



Ordinary Meeting of Council

AGENDA

9 November 2016

Commencing at 5.30pm

**Council Chambers
253 Crawford Street,
Queanbeyan**

****On-site Inspections****

List any inspections or indicate “Nil”

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2 DISCLOSURES OF INTERESTS

3 CONFIRMATION OF MINUTES

- 3.1 Minutes of the Ordinary Meeting of Council held on 26 October 2016

4 PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

5 MAYORAL MINUTES

Nil

6 NOTICES OF MOTIONS OF RESCISSION

Nil

7 NOTICES OF MOTIONS

Nil

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LIST OF ATTACHMENTS –

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Open Attachments

Item 8.1 Carry Forward/Revote of Expenditure to Financial Year 2016/17

*Attachment 1 Carry forward/Revote of Expenditure to financial
Year 2016/17 (Under Separate Cover)*

Closed Attachments

Nil



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Council Chambers, 10 Majara Street, Bungendore on Wednesday, 26 October 2016 commencing at 5:30pm.

ATTENDANCE

Administrator: T. Overall (Chair)

Staff: P Tegart, General Manager; P Bascomb, Deputy General Manager; L Gibson, Director Organisational Excellence; M Thompson, Director Development; J Wright, Director of Planning and Environment; G Cunningham, Director of Works and Utilities; P Hansen, Director Assets and Projects; P Spyve, Director Economic and Community Development and S Taylor, Executive Manager Systems.

Also Present: W Blakey, Management Accountant (Clerk of the Meeting) and R Potter (Minute Secretary).

1. APOLOGIES

No apologies were received.

2. DISCLOSURES OF INTERESTS

251/16

RESOLVED (Overall)

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

No declarations were received.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held on 12 October 2016

252/16

RESOLVED (Overall)

The Administrator resolved that the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 12 October 2016 be confirmed.

4. PRESENTATIONS FROM THE GALLERY RELATING TO LISTED ITEMS ON THE AGENDA AND PETITIONS

Malcolm Leslie - Item 8.1 DA 228-2016 – Land Swap Application, Common Roads and Bio Retention Basin – Googong, Item 8.2 – DA 275-2016 – Subdivision Creating 141 Residential Lots – 36 & 44 Googong Rd and Saphira Street Googong, Item 8.3 – DA 71-2016 for Small Lot Housing Googong and Item 8.6 – Amended Googong DCP – Neighbourhood Structure Plan for Neighbourhood 2

Barry Cranston - Item 8.4 – DA 508-2015 – Addition to Queanbeyan Arts Society Building – 8 Trinculo Place.

5. MAYORAL MINUTES

Nil.

6. NOTICES OF MOTIONS OF RESCISSION

Nil.

7. NOTICES OF MOTIONS

Nil.

8. DETERMINATION REPORTS**8.1 Development Application 228-2016 - Land Swap Application, Common Roads and Bio Retention Basin - Googong****RESOLVED (Overall)**

The Administrator resolved that Council:

1. Raise no objection to a variation to Part 3 – The Master Plan of the Googong Development Control Plan to allow street trees to be 100% exotic instead of 20% exotic and 80% native, except for ST001 and ST002 which are 50% exotic and 50% native as identified in the Bunyip Neighbourhood Structure Plan for the following reasons:
 - (a) Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory; and
 - (b) The use of 100% exotic deciduous trees for local streets is consistent with the street trees previously approved for use in Neighbourhood 1A of the Googong Township.
2. Raise no objection to a variation to Part 5.5 – Local Streets of the Googong Development Control Plan to allow the Local Street Type 3 streets within this proposed subdivision to have a 7.5 metre wide carriageway instead of the prescribed 8.0 metres for the following reasons:

253/16

- (a) The variation has been consistently supported by Council for Local Street Type 3 within Neighbourhood 1A and 1B of the Googong Township; and
 - (b) Council's Development Engineer has assessed the proposed street design as being satisfactory in this instance.
3. Determination of Integrated Development Application 228-2016 for subdivision of land, road construction, bio retention basin and associated works to Lot 5 DP 1217396; Lot 101 DP 616217; Lots 1367 & 1368 DP 1217419 and Lot 670 DP 1195842; 36 Googong Road Googong, be delegated to the General Manager when the NSW Department of Planning has advised that the applicant has made adequate arrangements for the provision of State infrastructure.
4. Advise the Department of Primary Industries (Water) and Office of Environment and Heritage when the application has been determined.

8.2 Development Application 275-2016 - Subdivision Creating 141 Residential Lots - 36 & 44 Googong Rd and Saphira St, Googong (Bunyip Property)

254/16

RESOLVED (Overall)

The Administrator resolved that:

1. Council raise no objection to the granting of a variation to Part 3 – The Master Plan of the Googong Development Control Plan to allow street trees to be 100% exotic instead of 20% exotic and 80% native as identified in the Bunyip Neighbourhood Structure Plan for the following reasons:
 - (a) Council's Manager of Parks and Recreation has assessed the proposed street trees as being satisfactory; and
 - (b) The use of 100% exotic deciduous trees for local streets is consistent with the street trees previously approved for use in Neighbourhood 1A of the Googong Township.
2. Council raise no objection to a variation to Part 5.5 – Local Streets of the Googong Development Control Plan to allow the five Local Street Type 3 streets within this proposed subdivision to have a 7.5 metre wide carriageway instead of the prescribed 8.0 metres for the following reasons:
 - (a) The variation has been consistently supported by Council for Local Street Type 3 within Neighbourhood 1A and 1B of the Googong Township; and
 - (b) Council's Development Engineer has assessed the proposed street design as being satisfactory in this instance.

3. Determination of Integrated Development Application 275-2016 for subdivision of land and associated works to create 141 residential lots on Lot 101 DP 616217, Lot 5 DP 1217396 and Lot 1367 DP 1217419 No. 36 and 44 Googong Road and Saphira Street Googong, be delegated to the General Manager when the NSW Department of Planning has advised that the applicant has made adequate arrangements for the provision of State infrastructure.
4. The Department of Primary Industries (Water) and Office of Environment and Heritage be forwarded a copy of Council's Notice of Determination when it has been issued.

