woodlawn Eco-Precinct Community Liaison Committee (Veolia) | Director Development & Environment | One Councillor delegate | Quarterly |

9.9 Appointment of Regional/External Committees Delegates (Ref: ; Author: Ryan/Flint) (Continued)

Committees that are not seeking or requiring Councillor Delegates

| Committee | Staff Representatives | Meeting Frequency |
|---|--|-------------------|
| ACT-NSW Cross Border Illegal Dumping Steering Committee | Director Infrastructure Services | As required |
| ACT and Region Catchment Management Coordination Group | General Manager or delegate | Quarterly |
| Canberra Airport Planning Co-ordination Forum | General Manager or delegate | Bi-Annually |
| South-East Weight of Loads Group | Director Infrastructure Services | As required |
| Water NSW (Local Government Reference Panel) | General Manager or delegate | As required |
| Upper Murrumbidgee Catchment Network | General Manager or delegate | Quarterly |
| ACT-NSW Potable Water Issues Steering Committee | General Manager or delegate Manager Utilities | Quarterly |

Risk/Policy/Legislation Considerations

Many of the Regional/External Committees operate in accordance with, and are governed by relevant legislation (ie, Southern Region Planning Panel in accordance with the Environmental Planning and Assessment Act 1979.) There are no delegations afforded to these groups – they are advisory and consultative in nature.

Financial, Budget and Resource Implications

There are no financial implications as a result of appointing delegates to each Committee. There are no financial delegations associated with each Committee.

Councillors attending these Committee meetings are eligible to claim travel expenses, as per the QPRC Councillor Expense and Facilities Policy, which are included in the Councillor expenses budget.

Links to QPRC/Regional Strategic Plans

The adoption of both policies helps support Strategic Pillar No 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

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

9.9 Appointment of Regional/External Committees Delegates (Ref: ; Author:
Ryan/Flint) (Continued)

Conclusion

Council is asked to consider appointing at least one primary delegate to each of the abovementioned Regional/External Committees for the duration of the term of the current Council (2024-2028).

Attachments

Nil

9.10 Re-opening Queanbeyan Animal Management Facility (Ref: ; Author: Ryan/Ormella)

File Reference: 3.4.98-08

Recommendation

That Council:

- 1. Approve the supplementary vote request of \$587,000 for emergency works critical for the re-opening of the Queanbeyan Animal Management Facility.**
 - 2. Receive a report from the Chief Financial Officer at the second QBRS identifying source of funds.**
-

Summary

The Queanbeyan Animal Management Facility has been closed following a serious incidence of canine parvovirus. Prior to re-opening, the site needs to be decontaminated and this involves improvements to the existing facility.

This report seeks approval of budget and expenditure, as set out, to enable the reopening of the Queanbeyan Animal Management Facility.

While this work is being undertaken, Council's Animal Management Officers are involved in handling enquiries and complaints relating to dangerous and roaming dogs. Much of the advice and work undertaken by this team continues to be delivered.

Background

The Queanbeyan Animal Management Facility had a serious outbreak of the canine parvovirus over 10 and 11 October 2024. The incident led to the closure of the facility to enable the site decontamination. Prevention measures have been identified as being necessary to prepare the site for re-opening. The virus is hardy and can continue to survive in organic material such as soil for up to one year, therefore requiring prevention measures and improvements.

Report

Following the closure of the Animal Management Facility, work commenced on identifying what would be necessary to re-open the facility. The following list sets out the necessary work.

- Removal of areas of exposed soil and trees from dog enclosures
- Removal of internal mesh fencing to enable soil and tree removal
- Concreting exposed areas
- Sealant of drain and kennel areas
- Removal of timber boundary fencing from dog enclosure areas
- Drainage improvements including separation of waste from stormwater, and covering of open drains, and revision of trade waste requirements
- Separation of animal laundry and cleaning area to dedicated space
- Provision of isolation pens for new arrivals

9.10 Re-opening Queanbeyan Animal Management Facility (Ref: ; Author: Ryan/Ormella) (Continued)

With the Animal Management Facility being closed, the opportunity presents to address matters which would lead to improvements in the operation of the facility. The following improvements have been identified:

- Provision of a meet and greet space for dogs meeting potential new owners
- Provision of an acoustic style fencing to boundary to address noise complaints
- Revision of internal fencing and provision of solid internal fencing to enclosures to reduce noise

The above work was unplanned and not in budget. Work that has been undertaken immediately following the incident includes:

- General waste removal
- Clearance and cleaning of the facility, internal and external
- Internal mesh fencing removed to enable tree and soil removal
- Tree removal
- Soil removal

While these decontamination and improvement measures are being undertaken, Animal Management Officers continue to care for cats and kittens at the facility, as felines are not at risk from canine parvovirus. Staff continue to handle enquiries and complaints relating to dangerous dogs. Other Local Government Authorities in our region have made available kennel capacity when it has been necessary to seize dogs.

Risk/Policy/Legislation Considerations

Canine parvovirus has the potential to remain in organic material for up to one year. Cleaning and disinfection of surfaces with specialist cleaning products has been undertaken. To further manage risk, exposed ground, trees, and timber fencing needed to be removed.

Regular cleaning of dog kennels could not prevent the virus spreading as the facility has a network of open drains. Open drains do not provide the level of operational control needed in a modern Animal Management Facility. Due to the technical nature of the drain design, there is a need for contingency with this work.

Council continues to provide services addressing dangerous and roaming dog enquiries and complaints. It is necessary for the Council to have its own facility as there is an ongoing demand for this facility in the LGA.

Having certainty that the Council can meet its responsibilities under the NSW Companion Animals Act 1998 is possible when there is access to QPRC owned Animal Management Facility. Reliance on access to available kennel capacity in the region is not a long-term arrangement.

Financial, Budget and Resource Implications

This report seeks approval of budget for necessary works, and improvements at the Animal Management Facility.

The immediate necessary de-contamination works, which included general waste and soil removal, tree removal and cleaning have now been completed. These works have approximately cost \$30,000. These can be funded from operational savings.

9.10 Re-opening Queanbeyan Animal Management Facility (Ref: ; Author: Ryan/Ormella) (Continued)

The further necessary works to re-open the facility estimate at \$587,500.

This capital project would only include those works critical for the re-opening of the facility. These are set out below noting there are risks in estimates hence the inclusion of a 30% contingency.

| Item | Description | Budget Estimate |
|-----------------------|--|------------------------|
| Demolition | Demolition and disposal of concrete, bitumen, soil and internal fixtures & fittings | \$50,000 |
| Drainage | Install drain grates to pens and yard. Install underground sewer lines & connect to existing | \$40,000 |
| Stormwater | Install drain grates, sumps and underground lines. Connect to existing | \$15,000 |
| Fencing | Erect fencing and gates – Layout and materials to be revised. | \$200,000 |
| Existing Pens | Install new gates constructed of security mesh | \$60,000 |
| Quarantine Enclosures | Install 2x basic animal quarantine shelters behind feed shed | \$50,000 |
| Concrete | Lay concrete to areas shown on plans with fall to drainage | \$60,000 |
| Contingency | 30% due to unknowns in the drainage design | \$112,500 |
| | Total | \$587,500 |

The budget would be required to be funded from general fund leaving an impact to Council's unrestricted cash.

Council's approval of this report will lead to a budget adjustment at the December quarterly review, which will include identification of funding source to minimise the impact on Council unrestricted cash. Much of this work is considered building upgrades and maintenance.

Links to QPRC/Regional Strategic Plans

The Community Strategic Plan, through the Community Strategic Pillar provides for a safe, harmonious, happy and healthy community leading fulfilled lives. Animal Management supports this pillar through implementing and educating the community on the requirements of the Companion Animals Act 1998, to care for and rehome lost and surrendered companion animals.

9.10 Re-opening Queanbeyan Animal Management Facility (Ref: ; Author:
Ryan/Ormella) (Continued)

Conclusion

Council has a continuing regulatory responsibility under the NSW Companion Animals Act 1998 and therefore needs to be able to maintain and operate an Animal Management Facility. The canine parvovirus incident has brought forward improvements at the facility into the current financial year, without the benefit of time and planned budget.

Through the approval of the budget, necessary works can be undertaken with timeframes for re-opening being confirmed.