8.3 Development Application 71-2016 for Small Lot Housing Comprising 10 x Torrens Title Lots, 2 x Strata Title Lot, 1 x Public Laneway, and Erection of 12 x Dwellings,- Lot 1318 DP1217419, Googong

255/16

RESOLVED (Overall)

The Administrator resolved that:

1. Approval be granted to the following variations to the Googong DCP for the reasons detailed in this report and the attached Sec79C Matters for Consideration:
 - a) The non-compliance with the requirements of Part 4 of Googong DCP in relation to Lot 1 having a frontage less than the 12m requirement;
 - b) The proposal not satisfying the requirements of Part 5 of Googong DCP in relation to the verge width (less than 2m requirement) for laneways.
 - c) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the proposed fencing forward of the building line of dwellings on lots 2 -9 which exceeds 1.2m high and Lots 2 and 10 which exceed the allowable 50% length allowed to be over 1.2m in height.
 - d) The non-compliance with the requirements of Part 7 of the Googong DCP in relation to the principal private open space (PPOS) of dwellings 3-10 located forward of the building line and PPOS for Lot 2 is located to the side of the dwelling (partially located behind the building line).
 - e) The various minor non-compliances with the requirements in Table 1 Assessment of Part 7 of Googong DCP in relation to the front setback of the proposed balcony on Lot 2, width of articulation zone exceeding 60% of the dwelling width, secondary street setback for corner lot (excluding garages and carports) and zero side setback of the proposed studio dwellings on Lot 1A and 2A.

2. Development application 71-2016 for the subdivision of land to create 10 x Torrens Title lots, 2 x Strata lots and 1 x public laneway, and erection of 12 x dwellings (including 1 x dwelling house, 7 x attached dwellings, 2 x semi-detached dwellings and 2 studio dwellings) on Lot 1318 DP 1217419 (formerly known as Lot 63 DP 1208211), Corner of Helen Circuit, Gorman Drive and Saphira Street, Googong be granted conditional approval.
3. The NSW Police be forwarded a copy of Council's Notice of Determination.

8.4 Development Application 508-2015 - Addition to Queanbeyan Art Society Building - Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East

256/16

RESOLVED (Overall)

The Administrator resolved that development application 508-2015 for a building addition to a Community Facility (Queanbeyan Art Society) on Lot 1 DP 597143 8 Trinculo Place, Queanbeyan East be granted conditional approval subject to the imposition of the following additional condition of consent.

Additional Condition

That prior to the issue of a Construction Certificate (Building) an amended plan showing the following design changes shall be submitted to and accepted by Council.

- a) The existing flat roof design over the western end of the proposed addition and adjacent gable shall be changed to a hip roof. The flat roof is out of character with the heritage design of the building.
- b) The existing disused timber frame window shall be relocated so that it is centrally located within the southern wall facing Bungendore Road. This wall is currently blank and would benefit from having one of the existing windows (which would otherwise be located inside the building) being relocated to a central location in the wall.

REASON: To ensure the design of the new addition adopts a roof line and window openings that are characteristic of the existing heritage building on site.

8.5 Development Application 2016.DA.125 - Two Lot Subdivision -172 Foxlow Street, Captains Flat

257/16

RESOLVED (Overall)

The Administrator resolved that:

1. Development application DA.2016.125 for a two lot subdivision and demolition of former medical centre on Lot 18 Section 2 DP 18452, 172 Foxlow Street, Captains Flat be granted conditional approval.
2. The NSW RFS be forwarded a copy of Council's Notice of Determination.

8.6 Amendment to Googong Development Control Plan - Neighbourhood Structure Plan for Neighbourhood 2

258/16

RESOLVED (Overall)

The Administrator resolved that Council adopt in principle the amendments to the Googong Development Control Plan and that the DCP be placed on Public Exhibition for a minimum period of 28 days.

8.7 Exhibition of Planning Proposal to Rezone Land at North Tralee

259/16

RESOLVED (Overall)

The Administrator resolved that Council place the Planning Proposal Report and supporting documents to rezone the land at North Tralee on public exhibition for a minimum period of 28 days.

8.8 Expanding the coverage of the Special Heritage Fund

260/16

RESOLVED (Overall)

The Administrator resolved that Council amend the Special Heritage Fund Guidelines to:

- a. expand the coverage to also include certain types of items listed in the heritage schedule in the Palerang Local Environmental Plan 2014
- b. allow funding being limited to one grant of assistance per site per financial year.

8.9 QPRC Investment Report - September 2016

261/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Note the investment income for September 2016 is \$357,673 bringing the total interest earned on Cash and Cash Equivalent Investments for the 2016/17 Financial Year to \$1,609,479 which is \$444,936 above the year to date budget;
2. Note the investments have been made in accordance with the Local Government Act 1993, the Local Government General Regulations, and Council's proposed investment policy;
3. Adopt the Investment Report for the month of September 2016.

8.10 Stormwater Rehabilitation Program 2016-2017

262/16

RESOLVED (Overall)

The Administrator resolved that Council award Contract number 04/2017 to Tenderer 1, Interflow, for the Stormwater System Rehabilitation in Queanbeyan area.

8.11 Land Acquisition - Old Cooma Road

263/16

RESOLVED (Overall)

The Administrator resolved that:

1. The Council hereby resolve to acquire an area of land being part of Lot 49 DP754907, 224 Cooma St, Queanbeyan for road purposes being Crown land by compulsory process in accordance with Part 1 of Chapter 8 of the Local Government Act 1993, Part 12 of the Roads Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991;
2. Council seek approval from the Minister for Local Government in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices (PAN) in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;
3. Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all actions as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition;
4. Following receipt of the Minister's approval, Council serve each PAN and take each other action necessary to carry out the acquisition;

5. Following receipt of the Governor's approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;
6. The Council pay compensation to the Crown by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991.
7. That Council authorise the General Manager to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the Property and if necessary to fix the Council seal to the application to the Minister, the Governor, the Register General or any public authority for the compulsory acquisition; and
8. That upon acquisition, the Council intends to resolve to classify the acquired Property as public road in accordance with section 10 of the Roads Act 1993.

8.12 2016 Christmas in July Fair

264/16

RESOLVED (Overall)

The Administrator resolved that the Queanbeyan Christmas in July Fair be continued and further developed as Council's winter event in line with the recommendations of the Queanbeyan Events Review.