A report will be brought back to Council at the second QBRS to identify the source of funds.

Attachments

Nil

9.11 Councillor Conduct and Meeting Practices Discussion Paper (Ref: ; Author: Ryan/Flint)

File Reference: 27 November 2024 Council Reports

Recommendation

That Council authorise the General Manager to finalise and lodge a QPRC submission to the NSW Government's Councillor Conduct and Meeting Practices framework discussion paper.

Summary

On 5 September 2024, the Minister for Local Government announced that the Councillor Conduct Framework is under review and invited the community, key stakeholders, and the local government sector to comment on the proposed changes:

<https://www.olg.nsw.gov.au/councils/misconduct-and-intervention/councillor-conduct-framework/>

A draft response, provided to Councillors via the Councillor Portal has been prepared and feedback is sought. Council approval is recommended for this submission to be lodged by the due date of 29 November 2024.

Background

The Councillor Conduct and Meeting Practices discussion paper is available on the OLG website;

<https://www.olg.nsw.gov.au/wp-content/uploads/2024/09/Councillor-Conduct-and-Meeting-Practices-Discussion-Paper.pdf>

The Minister for Local Government also notified Councils in his recent presentation to the LGNSW Conference that the NSW Government will be releasing new Code of Meeting Practice guidelines in the near future.

Report

It is intended that the revised Framework will be based on the following principles of change:

- Council leadership and decision making is paramount
- Freedom of speech is fundamental
- Transparency and accountability are maintained
- Issues are dealt with at the most immediate or local level
- A strong and proportionate local government regulator
- Justice is timely and proportionate
- Significant penalties should only be imposed by a judicial or quasi-judicial body

9.11 Councillor Conduct and Meeting Practices Discussion Paper (Ref: ; Author: Ryan/Flint) (Continued)

The questions being asked under each section are as follows:

2. Principles of change (see Part 2 of the Discussion Paper for background information)
 - 2.1. Are we missing anything in the principles of change?
3. Potential changes to the code of conduct and oath of office (see Part 3 of the Discussion Paper for background information)
 - 3.1. What are the key elements of an aspirational Code of Conduct that should be enshrined?
 - 3.2. What are your views about aligning the Oath of Office to the revamped Code of Conduct?
4. Potential changes to the definitions and assessment of councillor misbehaviour (see Part 4 of the Discussion Paper for background information)
 - 4.1. Is the proposed pecuniary interest framework appropriate? Is anything missing?
 - 4.2. Do you agree with the principles of what constitutes a significant or major non-pecuniary interest?
 - 4.3. Are there any other specific features that should be included to address concerns about councillors undertaking real estate and development business activities?
 - 4.4. Is this the appropriate threshold to face a Privileges Committee?
 - 4.5. How else can complaints be minimised?
 - 4.6. What key features should be included in lobbying guidelines and a model policy?
5. Dispute resolution and penalty framework (see Part 5 of the Discussion Paper for background information)
 - 5.1. What level of PIN is appropriate?
 - 5.2. Are the penalties proposed appropriate, and are there any further penalties that should be considered?
 - 5.3. Are the existing sanctions available under the Local Government Act sufficient?
 - 5.4. Should decisions on sanctions for councillors be made by the Departmental Chief Executive or a formal tribunal with independent arbitrators and a hearing structure?
6. Restoring dignity to council meetings (see Part 6 of the Discussion Paper for background information)
 - 6.1. Are there any other powers that need to be granted to the mayor or chair of the relevant meeting to deal with disorderly behaviour?
 - 6.2. Are there any other measures needed to improve transparency in councillor deliberations and decision making?

Risk/Policy/Legislation Considerations

The current Model Code of Conduct for Local Councils in NSW and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW are prescribed under the Local Government Act 1993 and the Local Government (General) Regulation 2021.

Council resolved to adopt the QPRC Code of Conduct and Procedures for the Administration of the Code of Conduct at the 13 November Meeting (**Resolution No 502/24**). This will be reviewed by Council, subject to the Minister for Local Government's decision and change to the Model Code in 2025.

Councillor training on the Code of Conduct is scheduled to take place on 2 December 2024.

9.11 Councillor Conduct and Meeting Practices Discussion Paper (Ref: ; Author: Ryan/Flint) (Continued)

Financial, Budget and Resource Implications

There are no financial implications of QPRC lodging a submission in relation to this Discussion Paper.

Links to QPRC/Regional Strategic Plans

The Code of Conduct is considered as supporting the Strategic Objective in the QPRC Community Strategic Plan 2042: Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

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

Conclusion

A draft QPRC submission to the Councillor Conduct and Meeting Practices discussion paper has been prepared and subject to further Council feedback will be submitted online by the due date of 29 November 2024.

Attachments

Nil

9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024 (Ref: ; Author: Monaghan/Sligar)

File Reference: 43.7.2-28

Recommendation

That Council:

- 1. Receive the September 2024 Quarterly Budget Review Statement.**
 - 2. Adopt the budget variations outlined in the report.**
 - 3. Note the opinion of the Responsible Accounting Officer in relation to Council's financial performance and projected year result is satisfactory.**
-

Summary

The September 2024 Quarterly Budget Review Statement (QBRS) provides a summary of Council's financial performance at the end of the September 2024 quarter and reports on progress made against the original budget adopted by Council in its 2024-25 Operational Plan.

The first quarter budget review provides an opportunity to review the current adopted budget including carry forward budgets to ensure completeness. This review includes any budget adjustments that have already been approved by Council during the period from July 2024 to September 2024.

Background

Quarterly Budget Review Statements provide progress reporting against the original annual budget, and subsequent revisions at the end of each quarter. A detailed list of budget adjustments recommended is provided in the attached September Quarterly Budget Review Statement attached.

Report

See attached report for full details of the QBRS.

Risk/Policy/Legislation Considerations

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

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

In the opinion of the RAO, the September QBRS projects that the financial position as at 30 June 2025 will be satisfactory. It is noted remedial action has already been taken including:

**9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024
(Ref: ; Author: Monaghan/Sligar) (Continued)**

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

Financial, Budget and Resource Implications**Cash Result**

The budget adjustments recommended to Council for approval result in a forecast unrestricted cash position of \$5 million after allocating funds into internal reserves in accordance with Councils Restricted Funds policy.

The sale of properties in Rutledge Street was settled in November 2024. A budget adjustment has been included to bring these funds into the 2024 budget. These funds improve the unrestricted cash position, whilst also allowing for funds to be allocated to reserves.

It is recommended to allocate the following funds to internal reserves:

- \$500,000 to employee leave entitlements – council's policy states that 'Council will increase its ELE reserve over the next four years to meet the proportionate liability currently estimated at \$5.8m'. This estimate was as at 30 June 2024.
- \$50,000 to Revolving energy reserve – council's policy states that 'council targets a minimum amount of \$50,000 each year to this reserve'.
- \$4,235,000 to Financial Assistance Grant in advance – council borrowed temporarily from this reserve as at 30 June 2024 to ensure a balance of unrestricted cash was available to support the 2024/25 budget. The delay in the settlement of properties on Rutledge Street required this short term borrowing. It is recommended to replace these funds.

Forecast reserve balances as at 30 June 2025:

| | |
|--------------------------------|--------|
| Externally restricted reserves | \$228m |
| Internally restricted reserves | \$25m |
| Unrestricted cash | \$5m |

Cash and Reserves reported are a point in time measure. Unrestricted cash can move significantly up and down throughout the year based on large cashflow movements for quarterly rates instalments, grant payments and spending on large capital projects.

9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024 (Ref: ; Author: Monaghan/Sligar) (Continued)

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

Operating Result (Income Statement)

The proposed budget adjustments result in a net increase to the consolidated budgeted surplus before capital items of \$1m. The forecast consolidated position is now \$7.6m surplus.

| Fund | Adopted Operational Plan (\$'000) | Forecast position as at 30 June 2025 (\$'000) | Variance (\$'000) |
|--------------|--------------------------------------|---|----------------------|
| Consolidated | \$6,659 | \$7,586 | \$1,022 |
| General | (\$3,975) | (\$3,021) | \$1,049 |
| Waste | \$1,455 | \$1,455 | \$0 |
| Water | \$3,401 | \$3,387 | (\$14) |
| Sewer | \$5,778 | \$5,764 | (\$14) |

The primary drivers impacting the net consolidated result before capital items include:

- Favourable net gains on disposal of assets, including the Rutledge Street properties of \$1.8m
- Unfavourable impact of costs associated with the Queanbeyan Sewer Treatment Plan that will not be capitalised this financial year due to delays to the forecast construction phase of this project compared with the original budget.