8.13 Queanbeyan Sewer Treatment Plant Masterplan

265/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Place the Draft Queanbeyan Sewer Treatment Plant Masterplan on exhibition for a period of 28 days.
2. Receive a further report prepared by staff following the conclusion of the exhibition period addressing any submissions received.

8.14 Assessment of Applications under the Stronger Communities Fund - Community Groups

266/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. endorse the decision by the Assessment Panel for each of the applications submitted by not-for-profit, incorporated community groups and Council's s.355 committees under the \$1m first round of the Stronger Communities Fund;
2. notify each applicant of the outcome of the assessment process in relation to their application, and
3. proceed to administer the funds in accordance with the guidelines provided by the NSW Office of Local Government.

8.15 Queanbeyan-Palerang Merger - Transition Plan

267/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. adopt the QPRC Merger Transition Plan in principle.
2. note the Transition Timelines with Phases 1, 2, 3 & 4 and the methodology whereby the business operates in a mode of constant "test and implement" in response to and forecasting consumer/community expectations and demand.
3. note the QPRC Transition Steering Group will consider and assess future costing reports by key result area and that transition budget reports will be submitted to Council from time to time for incorporation into Operational Plans for 2016-19 and associated budget review statements.
4. note the proposed community strategic direction statements.

8.16 Local Representation Committee Minutes - 30 September 2016

268/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. note the minutes of the Local Representation Committee's meeting held on 30 September 2016;
2. adopt Recommendations LRC 016 - 017/2016 from the meeting held on 30 September 2016.

8.17 Les Reardon Reserve s.355 Committee Minutes - 16 May 2016 and AGM 19 September 2016

269/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. note the minutes of the Committee Meeting of the Les Reardon Reserve s.355 Committee, held on 16 May 2016,
2. note the minutes of the Annual General Meeting of the Les Reardon Reserve s.355 Committee, held on 19 September 2016,
3. note the Chairperson's report to the AGM,
4. note the Treasurer's report to the AGM,
5. note the Reserve's master plan (seven drawings), and
6. approve the following persons as office-bearers:
 - a. Chair: Anne Goonan
 - b. Secretary: Kerry Cox
 - c. Treasurer: Ann Sloane
 - d. Booking officer: Antonia Parkes
 - e. Committee members: Hans Bachor, Peter McCullagh, Jan Creswell

S.1 Captains Flat Dam 6th Surveillance Report

270/16

RESOLVED (Overall)

The Administrator resolved that Council:

1. Receive and note the report Captains Flat Dam five yearly Surveillance Report (July 2016) – Report No. DC16071; and
2. Authorise submission of this report to the NSW Dams Safety Committee in satisfaction of Council's obligations under the Dams Safety Act 1978.

9. INFORMATION REPORTS**9.1 National Stronger Regions Fund (Round 3) Application**

271/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

9.2 Site Inspection - DA 508-2015 - 8 Trinculo Place, Queanbeyan East - Addition to Queanbeyan Art Society Building

272/16

RESOLVED (Overall)

The Administrator resolved that the report be received for information.

10. COMMITTEE REPORTS

Nil

11. DELEGATES' REPORTS

Nil

12. RESPONSES TO COUNCILLORS' QUESTIONS

Nil

13. COUNCILLORS' QUESTIONS FOR NEXT MEETING

Nil

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

At this stage of the proceedings Mr Overall advised that there is one item on the Agenda that should be dealt with in Closed Session.

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

PRESENTATIONS

No presentations were made.

273/16

RESOLVED (Overall)

The Administrator resolved that pursuant to Section 10A of the Local Government Act, 1993 the following item on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

- 15.1 Enforcement Action and Issue of Order - Unauthorised Fill**
Item 15.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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

The meeting returned to Open Sessions by virtue of Resolution No. 274/2016 made in Closed Session.

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

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

15.1 Enforcement Action and Issue of Order - Unauthorised Fill

The Administrator resolved that the report be received for information.

At this stage in the proceedings, the time being 6.28pm Mr Overall announced that the Agenda for the meeting had now been completed and declared the meeting closed.

**TIM OVERALL
ADMINISTRATOR
CHAIRPERSON**

ITEM 2: 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 the Administrator disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

DETERMINATION REPORTS

**8.1 Carry Forward/Revote of Expenditure to Financial Year 2016/17 (Ref: C16150898;
Author: Abigail/Blakey)**

Summary

This report seeks Council's approval to carry forward and revote specifically identified unspent 2015/2016 budgeted amounts to 2016/2017 where works will not be completed by 12 May 2016 and instead are proposed to be completed in 2016/2017.

Recommendation**That Council:**

- 1. Note the Carry Forward works funding requirements identified in Attachment 1 proposed to be completed in 2016/2017.**
 - 2. Approve the Revote works funding requirements identified in Attachment 1 proposed to be completed in 2016/2017.**
-

Background

Unspent expenditure votes at 12 May 2016 can be carried over pursuant to subclause 211 (3) of the Local Government (General) Regulation 2005:

All such approvals and votes lapse at the end of council's financial year. However, this subclause does not apply to approvals and votes relating to:

- (a) work carried out or started, or contracted to be carried out, for the council, or*
- (b) any service provided, or contracted to be provided, for the council, or*
- (c) goods or materials provided, or contracted to be provided, for the council, or*
- (d) facilities provided or started, or contracted to be provided, for the council,*

before the end of the year concerned, or to the payment of remuneration to members of the council's staff.

A review of ledger balances at 12 May 2016 has identified unspent budgets proposed to be either carried forward or revoted to 2016/2017. Attachment 1 to this report provides a summary of the proposed carry forward and revote works, with the carry forward works subject to consolidation of end of year adjustments and the annual audit process.>

**8.1 Carry Forward/Revote of Expenditure to Financial Year 2016/17 (Ref: C16150898;
Author: Abigail/Blakey) (Continued)**

Implications***Financial***

Program Code	Expense Type	Funding source	Amount
Various	Various	Reserves	\$ 9,375,719.91

Conclusion

All projects were identified in the 2015/2016 Operational Plan and the Quarterly Budget Review Statements.