Capital Projects Budget

The original capital works 2024-25 budget plus approved carry forward amounts is currently \$114.7m.

This budget review is recommending a reduction to the capital works program of \$23.6m.

The proposed budget adjustment is primarily due to the deferral of the Queanbeyan Sewer Treatment Plant project.

The capital works program has incurred expenditure of \$4.8m as at 30 September 2024. These projects are being monitored to report on forecast timelines for completion in accordance with the adopted Operational Plan.

Links to QPRC/Regional Strategic Plans


This report is part of the Operational Plan 2024-25 reporting and in accordance with the NSW Local Government Regulations, and OLG Annual Reporting compliance requirements.

9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024
(Ref: ; Author: Monaghan/Sligar) (Continued)

Conclusion

The September Quarterly Budget Review Statement provides a summary of Council's financial performance and reports on progress against the adopted budget and projected financial position to 30 June 2025 which will be satisfactory, with ongoing monitoring to ensure Council's longer term financial sustainability.

Attachments

Attachment 1  Quarter 1 Budget Review Statement as at 30 September 2024 (*Under Separate Cover*)

File Reference: 43.6.5-01

Recommendation

That Council:

- 1. Receive the Investment Report for the month of October 2024.**
 - 2. Note the investment return for October 2024 was \$812,869.**
 - 3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.**
-

Summary

This report presents the investment result for October 2024.

Background

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

Report

A list of Council's cash and investments held on 31 October 2024 is detailed in the attached Investment Report Pack, which reports interest income received/accrued for the month plus Unit Trust Market Value Changes a total Return for Month of \$812,868.83 for October 2024 (refer to page 3 of 17, Table 1: Budget vs Actual Interest Income 1 July 2024 to 30 June 2025).

Market Update – The current Reserve Bank of Australia (RBA) cash rate has been 4.35% since 11 August 2023. The next RBA meeting is scheduled for the 9-10 December 2024.

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

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

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

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

**9.13 Investment Report - October 2024 (Ref: ; Author: Monaghan/Montgomery)
(Continued)**

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

On 31 October 2024, Council held \$127 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, 18/11/2024.

The Investment Policy is due for review in April 2025.

Financial, Budget and Resource Implications

For July to October 2024 Council's portfolio produced an annualised rate of return of 6.31%, outperforming the benchmark Bank Bill Index by 1.86%.

On 31 October 2024, Council's Investment portfolio was \$292,555,058.

Council's investment return as at the end of October 2024 was \$4,756,469 compared to the original budget of \$1,762,500. The majority of this income is restricted to water, sewer and waste funds, and developer contributions. Investment returns are being monitored and may result in a budget adjustment.

Of the total \$288.5 million investment portfolio, Council holds \$32.2 million in the TCorpIM long-term growth fund (LTGF) and medium-term growth fund (MTGF).

The LTGF issued a special distribution in July 2024 of \$309,925 and \$220,542 in September and the MTGF issued a special distribution in September of \$270,524 which was reinvested into the funds.

**9.13 Investment Report - October 2024 (Ref: ; Author: Monaghan/Montgomery)
(Continued)**

For October 2024 the LTGF returned negative \$80,792 and the MTGF returned negative \$77,180. 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 | 1,819,166 | 730,982 |
| 2024-25 | | |
| July | 539,422 | 228,229 |
| August | 74,169 | 13,828 |
| September | 244,071 | 90,738 |
| October | -80,792 | -77,180 |
| 2024-25 YTD Total | 776,870 | 255,615 |
| Return since inception | 7,709,138 | 2,457,562 |
| Initial Placement | 12,000,000 | 10,000,000 |

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

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

Council's cash and investment balance is made up of restricted and unrestricted funds. Restrictions can be external e.g. Developer Contributions, or internal e.g. 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 table shows the 31 October Cash and Investments balance by fund and by restriction:

| Fund | \$ |
|-------------------------------------|--------------------|
| General | 96,021,575 |
| Waste | 22,321,916 |
| Water | 65,381,384 |
| Sewer | 106,614,502 |
| Unrestricted* | 2,215,682 |
| Total Cash & Investments | 292,555,058 |

9.13 Investment Report - October 2024 (Ref: ; Author: Monaghan/Montgomery)
(Continued)

| Restriction | \$ |
|---|--------------------|
| Unexpended Loans | 592,689 |
| Developer Contributions | 74,149,281 |
| Unexpended Grants | 29,888,121 |
| External Restrictions (Other) | 160,290,350 |
| Internal Restrictions | 19,549,391 |
| DOE – Compensation | 5,869,545 |
| Total Restrictions | 290,339,377 |
| Unrestricted* | 2,215,682 |
| Total Cash & Investments | 292,555,058 |

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

Attachments

Attachment 1 Investment Report Pack (*Under Separate Cover*)



9.14 Sale of Land for Unpaid Rates (Ref: ; Author: Monaghan/Robinson)

File Reference: 43.2.2-01

Recommendation

That Council:

- 1. Proceed with the sale of land for unpaid rates for eligible properties as attached to this report.**
 - 2. Delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:**
 - a. To withdraw from sale of any property that, prior to commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full; or a suitable payment arrangement has been agreed to and entered into including a suitable upfront payment being made.**
 - b. To withdraw any property from sale for technical or legal reasons.**
 - c. To set reserve prices for sale of the properties at auction.**
 - d. To negotiate by private treaty and accept offers for sale of any property that fails to sell at auction.**
 - e. To execute sale and purchase contracts, and property transfer documents, under Council's Common Seal.**
 - f. To write off residual rates outstanding due to shortfall in sale for individual properties.**
-

Summary

The final step in the debt recovery process for unpaid rates is the sale of the land. This process occurs when all other recovery actions have been exhausted.

A Council may sell land to recover unpaid rates and annual charges if the total annual amount has remained unpaid for more than five years.

Background

At the June Council meeting, Council received an information report outlining the proposed process and timetable for the sale of land for unpaid rates. At that time there were 48 properties that met the criteria and were eligible to be sold for unpaid rates with a total amount owing of \$1,135,507.

All of the ratepayers were notified in writing of Council's intent to include their property for auction for unpaid rates. Eight ratepayers have either paid in full or made suitable payment arrangements and the remainder have not made any contact or have broken payment arrangements.

Report

The proposed timetable and process for sale of land for unpaid rates is provided as an attachment to this report.

This report recommends that the attached list of properties be sold for unpaid rates. An auctioneer would be appointed, and the properties would be advertised for sale in February 2025 for an auction in May. Staff would continue to work with all the affected owners for an alternative method for payment up until the date of sale.

Council would receive another report in January with further details about all of the property debts, the advertising process and the appointment of an auctioneer.

Risk/Policy/Legislation Considerations

S713(2) of the Local Government Act 1993 allows for a Council to *sell any land (including vacant land) on which any rate or charge has remained unpaid for more than 5 years from the date on which it became payable.*

S713(3) of the Act provides essential prerequisites for any land sale under this section, including notification and certification processes by the Council and the General Manager.

Council's Debt Recovery Policy sets out the debt recovery processes that Council follows to afford as much opportunity as possible to make other payment arrangements or utilise hardship provisions so that the sale of land for unpaid rates is only used as a last resort.

Financial, Budget and Resource Implications

The total amount of rates and annual charges outstanding for the list of 40 properties is \$1,059,791.64. Interest is accruing at a rate of 10.5% on the outstanding rates and annual charges.

The total estimated cost to manage the project, including meeting all statutory requirements, advertising, notifications, staff time, and auctioneer is \$150,000. All costs are recoverable – if the property sales recover enough money to satisfy all rates, charges and expenses.

If the property sales are insufficient to satisfy all amounts owing, the amount available is divided between the debts for all properties sold in proportion to the amounts owing and the debts are taken to have been fully satisfied.

If the property sales recover more than the amounts owing, any balance is paid into council's trust fund and held by council in trust for everyone having an estate or interest in the land immediately before the sale.

Links to QPRC/Regional Strategic Plans

Our community is service by an efficient, effective and innovate Council.

9.14 Sale of Land for Unpaid Rates (Ref: ; Author: Monaghan/Robinson) (Continued)

Conclusion

Under Section 713 of the Local Government Act, Council has the authority to sell land to recover unpaid rates and charges. The sale of any land to recover unpaid rates and charges that have been outstanding for the legislated period of five years or more is regarded as a last resort measure to be undertaken only after all other debt recovery actions have been taken.

Attachments

- Attachment 1 Properties for sale of land for unpaid rates (*Under Separate Cover*) -
CONFIDENTIAL
- Attachment 2 Sale of Land Timetable (*Under Separate Cover*)



9.15 Valuer General's Cancellation of Commonwealth Land (Ref: ; Author: Monaghan/Robinson)

File Reference: 43.2.1-25

Recommendation

That Council:

1. Note the write-down of general rates income of \$85,283 for 2023/24 and \$100,642 for 2024/25 due to the NSW Valuer General decision to remove the rateable value of Commonwealth Land.
 2. Note there are a further 28 Commonwealth properties that are expected to be affected by the same decision.
 3. Write to the NSW Valuer General to request a review of the decision to apply the change retrospectively.
 4. Write to the Federal Member for Local Government, to request alternate funding to compensate Council for the lost general rates revenue estimated to be \$191,000 from 2025/26.
-

Summary

The NSW Valuer General (VG) has written to NSW Councils advising that all Commonwealth owned property will no longer have a rateable value, and Councils will lose any rates income associated with those properties.

The change has been made retrospectively to apply from 1 July 2023, and would require Councils to refund rates to the Commonwealth Government for 2023/24 and 2024/25.

Background

Council received notification on 24 October 2024 from the VG that forty-three Commonwealth owned properties have been removed from the valuations register.

The correspondence has provided very little information except that the VG has stated that *“Commonwealth owned land is not liable for rates or taxes therefore it is not required to be valued under the Valuation of Land Act 1916 (the Act). These valued entries will be cancelled from the Register and replaced with new non-valued entries to account for the lots and deposited plans.”*

Council subsequently received a supplementary valuation on 27 October 2024 with forty-three land value cancellations, backdated to 1 July 2023. This base date meant that Council has had to reverse the general rate charges for two financial years.

Report

QPRC charges general rates for 68 Commonwealth properties; with 66 of those being Defence Housing. Commonwealth Land is not exempt from general rates under the Local Government Act 1993, and the total rates collected from the properties is approximately \$162,000.

9.15 Valuer General's cancellation of Commonwealth Land (Ref: ; Author: Monaghan/Robinson) (Continued)

The supplementary valuations issued by the VG for 43 properties have resulted in lost general rate income of \$85,283 (2023/24) and \$100,642 (2024/25). These properties will continue to be charged for services including water, sewer and waste.

There are twenty-eight further Defence Housing Properties in the rating system that the VG has not yet cancelled.

Other NSW Councils have received similar correspondence and are affected to different extents. Revenue Professionals NSW is an industry membership body that is working on behalf of Councils to collect data to understand the full impact of the change.

Risk/Policy/Legislation Considerations

The VG has not provided context for the reason for the change of policy or the timing of the change.

It is possible that the change relates to section 114 of the Commonwealth constitution. The Commonwealth can't tax the assets of the state and vice versa. Section 114 provides that the Commonwealth cannot tax state property, nor States tax Commonwealth property, without the consent of the other. The Commonwealth is exempt from some state taxes, such as land taxes and stamp duties, being taxes on property.

In the case of local council rates, the Commonwealth claims exemption from rates, but "contributes" to local government in the form of grants to at least cover services provided, such as electricity, sewerage, rubbish disposal and the like, but not for road works, parks or general administrative expenses.

The reference to "contributes" is known as ex gratia rates. The leading cases to do with this are to cases involving Clarence City Council against the Commonwealth. The case involved Hobart airport which is located within the Council area. Run in parallel were cases by Northern Midlands Council regarding Launceston airport. There is various case law that ran between 2019 and 2024.

In February 2024 Clarence City Council lost its appeal and the Federal Court held that:

By operation of ss 52 and 114 of the Constitution, the Councils do not have power to levy rates or charges in respect of the sites covered by the Airports, because the sites are owned by the Commonwealth.

The Federal Court's decision in the Clarence City Council case has significant implications for other local councils in Australia:

- **Reinforcement of Exemptions:** The ruling reinforces that Commonwealth land, including airports, remains exempt from council rates. This means councils cannot charge rates on such properties.
- **Financial Implications:** Councils may face financial challenges as they cannot rely on rate payments from Commonwealth properties. This could affect their budgets and the funding available for local services.
- **Need for Alternative Funding:** Councils might need to seek alternative funding sources or negotiate different arrangements with the Commonwealth or lessees to cover the costs of services provided to these properties.

This decision sets a precedent that could influence future disputes involving council rates and Commonwealth land across Australia.

9.15 Valuer General's cancellation of Commonwealth Land (Ref: ; Author: Monaghan/Robinson) (Continued)

Financial, Budget and Resource Implications

Once the VG has issued the remaining supplementary valuations capturing all 68 Commonwealth properties, Council can confirm the total general rates that will be refunded to the Commonwealth. Based on the initial land value cancellations, if the approach is consistent, it appears that Council will refund all Commonwealth rates for 2023/24 and 2024/25.

The value of the lost general rates revenue from 2025/25 is approximately \$191,000.

Links to QPRC/Regional Strategic Plans

Our community is serviced by an efficient, effective and innovative Council.

Conclusion

Council has been impacted by the decision by the NSW Valuer General in exempting Commonwealth properties from having rates attributed to Defence Housing Properties.

It is recommended that the rates be adjusted, and that Council write to the NSW Valuer General to request a review of the decision to apply the change retrospectively and advocate to the Federal Minister Local Government, to request alternate funding to compensate Council for the lost general rates revenue estimated to be \$191,000 from 2025/26.

Attachments

Attachment 1 Notification from Value NSW (*Under Separate Cover*)



9.16 State of our Region Report 2021-2024 (Ref: ; Author: Monaghan/Gregory)

File Reference: 51.1.3-01

Recommendation

That Council endorse the State of our Region Report 2021 to 2024.

Summary

The State of Our Region Report for the Council Term 2021 to 2024 is presented for Council consideration and endorsement.

Background

The State of our Region report is produced every four years at the end of each term of Council. In the report, Councils are required to report on how effective their Delivery Program has been in achieving the goals set out in the Community Strategic Plan, in accordance with the Integrated Planning and Reporting Guidelines.

Report

The State of our Region report highlights the key initiatives achieved during the three year Council term from 2021 to 2024. It discusses the challenges and outcomes in areas such as community well-being, economic development, infrastructure, and environmental sustainability. The report is a tool for assessing Council's progress in advancing the priorities of our community, measuring the effectiveness of Council's strategies, and identifying priorities for future planning and organisational development.

Risk/Policy/Legislation Considerations

Councils must prepare a State of our Region Report to report on the progress of implementation and effectiveness of the Community Strategic Plan. This report must be endorsed by the newly elected council, as per clause 428(2) of the Local Government Act (1993). Whilst referred as the State of our City Report, we have chosen a more representative title for Queanbeyan Palerang Regional Council being the Region.

This report provides a documented record on Councils progress in implementing the Community Strategic Plan over the previous four years, It looks at the outcomes and results for the community and council, as a result of activities undertaken. It is required to be tabled at the second Council meeting of the incoming Council and included in the Annual Report due 30 November in which the ordinary election is held.

Whilst not this Council's second meeting, the guidelines assume Council's generally have one meeting per month. It is however before Council prior to 30 November, and the Annual Report is presented to Council in a separate business paper item.

This report must also comply with section 406 of the Act and all subsequent requirements in the Integrated Planning and Reporting Guidelines 2021; as outlined on the Office of Local Government (OLG) website:

<https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/>

**9.16 State of our Region Report 2021-2024 (Ref: ; Author: Monaghan/Gregory)
(Continued)**

Financial, Budget and Resource Implications

There are no financial implications of Council endorsing this report.