Attachments

Attachment 1 Carry forward/Revote of Expenditure to financial Year 2016/17 (*Under Separate Cover*)

DETERMINATION REPORTS

8.2 Braidwood Saleyard - Emergency Fee Increase (Ref: C16169778; Author: Spyve/Fulton)

Summary

Staff brought a report forward to the 28 September 2016 Council meeting regarding an increase of the 'Emergency Tag' fee from \$20 per tag to \$50 per tag. This increase was prompted following a request from the South East Local Land Services (SELLS) Braidwood Office due to a notable increase in the number of emergency tags sold through the Braidwood saleyard. The agency believes this increase in sales is an indication of a decline in compliance with NLIS requirements.

The increase to \$50 per tag would bring the price of emergency tags at the Braidwood saleyard in line with that at other saleyards in the region – emergency tags at Goulburn saleyard is \$55, the Moss Vale saleyard for \$60 and the Wagga Wagga saleyard for \$80. SELLS believe that such a price increase would also deter owners from presenting unidentified stock to the sales yard.

The fee increase was supported by Council and placed on public exhibition for 28 days. The proposed fee increase was advertised on the QPRC website, in the local newspapers, at the Saleyard kiosk and was also sent to each of the agents. During the public exhibition no submission were received.

Recommendation

That Council increase the 'Emergency Tag' Fee from \$20 per tag to \$50 per tag, and to take effect from 15 November 2016.

Background

Council received a letter from the South East Local Land Services Braidwood Office, requesting a change in our 'Emergency Tag' fee applicable to the operation of the Braidwood Saleyard. The National Livestock Identification System (NLIS) is Australia's system for the identification and traceability of cattle, sheep and goats. It provides lifetime traceability for livestock, improves disease and residue control, and underpins market access for livestock and their products. This identification system became effective 1st January 1996, requiring that all cattle must be identified with a permanent identifier (NLIS device) before they leave the property on which they are kept.

As a saleyard operator, Council is required to keep a limited number of emergency tags on site. They are intended for irregular occurrences whereby a beast is presented with an invalid tag, for example the tag has become unreadable or has become dislodged from the beast.

Over the last three months there has been a notable increase in the number of emergency tags sold through the Braidwood saleyard. The agency believes this increase in sales is an indication of a decline in compliance with NLIS requirements, namely that the owner of any identifiable stock must identify the stock, or cause the stock to be identified before the stock leaves any property on which the stock is kept.

8.2 Braidwood Saleyard - Emergency Fee Increase (Ref: C16169778; Author: Spyve/Fulton) (Continued)

The increase to \$50 per tag would bring the price of emergency tags at the Braidwood saleyard in line with that at other saleyards in the region – emergency tags at Goulburn saleyard is \$55, the Moss Vale saleyard for \$60 and the Wagga Wagga saleyard for \$80. SELLS believe that such a price increase would also deter owners from presenting unidentified stock to the sales yard.

The Braidwood office of South East Local Land Services will start sending out warning letters to owners that present unidentified stock to the saleyard after 1 November 2016 with the view to serve repeat non-compliant stock owners with a penalty notice of \$500. The Braidwood office of South East Local Land Services will also stop selling emergency tags on days when cattle sales are held at the Braidwood saleyard.

Implications***Legal***

Although this is only a request from the South East Local Land Services we believe that it is important to endorse their request, by increasing our 'Emergency Tag' price, to aid in ensuring compliant livestock are presented to the Braidwood Saleyard. The proposed change will need to be placed on public exhibition to seek community comment.

Engagement

The fee was placed on public exhibition from the 30 September to 28 October 2016. The proposed fee was advertised on the Queanbeyan-Palerang Regional Council website, local newspapers, the Braidwood Saleyard Kiosk on sale day and all agents received a letter of notification.

No submission were received.

Conclusion

The proposed fee was placed on public exhibition for 28 days and Council received no submissions. Council therefore recommends the fee be adopted.

Attachments

Nil

DETERMINATION REPORTS

8.3 Capital 2 Windfarm Modification Application (Ref: C16170118; Author: Bascomb/Wright)

Summary

Infigen Energy is seeking a letter of support from Council for the proposed modification to the Capital 2 Windfarm approval that will extend the lapsing date of the approval by 5 years to 1 November 2021.

Recommendation

That Council write to Infigen Energy noting the benefits of the project and expressing support for the proposed extension of the lapsing period.

Background

The part of the Great Dividing Range that extends south from near Tarago to north of Bungendore is the site of three approved windfarms:

- *Woodlawn Windfarm*

This windfarm was located partly in the old Palerang Council area and partly in the Goulburn-Mulwaree Council area when it was approved in 2005, but as a result of a subsequent boundary adjustment is now located wholly within Goulburn-Mulwaree, very close to the Queanbeyan-Palerang Regional Council border. It features 25 two megawatt turbines.

- *Capital Windfarm*

This windfarm consists of 67 turbines spread over 10 km located on ridgelines close to the eastern shore of Lake George and across towards Tarago Road approximately 10 km south-west of Tarago. It was approved in November 2006 and was completed in October 2009. The development has a capacity of 140.7 megawatts.

- *Capital 2 Windfarm*

The development site is located adjacent to Capital Windfarm mainly along the eastern shoreline of Lake George. The approval allows 41 wind turbines with a total capacity of up to 143.5 megawatts. The windfarm was approved on 1 November 2011 and construction has not commenced. The approval includes a condition of consent that provides a 5 year period for commencement of construction that expires on 1 November 2016.

The Department of Planning and Environment (Planning Assessment Commission) is currently considering an application to extend the lapse date of the approval from 1 November 2016 to 1 November 2021. The modification application was publicly exhibited from 23 September to 10 October 2016. Council made a submission on the application raising no objection to the proposed extension.

8.3 Capital 2 Windfarm Modification Application (Ref: C16170118; Author: Bascomb/Wright) (Continued)

Infigen Energy has recently written to Council seeking a letter of support from Council for the proposed modification. The period for submissions on the modification application has closed, but if Council provides this letter of support to Infigen it will be included in the Response to Submissions which Infigen will provide for the Department. In support of its request to Council Infigen has noted the following benefits of the development:

- The approved Capital 2 Wind Farm will generate up to approximately 143.5 megawatts of renewable energy. This amount of energy is sufficient for the average consumption of approximately 60,600 homes, which equates to a reduction of approximately 400,000 tonnes of CO₂ per annum for the life of the project.
- The approved Capital 2 Wind Farm represents a potential direct investment of approximately \$240 million in NSW. It would deliver the equivalent of up to 120 full time jobs during construction and up to 6 full time ongoing local based jobs during operation.
- In addition, the project also continues to directly support the local community via the Capital Community Committee. The Capital Community Committee turns three in September 2016 and, to date, has approved over \$130,000 in funding for local projects for the benefit of the Bungendore and Tarago communities including \$12,500 towards the Weereewa Festival in 2014 and \$5,000 towards the Bungendore Spring Ball in 2015.