Links to QPRC/Regional Strategic Plans

The State of our Region Report outlines the progress made by the QPRC community towards achievement of the Vision as established in the Community Strategic Plan, as well as each of their strategic objectives.

The State of the Region Report is aligned to Strategic Pillar No 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

- 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 State of our Region Report provides a snapshot of the progress made in the previous Council term and serves as a hand-over to the newly elected Council, to continue to progress the community vision and objectives.

Subject to Council endorsement, it will be placed on Council's website and the OLG notified of Council meeting this reporting requirement.

Attachments

Attachment 1 State of Our Region Report 2021 - 2024 (*Under Separate Cover*)



File Reference: 51.1.2-04

Recommendation

That Council:

- 1. Endorse the Annual Report 2023-24.**
 - 2. Notifies the Minister for Local Government of Council's decision.**
-

Summary

The QPRC Annual Report 2023-24 has been prepared in line with the Integrated Planning and Reporting Framework requirements. This report presents the Annual Report for endorsement.

Background

The Annual Report is one of the key ways Council demonstrates accountability to the community. It reports Council's performance against the four year Delivery Program and the annual targets set out in the Operational Plan 2023-24. It will be published with the Audited Financial Statements and the State of the Region Report for the year ended 30 June 2024.

Report

The Annual Report is a legislative requirement, but it also gives the community an overview of Council's strategic priorities, and confidence we are delivering on our plans. Our demonstrated commitment to transparency, accountability and strong governance builds trust with key stakeholders.

The Annual Report is made up of two main sections:

1. Reports on the progress of major projects, key performance indicators and against Operational Plan actions.
2. Statutory Report as required by the Local Government (General) Regulation 2021 and other legislation.

Risk/Policy/Legislation Considerations

The Local Government Act 1993 requires NSW councils to publish an annual report by 30 November each year. The Integrated Planning and Reporting Guidelines require the annual report to be endorsed by Council.

The QPRC Annual Report has been prepared in line with the Integrated Planning and Reporting requirements and the standards set out in section 428 of the Local Government Act 1993.

Financial, Budget and Resource Implications

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

Links to QPRC/Regional Strategic Plans

Council is an open, accessible and responsive organisation.

Conclusion

The information in the Annual Report accounts councils progress towards the actions set out in the Operational Plan and the Delivery Program. The Audited Financial Statements and the State of the Region Report have been separately endorse and will be published together.

Attachments

Nil

10.1 Quarterly Rates and Charges Outstanding Report (Ref: ; Author: Monaghan/Robinson)

File Reference: 43.2.2-01

Recommendation

That the report be received for information.

Report

This quarterly report provides an update on the progress of Council's current rates outstanding and our debt management processes.

Council levies rates and annual charges in July for the full financial year. At that point in time 100% of rates are outstanding. Throughout the year, as rates are paid at instalment dates, the outstanding ratio is reduced.

The total rates and annual charges levied as at 1 July 2024, for the 24/25 financial year was \$111,292,369. As at 30 September 2024, Council's Rates and Annual Charges outstanding percentage is 68%.

By reviewing the trends on this ratio, we can see how rate payments are progressing and whether Council's debt management policy and processes are performing as expected.

| Rates and Annual Charges Outstanding | | | | | | | |
|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
| July | 97.07% | 97.66% | 97.75% | 82.99% | 89.20% | 97.63% | 93.28% |
| August | 75.57% | 75.15% | 90.33% | 71.46% | 69.52% | 80.39% | 74.81% |
| September | 67.29% | 66.85% | 71.27% | 63.59% | 63.34% | 70.90% | 68.00% |
| October | 65.08% | 63.92% | 63.66% | 59.60% | 58.67% | 64.57% | |
| November | 52.42% | 52.26% | 50.32% | 49.72% | 47.81% | 51.98% | |
| December | 46.27% | 45.85% | 45.19% | 43.21% | 43.42% | 48.82% | |
| January | 44.02% | 44.23% | 44.00% | 40.37% | 40.25% | 45.85% | |
| February | 31.71% | 33.78% | 32.61% | 28.33% | 29.80% | 31.14% | |
| March | 26.34% | 27.23% | 26.19% | 24.77% | 24.26% | 27.63% | |
| April | 24.32% | 24.12% | 23.43% | 22.99% | 22.95% | 24.28% | |
| May | 12.85% | 15.58% | 14.54% | 12.02% | 10.77% | 10.75% | |
| June | 7.82% | 9.47% | 9.21% | 8.41% | 7.75% | 8.7% | |

The OLG benchmark for outstanding rates as at 30 June is <10%.

10.1 Quarterly Rates and Charges Outstanding Report (Ref: ; Author: Monaghan/Robinson) (Continued)

The overdue amounts fall into the following stages of the collection process.

| | Number | Amount Outstanding |
|---------------------------------------|--------|---------------------|
| Reminder notices | 6,225 | \$12,000,713 |
| Hardship & financial assistance | 120 | \$953,518 |
| Payment plans | 2,107 | \$3,343,773 |
| Debt Recovery – support without legal | 366 | \$2,137,095 |
| Debt Recovery – legal | 103 | \$1,829,437 |
| | | \$20,264,536 |

Reminder Notices

6,225 reminder notices were issued at 19 September 2024 as detailed below.

| | Arrears | First Instalment | Interest | Total |
|---------|-------------|------------------|-----------|--------------|
| Total | \$5,933,857 | \$5,178,259 | \$888,597 | \$12,000,713 |
| Average | \$953 | \$832 | \$143 | \$1,928 |
| Highest | \$121,960 | \$22,349 | \$38,883 | \$163,700 |
| Lowest | <\$1 | \$57 | <\$1 | \$200 |

Hardship and Financial Assistance Policy

Not included in the above; are those residents who have sought relief via Council's Financial Hardship Policy, in place to assist ratepayers who are experiencing genuine financial hardship. Council has approved 120 Financial Hardship applications. Residents who have sought Financial Hardship, are on payment plans and interest is waived, which may include Water Rates.

| | Rates & Annual Charges | Water Consumption | Total |
|--------------------|------------------------|-------------------|-----------|
| Amount Outstanding | \$825,307 | \$128,211 | \$953,518 |
| Average | \$3,527 | \$252 | \$3,780 |

Section 564 of the Local Government Act 1993 provides that Council may enter into a formal agreement with a ratepayer eligible for periodic payments for rates and charges that are due and payable.

Payment Plans

As at 30 September 2024, Council has 2,107 payment arrangements in place addressing \$3,343,773 of outstanding rates and annual charges.

| | Rates & Annual Charges | Water Consumption | Total |
|--------------------|------------------------|-------------------|-------------|
| Amount Outstanding | \$3,157,837 | \$185,936 | \$3,343,773 |
| Average | \$3,530 | \$253 | \$3,783 |

**10.1 Quarterly Rates and Charges Outstanding Report (Ref: ; Author:
Monaghan/Robinson) (Continued)**

Recovery Action

Accounts with our two recovery agencies total \$3.96 million.

Council has engaged Recoupa to provide support to ratepayers, including independent financial advice, and Recoveries and Reconstruction (R&R) to pursue legal action on accounts that remain outstanding after notices and requests and where no other payment arrangements have been made.

Recoupa is supporting currently 366 individual ratepayers and their accounts, and R&R; 103 accounts.

| Recoupa | Rates & Annual Charges | Water Consumption | Total |
|--------------------|-----------------------------------|--------------------------|--------------|
| Amount Outstanding | \$1,938,397 | \$198,698 | \$2,137,095 |
| Average | \$3,546 | \$258 | \$3,804 |

| R&R | Rates & Annual Charges | Water Consumption | Total |
|--------------------|-----------------------------------|--------------------------|--------------|
| Amount Outstanding | \$1,543,259 | \$286,178 | \$1,829,437 |
| Average | \$3,550 | \$269 | \$3,819 |

Attachments

Nil

**10.2 Implications for Council on Recent Announcements from State Government
Regarding New Housing Delivery Authority (Ref: ; Author: Ormella/Coe)**

File Reference: 26.1.3

Recommendation

That the report be received for information.

Report

On Friday 15 November 2024, the NSW Government announced its intention to introduce a 'new state-led approval pathway for major residential housing projects'. This new pathway will be overseen by the newly created Housing Delivery Authority (HDA) and will sit under the umbrella of the Department of Planning, Housing and Infrastructure (DPHI). The media release is available on the NSW Government website:

<https://www.nsw.gov.au/media-releases/nsw-government-to-launch-new-housing-delivery-authority-to-boost-housing-supply>

The HDA will have the authority to rezone and centrally assess significant residential projects and the Minister for Planning and Public Spaces will be the consent authority rather than a local council, regional planning panel or Independent Planning Commission. The government is able to change the consent authority for developments (without parliamentary approval) by amending the State Environmental Planning Policy (Planning Systems) 2021.

This new development stream would be available for new housing developments above an estimated development cost of:

- \$60 million in Greater Sydney and
- \$30 million in regional NSW.

Alongside development determinations, selected projects with significant housing potential will undergo a DPHI-led fast-track rezoning process, allowing simultaneous rezoning and development assessment.

With details on the scheme yet to be released, the Premiers' announcement proposes that projects of scale will not automatically qualify for this new pathway, but instead will be selected by the HDA through an expression of interest process. There will be consultation with stakeholders, however the government has indicated that this will be short, and the proposed reforms will come into effect in early 2025.

It is likely that Council will not be required to assess as many large residential projects that otherwise would be determined by the regional planning panel. This will benefit our own capacity and opportunity to further improve assessment time frames for local development.

As more details of the proposed changes and expression of interest criteria are released Council will be provided more updates. What is important will be for Council to ensure that planning strategies and structure plans are current and up to date.

Attachments

Nil

10.3 Waste Management Strategy Review - Commencing Community Consultation
(Ref: ; Author: Duff/Browne)

File Reference: 34.2.3

Recommendation

That the report be received for information.

Report

Council's Waste Management Strategy 2019-2049 was adopted by Council on 30th of June 2021 and provides a blueprint for waste and resource management in the Local Government Area (LGA) over the next 30 years (**Resolution No. 175/21**).

The strategy contains initiatives including the standardisation of waste services following the amalgamation of the former Queanbeyan City and Palerang Shire Councils', along with infrastructure and service improvements over the short, medium and long term.

The strategy also aligns broadly with the objectives of the CRJO Regional Waste and Sustainable Materials Strategy, along with the NSW Waste and Sustainable Materials Strategy 2041.

A review of the strategy is timely as it coincides with the establishment of a dedicated waste services team within Council's Infrastructure Services Directorate. The review also ensures our community, and the Council are provided the opportunity to be engaged in waste management and minimisation challenges, opportunities for recycling and reuse businesses.

Consultancy firm MRA Consulting Group have been engaged to help prepare the strategy, with feedback from consultation and engagement activities assisting in the development of appropriate actions for both our rural and urban communities.

It is proposed to adopt a consultation plan that acknowledges the difference in provision of waste services between rural and urban communities.

Commencing in early December, Council staff will be meeting directly with communities throughout our region to obtain their feedback of waste management issues that are specific to their circumstances. This first stage consultation is intended to be a listening opportunity. Residents and groups will be invited to discuss issues of concern in relation to waste services and suggest potential solutions in an open forum. Council staff will facilitate the meetings and record the matters raised.

Details will be made available via our usual communication channels, contacts with our S355 Committees, Hall and locality groups when dates are confirmed. A Waste Strategy Fact Sheet including issues affecting rural communities is attached to this report.

The strategy will recognise that rural communities have specific challenges for consideration. This includes the option of providing a bulk hard waste drop off service as requested by Council (**Resolution No 397/24**) for rural properties.

It is also proposed to engage more broadly with the community via online platforms to obtain input from urban residents, business, industry and the construction sector.

**10.3 Waste Management Strategy Review - Commencing Community Consultation
(Ref: ; Author: Duff/Browne) (Continued)**

A range of options will be developed and modelled, with financial analysis presented back to Council and the community in draft form and placed on public exhibition in April 2025. After further community input a revised strategy will be ready for Council adoption by June 2025.

Attachments

Attachment 1 Waste Strategy Fact Sheet (*Under Separate Cover*)



10.4 Post-Exhibition Report: Mobile Library Survey (Ref: ; Author:
Richards/McGowan)

File Reference: 3.2.1

Recommendation

That the report be received for information.

Report

The Queanbeyan-Palerang Regional Council mobile library visits 10 communities over a two-week recurring schedule. It contains a wide selection of library materials for all age groups.

Members of the community can reserve items from Bungendore, Braidwood and Queanbeyan libraries and collect these from the mobile library when it visits. Printing and photocopying facilities are also available on the bus.

The mobile library visits:

- Wilkins Park, Captains Flat
- Captains Flat Preschool
- Burra Community Hall
- Wamboin Community Hall
- Fernleigh Park Community Hall
- Goodstart Early Learning Centre, Jerrabomberra
- Araluen Federal Hall
- Majors Creek Post Office
- Gundillion Public Hall
- Nerriga Hall
- Braidwood Multi Purpose Service

Discontinuing the mobile library service was identified as a cost saving measure in the 2022 Organisational Service Review.

As part of the Queanbeyan-Palerang Regional Council's Library Strategy, a community survey was conducted to assess satisfaction, usage patterns, and improvement opportunities for the mobile library service. The survey was conducted in April and May 2024. The survey was important to identify if the current service level was meeting community expectations.

The survey results demonstrate the mobile library's significant role in connecting rural and remote communities to library and Council services.

Of 65 respondents (one person completed two surveys), 48 currently use the service and 18 do not. Reasons for non-usage included access to local libraries, lack of awareness, or inconvenient scheduling. The feedback underscores the need for clearer service communication and targeted outreach.

- Frequency of Visits: 25 respondents use the service once a fortnight, while others use it monthly or occasionally noting that some stops are visited fortnightly and others monthly.

10.4 Post-Exhibition Report: Mobile Library Survey (Ref: ; Author: Richards/McGowan) (Continued)

- **Barriers:** Among infrequent users, reasons included not being in the area during visits, use of other library branches, and preference for digital resources.
- **Location:** patrons at Burra Community Hall and Gundillion Public Hall completed the most surveys which is reflected in visitation stats. Other key stops that had a high response rate were Captains Flat and Araluen.
- **Services Used:** Top services include browsing the shelves on the mobile (39 responses), interacting with library staff (31) and reserving items to collect on the mobile for future visits (29)
- **Additional Council Services:** Respondents showed interest in using the mobile library to access Council services, such as bill payments, event ticketing, and local history assistance.
- **Information Sources:** Word of mouth, direct staff communication, the library website, and Facebook were the most common ways respondents received updates on the mobile library.
- **Reserving items for collection at future mobile library visits:** Of 62 responses, 28 respondents use the self-service approach of using the library catalogue online to request items, while 30 prefer reserving in person.

Other themes and opportunities from the survey were:

- **Satisfaction:** Many appreciated the service, praising the accessibility and friendly staff.
- **Marketing and Communication:** Looking at other avenues to further promote and market the mobile library service community newsletters, local notice boards, and social media. The importance of local community contacts was highlighted in the results.
- **Collection:** Enhancing the experience by regularly rotating books, adding popular titles, and expanding children's book offerings
- **Community Engagement:** Identifying opportunities to host events, children's programs, and offering digital assistance at mobile library stops.
- **Other Council services Working with Customer Service to identify what services could be trialled on the mobile library including**
 - paying rates, fees and charges
 - pet registration
 - sharing Council information about events, initiatives and community engagement regarding strategies and policies.
 - Receiving feedback on all Council services.

The State Library of NSW recommends and acknowledges that in rural and remote communities, where population density is low, mobile libraries fulfil an important social need as a meeting place, and distribution point for local community information. This has been reflected in the survey results where connection with community and library staff is highly valued.

10.4 Post-Exhibition Report: Mobile Library Survey (Ref: ; Author: Richards/McGowan) (Continued)

Data indicates that mobile library usage has rebounded well since COVID.

| Financial Year | Total hours open per week (excluding preparation and travel) | Number of locations served | Number of visitors |
|----------------|--|----------------------------|--------------------|
| 2023-2024 | 5.9 | 11 | 1,254 |
| 2022-2023 | 2.88 | 8 | 487 |
| 2021-2022 | 3.75 | 10 | 541 |
| 2020-2021 | 4.7 | 9 | 947 |
| 2019-2020 | 6 | 17 | 1,623 |

Over time, the number of locations has reduced due to a lack of visitor attendance in some areas. This has also impacted preschools and early year centres in Googong, Jerrabomberra, Carwoola and Hoskinstown who previously had visits from the mobile library when it was nearby.