Consideration

Energy generation from renewable sources is becoming increasingly important as the impacts of climate change are felt around the world. The project will make a valuable contribution to the reduction of greenhouse gases by 400,000 tonnes per year of CO₂.

The project will also make a valuable economic contribution to the local economy through employment during construction and operation and will contribute to the local community through the Capital Community Committee.

When the development was under consideration in 2011 Council did not oppose the development subject to the inclusion of appropriate conditions of consent to deal with matters relating to contributions, road works, visual amenity, noise, biodiversity and weed management, and waste management. This support was in line with Palerang Council's 2004 informal windfarm policy.

At its meeting of 14 December 2004 Palerang Council adopted the following resolution:

359/2004 RESOLVED that Palerang Council:

- (a) adopts an initial policy supporting the Minister's mandatory declaration as projects of state significance of all wind farm projects with:
 - more than 30 towers, or
 - projects generating more than 60 megawatts, or
 - projects that have an installed generating capacity of more than 30 megawatts and the towers are in more than one council area;
- (b) that Palerang Council's interim policy be that wind farms are more appropriate in remote locations away from houses and especially rural residential developments, and
- (c) that Council make submissions in each case to the approving authority in support of or against any future wind farm proposals subject to community views.

8.3 Capital 2 Windfarm Modification Application (Ref: C16170118; Author: Bascomb/Wright) (Continued)

The report to Council (prepared by the then Mayor) that led to this resolution noted the difference in community attitude to two proposed windfarms that were under consideration around that time – the Woodlawn windfarm which was in a relatively remote area and the Molonglo Ridge windfarm which was located close to large rural residential populations. The report indicates 'In the Woodlawn case most residents supported the proposal which is in a remote area while at Molonglo Ridge nearby rural and rural residential populations have provided considerable opposition'.

The Capital 2 Windfarm is in the same relatively remote area as the Woodlawn windfarm and support for the development is consistent with the Palerang policy.

Conclusion

Nothing has changed since the Capital 2 Windfarm was approved in 2011 and therefore the proposed extension of the lapse period should not be opposed by Council.

Council did not have a determination role in the original application and does not have a determination role in this application for amendment of the approval conditions. However Council plays a part in the consideration of such applications by providing submissions and comments. In this case support for the proposal is consistent with the Palerang policy and past actions of Council and the request by Infigen for a letter of support is considered reasonable.

Attachments

Nil

9.1 Strategic Planning Projects/Activities - Status Report (Ref: C16157856); Author: Bascomb/Carswell

Report

Two status reports for various strategic planning projects and activities were last considered at the Council meetings of 19 May 2016 for the former Palerang LGA (Minute No. 012/16) and 22 June 2016 for the former Queanbeyan LGA (Minute No. 077/16).

This report provides an update of these for Queanbeyan Palerang Regional Council (QPRC).

Queanbeyan-Palerang Regional Council Comprehensive Local Environmental Plan

At its meeting of 28 September 2016 Council considered a report on a major program to consolidate the principal local environmental plans current applying to the LGA and adopted a series of recommendations, which when implemented, will help to achieve a comprehensive local environmental plan i.e. *Queanbeyan-Palerang Regional Council Comprehensive Local Environmental Plan (Minute No. 206/16)*.

This report included a staged work program from September 2016 to July 2019 with work being limited to preliminary matters until a new Council is elected in September 2017. The proposed program also included work continuing on a number of existing projects including those within this report.

Preliminary work has started with the Executive Director, Local Planning Liaison of the NSW Planning and Environment being briefed on the 28 September report.

An internal discussion paper has also been produced which provides analysis of the five standard instrument local environmental plans (LEPs) applicable to the LGA. In particular the paper identifies both:

- inconsistencies in permissible land uses between common zones contained in the various LEPs, and
- inconsistencies in any planning provisions or clauses contained in those respective instruments.

The recommendations of this paper are currently being worked through in a series of staff meetings.

Planning Proposals Considered by Council

The following is an update of planning proposals within the former Queanbeyan LGA:

1. South Jerrabomberra Planning Proposal (LEP)

This is a Delivery Program project and its purpose is to rezone the balance of South Jerrabomberra to specific zones.

Council last considered this matter at its meeting of 8 June 2016 whereby the Administrator resolved (Minute No. 033/16):

... to submit the revised Planning Proposal to the NSW Department of Planning and Environment for a decision incorporating the following amendments:

1. *That the width of the buffer be changed from 105 metres to 150 metres, measured from the ACT border.*
2. *The 100 metres of land to the east of the 150 metre buffer be formally deferred for the purposes of this Planning Proposal and be revisited in the future subject to the outcome of further acoustic and odour studies.*

Following this, the planning proposal and associated material was forwarded to NSW Planning and Environment with a request for the draft local environmental plan to be finalised and notified. A draft planning instrument has been prepared by that Department, reviewed by Council and comments forwarded. In addition the Department has sought a number of clarifications which have been responded to and have also met staff to discuss the planning proposal. However, at the time of writing the draft local environmental plan is yet to be notified (gazetted).

2. *North Tralee Planning Proposal (LEP)*

This is a Delivery Program project and was last reported to Council's meeting of 26 October 2016 where it was recommended:

That Council place the Planning Proposal Report and supporting documents to rezone the land at North Tralee on public exhibition for a minimum period of 28 days.

Its primary purpose is to rezone the area known as North Tralee to specific zones with these generally being suitable for employment type land uses.

3. *Jumping Creek Planning Proposal (LEP)*

This planning proposal is to rezone the two deferred areas of Jumping Creek with the majority of it being rezoned as part of *Queanbeyan Local Environmental Plan 2012*. It was last reported to Council's meeting of 24 August 2016 where the Administrator resolved (Minute No. 162/16):

...that Council forward the draft planning proposal for Jumping Creek to the NSW Department of Planning & Environment requesting a Gateway determination be issued in order to progress the draft plan.

Following this resolution, NSW Planning and Environment were requested written to issue a Gateway determination. At the time of writing this has not been issued.

Preliminary work and discussions are also occurring on a development control plan for the site.

4. *Planning Proposal for 239 Old Cooma Road*

This is an Operational Plan project and has been in train for a number of years and has included a change in ownership.

Recent work on this has included one meeting with the owners/developers to discuss a potential park and ride facility on part of their land as well as a second meeting in June to discuss their plans to develop the remainder of the site and Council's information requirements to progress this. These discussions were followed up by a letter in August which is yet to be responded to.

Since the gazettal of the *Palerang Local Environmental Plan 2014*, nine planning proposals have been considered by Council. The following is an update on each of the planning proposals that have not been gazetted.

5. *North Bungendore (part Lot 1 DP 798111) Planning Proposal*

A planning proposal was submitted to the former Palerang Council in late 2014 for the rezoning of Lot 1 DP 798111 from RU1 Primary Production to R2 Low Density Residential and RE1 Public Recreation. The proposal would potentially allow the creation of approximately 300 residential lots on the northern edge of Bungendore (adjacent to Tarago Road in the area known as Elmslea). A Gateway determination was issued by the Minister for Planning's delegate on 27 April 2015 and this requires consultation with 13 government agencies, community consultation and numerous studies (identified in the planning proposal) to be undertaken.

A consultant planner has been engaged by Council (at the expense of the developer) to prepare the briefs for the studies, manage the consultants, prepare a report which will collate the studies and make recommendations and to assist with the community and government agency consultation. Consultants have been engaged for the following studies and it is anticipated that a final report will have been completed by December 2016. The studies being undertaken are:

- Aboriginal cultural heritage,
- bushfire,
- water (network analysis),
- sewer (network analysis),
- transport and traffic,
- stormwater,
- soil capability and
- Contaminated lands.

The flora and fauna assessment for the subject site has already been undertaken.

This site is constrained by its proximity to the former Bungendore Landfill. Council is currently developing closure plans and a risk assessment for gas generation and migration from the landfill. A report to Council is expected in the coming months regarding the appropriate buffer distance around the landfill. To progress the planning proposal, a conservative buffer of 500m around the landfill has been applied and all land within the buffer has been excluded from the planning proposal.

6. *Bungendore East (Lot 1 DP 747767 and others) Planning Proposal*

A planning proposal for Lot 1 DP 747767, Lots 275, 279 and 273 DP 754915, Lots 7301 and 7302 DP 1168137 and Lot 1 DP 193988, Bungendore has been submitted to Council. The planning proposal seeks to amend the *Palerang Local Environmental Plan 2014* to allow approximately 760 low and medium density residential lots, a high school, community hub, open space and active recreation areas. At the December 2015 meeting of the former Palerang Council it was resolved to forward the planning proposal to the Minister of Planning for a gateway determination. The planning proposal has been forwarded to the Department of Planning and Environment. It has not been forwarded to the gateway panel as the Department of Planning has requested further information on several matters. Council has recently provided the requested information and this is currently being considered by the Department.

One of the major considerations in both these planning proposals is the requirement for additional potable water. To expand beyond the existing town boundaries, Council and state government agencies will need to be satisfied that additional groundwater is available within the system. The following two sections provide an update on this matter:

Securing Additional Water for Council's Reticulated Water Scheme

Potable water for Bungendore is provided by a Council managed reticulated water scheme. The water is sourced from a number of groundwater bores situated around the town. Council has a current groundwater allocation of 472ML per annum, with 272ML available per annum from the Turallo bore field and 200ML per annum from Butmaroo bore field. Works and Utilities staff have discussed the requirement for more potable water and range of options with the NSW Department of Primary Industries, Water.

Four months ago, Council engaged Mr John Lee, Hydroilex and a bore driller to undertake drilling for water in the fractured rock surrounding Bungendore. Test drilling has now been completed and several sites have been identified for further investigation. If it is determined that additional potable water is available it will be necessary for Council to apply for a licence under the Water Management Act 2000. Aligned with locating additional potable water is the need for Council to prepare an Integrated Water Cycle Management Strategy (see below). This approach will enable the NSW Department of Primary Industry, Water to consider any amendment to the town water supply entitlement in a co-ordinated and holistic manner.

Integrated Water Cycle Management Strategy (IWCMS)

The IWCMS is a thirty year strategy which incorporates a total asset management plan and financial plan for Council's water and sewerage businesses. New government guidelines require this process to be reviewed on a four-yearly program with each second review to be a major IWCMS review, and each alternate to be a more moderate review of the strategic business plan. The project is being managed by the Works and Utilities Directorate.

The former Palerang Council was one of the first local water utilities in the state to embark on this recently revised IWCMS process. A draft Strategy has been prepared and once this has been considered by Council staff, meetings of the project Reference Group will be organised.

At this stage, up to three daytime meetings of the Reference Group are planned with dates to be Determined:

The Project Reference Group was established on 5 March 2015, to fulfil the following roles:

- provide input on all existing and potential issues that affect the community relating to provision of the urban water service over the next thirty years
- help identify suitable options for managing these issues
- evaluate and compare scenarios built from mixes of options on the basis of their social, environmental and economic impacts
- Review the evaluation and comparison of scenarios in the IWCMS Strategy to determine the preferred scenario to recommend for adoption and implementation by the water utility.

The Project Reference Group consisted of former Palerang councillors, council staff, representatives from government organisations, local businesses and community representatives. Representatives from local businesses and the community have yet to be appointed.

7. Bungendore Central Carpark

The proposed Bungendore Central Carpark is located on Lot 5, DP 1204393. A Gateway determination for a planning proposal to rezone the parts of Lot 5 that are currently zoned B2 Local Centre (the access handle from Malbon Street and a small area behind No 10 Malbon Street) to SP2 Infrastructure – Public Carpark has been exhibited. The submissions were considered by the former Palerang Council. The next step is for Council staff to prepare a report for the Department of Planning and Environment.

8. *Amendment of Schedule 1 to allow the subdivision of Lot 3 DP 1074706 to create residential lots*

The planning proposal seeks to amend schedule 1 to allow a subdivision application for Lot 3 DP 1074706 into six residential lots varying in lot size from 4-8 hectares and one residual lot which will include the existing tourist/convention centre. The lot is zoned E4 Environmental Living. The former Palerang Council resolved that the planning proposal should be forwarded to the Minister, which has been done. The Department of Planning and Environment has requested several amendments to the planning proposal and these have been undertaken. The planning proposal has received a gateway determination that allows it to proceed to government and community consultation. It has recently been referred to government agencies for comment.