The mobile library is an integral service that reaches our most rural and remote residents. Library staff are often the only Council worker that they meet on a regular basis. The survey results reinforce the significant role the service provides in connecting rural and remote communities to library and Council.

Library staff have prepared the mobile library calendar for February to April 2025 and will share this with the community shortly.

Libraries will use the data from this survey to make improvements to the service including:

- Ensuring collection is rotated regularly.
- Working with Communications team to share Council information on the mobile.
- Working with the Customer Service team to provide Council services on the mobile.
- Exploring other avenues to promote and market the service to residents in the area.
- Identifying opportunities to deliver workshops and training in rural and remote locations. This may include the mobile library attending special events held during the year.
- Continuing to work with local residents and groups to seek feedback.

Mobile Library operations is an annually budgeted project. \$30,300 has been allocated in the 2024/25 Operation Plan.

A replacement for the current vehicle may be required in future years.

Attachments

Attachment 1 Community Report - Mobile Library Survey (*Under Separate Cover*)



10.5 Evaluation Report - Extended Hours Trial QPRC Libraries for HSC Students
(Ref: ; Author: Richards/McGowan)

File Reference: 3.2.1

Recommendation

That the report be received for information.

Report

At the 14 August 2024 meeting Council resolved (**Resolution No 398/24**) to trial extending the opening hours of library branches two nights a week for senior secondary students during the High School Certificate (HSC) study period of 10 weeks (2 September to 8 November).

Due to resourcing restraints, staff were only able to open one night a week at each library branch until 8pm.

- Braidwood on Tuesdays (closed on 24 September due to staffing unavailability)
- Bungendore on Wednesdays
- Queanbeyan on Thursdays

Volunteers were approached, specifically in Braidwood, to assist with keeping the library open and supporting the students during study. Unfortunately, they declined for capacity reasons. For operational reasons, a minimum of one staff member was required to be on-site at all times.

The trial of opening libraries for extended hours during the HSC study period was promoted widely in social media, posters and QPRC Newsletter.

There was very low use of the libraries for HSC study during the extended hours trial. For the entire period across all three locations there were 10 teens and 66 other users. The 66 other users were not HSC students but were adults who had heard the libraries were open.

There were eight information requests made to staff during the trial (library-specific questions) and 12 customer service requests (administration and directional questions).

Below are the total attendances:

| | Braidwood | Bungendore | Queanbeyan | Total |
|--|------------------|-------------------|-------------------|--------------|
| Number of evenings open | 9 | 10 | 10 | 29 |
| Number of teens | 4 | 0 | 6 | 10 |
| Number of other visitors | 7 | 16 | 43 | 66 |
| Total | 11 | 16 | 49 | 76 |
| Number of evenings when zero teens attended | 7 | 10 | 5 | 22 |
| Number of evenings when zero people attended | 2 | 3 | 0 | 5 |

10.5 Evaluation Report - Extended Hours Trial QPRC Libraries for HSC Students (Ref: ; Author: Richards/McGowan) (Continued)

Library staff also made a few comments during the trial. The key messages were:

- Queanbeyan: most adults in attendance were using our public computers.
- Braidwood: teens were playing videogames on our public computers.
- Bungendore: community members were picking up and returning library items.
- Heritage Library: HSC students enjoyed using this space to study during regular opening hours.

The trial impacted library operations as both permanent and casual staff were redirected to serve this initiative. This increased the use of casuals both during the day and in the evening. There were several library programs that were put on hold (including an intergenerational story time program) due to staff resources.

The cost for use of casuals during the trial was \$3,778. There was no additional cost for permanent staff as they simply arrived later in the day to be able to work evening shifts.

Library staff collaborated with Council's Community Development team to prepare 75 HSC study bags that were handed out to HSC and other students in the LGA. The bags included refreshments, study tips, pamphlets, pencils and notepads. This was funded by a Community Drug Action Teams (CDAT) grant. They were appreciated by students who were studying in the library during the day as well those who attended the evening sessions.

What was evident across all branches as there was more people who stayed later than normal closing time who left before 6pm. Staff will prepare a report for Council to consider opening into the evening for all community in the future based on further engagement and feedback.

Attachments

Attachment 1

Queanbeyan-Palerang Libraries - Evening Statistics (*Under Separate Cover*)

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

File Reference: 27 November 2024 reports

Recommendation

That the report be received for information.

Councillor workshop items are published in the Agenda of the next Council meeting. On 13 November 2024, the following workshops were held:

| Date | Workshop Items | External Presenter/s (if applicable) |
|------------|---|---------------------------------------|
| 13/11/2024 | 1. Bungendore Highschool Presentation by Schools Infrastructure NSW (SINSW) on the preliminary concept plans for the new Bungendore Highschool on Birchgrove Avenue, community engagement and consultation, and plans to accommodate student numbers and school needs in the temporary Highschool in 2025 and 2026; at the Primary School and 4-10 Majara Street. | Tom Kennedy from SINSW |
| | 2. Queanbeyan Animal Management Facility Officers briefed on the critical work that has been undertaken at the Animal Management Facility since closure due to Parvo-virus outbreak. The works needed to re-open were explained. It was confirmed that Animal Management Officers are continuing to meet Council's statutory obligations under the Companion Animals Act 1998. | N/A |
| | 3. Baytree Solutions Discussion on the results and analysis of the QPRC Staff Culture Survey and Workshops conducted in July and August 2024. | Daniel Killaly from Baytree Solutions |
| | 4. Naming of Queanbeyan Council Chambers Community feedback on the proposal to name the Council Chambers, the WB Freebody Council Chambers. | N/A |

Attachments

Nil

12.1 Notice of Motion - Urban Forest and Cooling Strategy (Ref: ; Author: Willis/Willis)

File Reference: Notice of Motions 27 November 2024

Notice

Councillor Willis will move the following motion:

Motion

That Council:

1. Note:

- a. **The Urban Forest and Cooling Strategy (December 2021) was adopted by QPRC on 23 March 2022 (Resolution 121/22).**
- b. **The strategy commits Council to work with the community to achieve its objectives.**
- c. **Presently, there is no budget allocation to support implementation, monitoring and reporting on progress of the Urban Forest and Cooling Strategy.**

2. **Receive a report on opportunities for Council to work with established local groups to achieve the objectives of the Urban Forest and Cooling Strategy with particular reference to maximising staff and volunteer efforts through a more coordinated approach to on-ground work.**
-

Comment from Cr Willis in support of this Notice of Motion

Council's Urban Forest and Cooling Strategy (the Strategy) has the potential to improve biodiversity, residential amenity, and associated human wellbeing. It can also mitigate the risks of extreme heat arising from accelerated global warming.

Implementing the strategy is particularly important given rising summer temperatures and the length of time it takes to generate measurable outcomes.

Mapping of urban heat across QPRC in 2019-20, using grant funds, showed that the urban landscape in Googong, Queanbeyan and Bungendore was over two-degrees warmer than the surrounding natural landscape.

Increasing and protecting the tree canopy is one of the most effective ways to reduce warming in urban areas.

Harnessing the active community of volunteers across Queanbeyan-Palerang local government area to achieve the strategy's goals is critical to making progress.

Once Council and volunteer groups agree on priority activities and plan when they should happen, volunteer groups can seek grant funds to conduct those activities.

**12.1 Notice of Motion - Urban Forest and Cooling Strategy (Ref: ; Author: Willis/Willis)
(Continued)**

Strategy 1

Queanbeyan-Palerang has an active community of volunteers engaged in caring for the natural environment (.idcommunity 2021b), including participating in existing programs that support the urban forest such as National Tree Day planting activities. Volunteers provide an invaluable service to our community, one that is increasingly being recognised (Volunteering Australia 2020). To support the vision of this Strategy it is necessary to take a coordinated approach to volunteer efforts to ensure volunteer time and energy is effectively spent and maximised.