9. *The inclusion of the Captains Flat Flood Planning Map in the Palerang Local Environmental Plan 2014 and minor amendments concerning heritage and the numbering of clauses in the Palerang Local Environmental Plan 2014*

The draft instrument (amendment to the Palerang Local Environment Plan 2014) has been prepared by the NSW Parliamentary Counsel and Council has resolved to adopt and make the local environmental plan. The map data has been determined as complying with the Department's mapping requirements. The next step is prepare a report for the Department of Planning with a view to gazettal once Council has resolved to adopt the draft instrument.

10. *Expanding exempt and complying development in E4, RU5 and RU1 zones*

Following discussion with the Department of Planning and Environment, staff forwarded a letter detailing the planning instrument provisions of the exempt and complying development types sought by Council. A gateway determination has been received however, the planning proposal requires amendment based on Departmental advice on some of the provisions. Once the amendments have occurred, the next stage is the exhibition of the planning proposal.

Submitted planning proposals that have not been considered by Council

1. *Lot 3 DP 1195030, rezoning from IN2 Light Industrial to R2 Low Density Residential*

A planning proposal for the rezoning of land in Bungendore currently zoned IN2 Light Industrial to R2 Low Density Residential has been received. Following staff comments on the planning proposal, the proponent has submitted a second version. A report for Council has not yet been prepared.

Proposed Planning Proposals

1. *Amendment of clause 4.6.*

The former Palerang Council resolved at its meeting of 28 April 2016 that:

"Council prepare a planning proposal to amend the *Palerang Local Environmental Plan 2014* to prevent the use of clause 4.6 Exceptions to development standards in relation to clause 4.2A (3) (a) Erection of dwelling houses on land in certain rural, residential and environment protection zones, where the allotment area is less than 90% of the minimum area specified in the development standard."

This planning proposal has not yet been prepared. It is suggested that this matter is considered as part of the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

2. Amendment of Schedule 5 Environmental Heritage

There are numerous amendments required to Schedule 5 Environmental Heritage and the associated maps. It is suggested that this matter is considered as part of the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

3. Terrestrial Biodiversity and Landscape maps and associated text

The revised native vegetation Geographic Information System (GIS) layer (undertaken as part of the Rural Lands Study) has been exhibited with no submissions being received. The Palerang Local Environmental Plan 2014 terrestrial biodiversity map will need to be amended to reflect the new layer. Additionally, as the current terrestrial biodiversity map contains karst areas these will be removed and included in the landscape map. A clause will need to be inserted in the local environmental plan requiring the consideration of karst areas. It is suggested that this matter is considered as part of the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

4. Animal boarding or training establishments

The former Palerang Council had discussed the land use 'animal boarding or training establishments' several times and had requested that a report be prepared concerning the appropriateness of the land use in each of the rural land use zones and the potential separation of the into two via a planning proposal. It is suggested that this matter is considered as part of the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

5. Capital Country Holiday Village

Staff will continue to work with the business Capital Country Holiday Village to address the permissibility of some aspects of that development.

Palerang Rural Lands Study

The aim of the study is to develop a twenty year strategic direction for rural, rural residential and environmental land in the former Palerang local government area. The Study does not include the villages, towns and land managed by State Government agencies such as the National Parks and Wildlife Service and Forestry Corporation of NSW. The Rural Lands Strategy, which will be the principal output of the study, is accompanied by the Rural Lands Study Report which contains data relating to rural land and its attributes. A detailed background to the project is provided in the report to the Extraordinary Meeting of the Queanbeyan-Palerang Regional Council held 19 May 2016. The final Rural Lands Study Committee was held on 18 August 2016.

Both the Report, draft Strategy and revised native vegetation GIS have been exhibited. It is anticipated that a report on the exhibition accompanied by a revised draft Strategy with a view to adoption will be prepared for a Council meeting in late 2016.

Development Control Plans

1. Googong Structure Plan for Neighbourhood 2

This is an important project and has been discussed between staff and GTPL for some time. It applies to Stage 2 and includes the Town Centre (although this will be subject to further detailed work).

It was last reported to Council's meeting of 26 October 2016 where it was recommended:

That Council adopt in Principle the amendments to the Googong Development Control Plan and that the DCP be placed on Public Exhibition for a minimum period of 28 days.

2. *Obstacle Height Limitations Project*

This project is a joint project with the Commonwealth and Canberra Airport.

It relates to clauses (Airspace operations) in *Queanbeyan Local Environmental Plan 2012*, *Queanbeyan Local Environmental Plan (South Tralee) 2012* and *Queanbeyan Local Environmental Plan (Poplars) 2013* which require referral to a Commonwealth body when a development breaches the Limitation or Operations Surface of Canberra Airport. The purpose of it is speed up the assessment of development applications and so reduce costs by arriving at agreed circumstances (contained in a document similar to a Development Control Plan) whereby development applications do not require referral if they meet these agreed circumstance.

It is likely to result in an amended section being put into *Queanbeyan Development Control Plan 2012*.

Since last being reported, Council has drafted a document called a *Controlled Activity Application under Part 12 of the Airports Act 1996* and has forwarded this to various stakeholders including the Commonwealth for their consideration. At the time of writing the Commonwealth is getting legal advice on this.

3. *Palerang Development Control Plans*

The report to the Extraordinary Meeting of the Queanbeyan-Palerang Regional Council held 19 May 2016 provides a detailed background to the development control plans covering the former Palerang LGA.

As the Palerang DCP has been in effect for almost twelve months it is necessary to review some provisions and correct typographical errors. The provisions requiring review include laneways and sheds in the land use zones outside of the towns and villages.

A draft Braidwood DCP was exhibited in early 2015. The draft has been discussed with the NSW Heritage Council and provisions agreed on. The submissions from the exhibition require consideration by Council, subsequent amendment if required followed by adoption by Council. As part of this process, discussions with the legal section of the NSW Office of Environment and Heritage need to continue regarding the status of the DCP and whether a new gazettal notice including the new DCP needs to occur.