Staff Comment

Council staff have not had time to provide detailed comment on this Notice of Motion.

A report reviewing the Urban Forest Cooling Strategy (UFCS) is planned in the current work program for early 2025. Officers have undertaken the first stage of the review of the actions, with work still required on the recommendations and quantifying the resource implications of various actions, who owns the actions, from community to Council.

Many of the actions in the UFCS relate to community involvement and the report will make further recommendations on enhancing existing and building new relationships with community groups to provide a more coordinated approach to works relating to the UFCS.

As noted in the motion, there is a need to understand the budget and resource implications of recommendations and future work.

Attachments

Nil

12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell (Ref: ; Author: Willis/Willis)

File Reference: 24.4.1-36 / Notice of Motions 27 November 2024

Notice

Councillor Willis will move the following motion:

Motion

That Council:

- 1. Note the NSW Government has offered private landholders at Captains Flat limited access to the containment cell for disposal of contaminated soil from their own properties.**
 - 2. Reject the timeframes for the disposal of contaminated soil at the containment cell as unreasonable, unrealistic and, therefore, unacceptable.**
 - 3. Request an urgent meeting with the Premier's Department and Legacy Mines to agree on a more realistic timeframe for access to the containment cell or the construction of a second containment cell that will be available to residents under more realistic timeframes.**
-

Comment from Cr Willis in support of this Notice of Motion

The NSW Government has agreed to make a containment cell at Captains Flat available to private landholders for disposal of contaminated soil but has imposed a completely unrealistic timeframe on those landowners.

To dispose of contaminated material in the containment cell, a private landowner would need to make a development application or plan for remediation works in 2024 or early 2025 and secure consent for works to be undertaken in 2025 - mid-2026.

Expressions of interest to access the containment cell close on 9 December 2024.

The NSW Government intends to dispose of contaminated soil from Tarago at the Captains Flat containment cell, reducing the potential capacity for contaminated soil from Captains Flat landholders who have been requesting access to the containment cell for more than a year. There has been no prior notice to Captains Flat residents that this option would be made available. To expect people to be able to meet these timeframes is unreasonable.

Staff Comment

Council has an Expression of Interest (EOI) on behalf of Legacy Mines, out to residents and landowners in Captains Flat so their interest in accessing a proposed containment cell at the Captains Flat mine site can be quantified, refer to Attachment 1. The cell is to dispose of contaminated material and Legacy Mines is in the engineering design stage needing to finalise capacity.

12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell (Ref: ; Author: Willis/Willis) (Continued)

This was discussed at a recent Captains Flat Lead Management Network meeting, and whilst there are questions, the EOI process was supported by members, who are assisting with promoting within their own networks.

The cell will be open for a limited period, and once all material identified to be disposed of is within the cell, it is closed off. Containment cells are designed for a specific amount of material and that capacity is the limit for the cell.

The design process cannot remain open ended. The EOI enables landowners the opportunity to feed into the design. Through the EOI, they can confirm their details enabling Council's planning officers to meet and advise whether a development application is required or not.

Additional guidance in relation to the Planning Portal and the process would be individually tailored as well as what plans and reports would be needed for their individual case. Not all works would need a DA, and many proposals would be able to use the Council adopted Remediation Action Plan (RAP) which was prepared through the Lead Taskforce work. It is officers' intention to make these individual appointments by arrangement.

The web page has been designed to enable completion of an online form and start to establish the individual contact needed to concierge landowners and residents through the process.


To date Council has received 5 responses to the EOI.

Legacy Mines are separately factoring in all other sources of contaminated material from State Agencies and Crown Lands.

Through the Captains Flat Lead Management Network monthly meetings, community representatives, government agencies, the General Manager and QPRC officers discuss key issues. The NSW Premier's Department is present at all of these meetings, facilitating attendance of state agencies and technical expertise.

Space and capacity for a second containment cell is a technical question which can be forwarded to Legacy Mines for a written response, however at this stage it is important to understand the community's disposal requirements for the containment cell that is being designed for opening in 2025.

Attachments

Attachment 1  Expression of Interest - Access to Containment Cell (*Under Separate Cover*)

QUESTIONS WITH NOTICE

14.1 Questions on Notice - Accessible Commercial and Retail Premises (Ref: ; Author: Ryan/Ryan)

File Reference: 27 November 2024 Council Reports

Recommendation

That the report be received for information.

The following questions were submitted by Cr Willis on 18 November 2024, and responses provided below:

1. What requirements exist for private commercial and retail landholders in QPRC to provide accessible entry and exit for members of the public? e.g. a supermarket.

The requirement for upgrades to a building is only triggered when a development application, construction certificate, or a change of use application is made. The Disability (Access to Premises – Buildings) Standards 2010 ensures that new buildings, or new work on old buildings, provides the right level of access for people with disability.

2. Is Council the legally responsible authority for enforcing these requirements?

Council enforces this through development conditions.

3. If Council is the responsible authority, how does it enforce these requirements?

See answer to 2 above.

4. If Council is not the responsible authority, who is?

Council is the responsible authority.

5. If private commercial and retail property owners are under no legal obligation to provide accessible entry and exit, to whom can residents turn when they encounter.

This would be a matter for their Member of Parliament as it would require a change in legislation and standards.

Attachments

Nil

QUESTIONS WITH NOTICE

14.2 Questions With Notice (Ref: ; Author: Ryan/Flint)

File Reference: 27 November 2024 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Willis on 18, 19 and 20 November 2024. Responses will be provided at the 18 December 2024 or 29 January 2025 Council meetings.

Braidwood Non-Revenue Water

1. How many smart meters has Council installed in Braidwood? Are they all operational?
2. When does Council expect to complete the installation of smart meters in Braidwood?
3. How has the installation of smart meters assisted Council to identify non-revenue water?
4. Please provide an update on the work program to identify non-revenue water including whether any water savings have been realised.

Bus Shelter Program

1. Does Council have a work program to install new bus shelters and to replace old bus shelters?
2. How many bus shelters were installed or replaced in each of the following financial years: 2021/22; 2022/23; 2023/24?
3. What is the 2024/25 budget for bus shelter installation and replacement?
4. How many bus shelters will this enable to be installed or replaced?

Captains Flat Lead Progress

1. Since the commissioning of Lake George Captains Flat Mine Review, Assessment of Remediation Options (GHD 2018), what specific actions have QPRC taken to progress the agenda of private land remediation within Captains Flat?
2. What specific plans has QPRC made, since being involved in the Lead Taskforce (2021), to progress their land manager responsibilities to conduct remediation?
3. Conceptual Site Model was created by Ramboll (Oct 22) commissioned by the Department of Regional Development. The purpose of a conceptual site model (CSM) is to help understand and communicate the potential risks to human health and the environment from contamination to a site. Who has the obligation to progress recommendations contained within the CSM?
4. Part 2, Appendix 9 of the CSM- Captains Flat Men's Shed Lead Investigation Report and Exposure Assessment states that lead levels are between 1-7 times that of relevant guidelines for commercial/industrial sites (HIL-D). Has this been communicated to the Men's Shed? If so, when and to whom?
5. Lead Abatement Options Assessment by Ramboll (Oct 22) – the objective for this abatement options assessment is to assess abatement options to address risks from contaminants related to mining activities in identified areas with high and moderate risk to human health. The Lead Abatement Options Assessment states the southern end of the school playing field at the new preschool is being considered separately by the DoE. Has this occurred? What is the progress?

14.2 Questions With Notice (Ref: ; Author: Ryan/Flint) (Continued)

6. The report (2.2) states testing hasn't been conducted around the swimming pool inside the fence line. Has this been conducted?
7. Table 2-4 of the report indicates the preferred abatement option for the Foxlow Parklet is 'Disposal at landfill,' however a close second is 'Cap Existing Landform.' Could QPRC consider something like 'soft fall rubber' for the parklet? See 2.8.1 and Appendix 2 Table 2, Option 3a.
8. The Lead Taskforce coordinated the development of several Lead Abatement Plans. What has QPRC done to progress the ones that are under their remit?
9. Has QPRC reviewed their property holdings in Captains Flat to identify other properties that need to be remediated and what action has been taken to progress the planning?

Attachments

Nil

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement

Item 16.1 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.