Following the approval of the Braidwood DCP, the engineering requirements for new development and major maintenance work (pertaining to both Council and the community) for the conservation area need to be revised to include heritage provisions such as the material to be used for kerb and gutter. This work needs to be undertaken in association with NSW Roads and Maritime Services and the Heritage Division.

Development Contributions Plans

1. *Googong Section 94 Contribution Plan*

This is a Delivery Program project.

This contribution plan provides the basis for the collection of development contributions payable by developers in Googong other than Googong Township Pty Ltd (GTPL) i.e. about 8% of total development.

Since this project was notified in April 2016 application was made to NSW Planning and Environment for the inclusion of this Section 94 Plan on a revised Ministerial Section 94E Direction. This would enable a maximum of \$30,000 per dwelling to be collected under this Plan.

A revised Ministerial Section 94E Direction was notified on 23 September 2016.

2. South Tralee Local Planning Agreement

This project is also a Delivery Program project.

Council last considered it at its meeting of 22 June following its exhibition for public comment whereby the Administrator (Minute No. 061/16):

... to execute the South Tralee Local Planning Agreement subject to incorporating the recommended changes specified in Attachment 1 to this report and any other minor administrative or housekeeping changes identified noting that the recommended action for Item 29 has been amended to read "no change be made to the LPA as a result of this submission."

Following this resolution a number of minor changes were sought and discussed with the proponent Canberra Estates Consortium No 4 Pty Limited (CEC 4) and legal advice obtained on them. However since this time CEC 4 have been reconsidering their position and so this project remains on hold.

3. South Jerrabomberra Section 94 Contribution Plan

Since last reporting work on this project has recommenced. This has involved considerable preliminary work including but not limited to producing a revised brief and re-engaging the consultant, meeting with the consultant, commissioning fresh valuations, holding a series of internal meetings, working through various issues and other actions.

4. Section 94A Plan

This is an Operational Plan project and is intended to the commercial and industrial areas of Queanbeyan. Preliminary work has commenced on this.

Review of Queanbeyan Residential and Economic Strategy 2031

This is a Delivery Program project.

It was last reported on and considered by Council at its meeting of 10 August 2016 (Minute No. 150/16) where the Administrator resolved:

1. The report be received for information, and

2. Note the Department of Planning and Environment's advice that the further lot in Jumping Creek is "deferred".

Bungendore Structure Plan

A detailed report to the Extraordinary Meeting of the Queanbeyan-Palerang Regional Council held 19 May 2016 provides a detailed background to the development of the Bungendore Structure Plan.

As this work is reliant on a significant amount of in-house knowledge and data, the work is being undertaken by Council staff. An early draft of the structure plan technical report has been completed and discussed at a former Palerang Council workshop in November 2015. Once a final draft of the structure plan has been completed, it will be exhibited. Funds for this work have been allocated to the 2016/17 financial year budget. Work will include an analysis of stormwater in the southern area of Bungendore, the consideration of commercial and industrial opportunities and the development of a recreation plan to include pedestrian/bike paths, playing fields and a swimming pool. The next stage in the process is discussion with government agencies.

Integral to the development of Bungendore in addition to the Structure Plan is the development of the Integrated Water Cycle Management Strategy (IWCM) (see above), securing additional water for Council's reticulated water scheme and the preparation of revised section 94 and section 64 plans. Section 64 of the Local Government Act 1993 allows contributions to be levied towards the provision of water, sewerage and stormwater infrastructure. Council must have a Developer Servicing Plan in order to levy a Section 64 contribution. Quotations are currently being obtained for a consultant to assist with the preparation of a new plan for the existing urban area of Bungendore and immediate surrounds to take account of the growth of Bungendore.

Community Plans of Management Plans under the NSW Local Government Act 1993

Under Division 2 of the NSW *Local Government Act 1993*, Council is required to have a management plan in place for all community land in the local government area and to manage the land in accordance with the applicable plan.

A number of plans are currently being reviewed. This was the result of a report to Council's meeting of 24 August 2016. As a result of the subsequent resolution (Minute No. 163/16) the Plans of Management to be reviewed include the Plans of Management for Mount Jerrabomberra, General Community Use and Natural Areas.

In addition a brief has been drafted, circulated and responses assessed for an independent Chairperson for the required public hearing. It is proposed to hold this public hearing on 22 November 2016 though this needs to be confirmed.

These reviews are part of an ongoing program and are identified in the Delivery Program. The current Operational Plan requires a minimum of one plan to be reviewed annually.

Currently, there are few areas of community land in the former Palerang local government area that have a site specific management plan that would comply with the legislation, although generic plans that apply to most reserves were prepared in the past. The plans would detail management strategies such as the timing of slashing and any burning. The following areas of community land have been identified as being most in need of a management plan:

- the Swainsona reserve at Royalla
- Captains Flat cemetery
- Majors Creek cemetery
- Days Hill Reserve
- Bowen Park.

Work has commenced on a draft management plan for the Captains Flat cemetery and it is anticipated that a draft management plan will be exhibited mid-2017. The cemetery contains both marked and unmarked graves. However, there have not been any burials for at least the last ten years. The vegetation in the cemetery is predominantly native including two listed species within the cemetery area, *Prasophyllum petilum* (Tarengo Leek Orchid), which is classified as endangered under both the NSW Threatened Species Conservation Act 1995 and the Environment Protection and Biodiversity Conservation Act 1999. The second listed species is *Eucalyptus aggregate* (Black Gum) which is listed as vulnerable under the NSW Threatened Species Conservation Act 1995. The cemetery is listed as a heritage item under the Palerang Local Environmental Plan 2014.

Reclassification of Council Land

Under clause 25 of the NSW *Local Government Act 1993*, all Council land must be classified either community or operational land.

The asset management process and the making of the *Palerang Local Environmental Plan 2014* identified land owned by Council that is incorrectly classified. For instance land that contains Council infrastructure should be classified operational but several sites are classified as community land as this is the default classification. It is intended that an assessment of Council land is undertaken to determine its classification and any amendments would be made as part of the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

Heritage matters including maintenance of the Heritage database

The Section generally manages the two Heritage Advisors and provides administrative support to the both the Queanbeyan and Palerang Heritage Advisory Committees. Since last reporting a number of meetings of both Committees have been held.

The aim of the heritage database of the Office of Environment and Heritage is to hold detailed information on all the items listed in the *Queanbeyan Local Environmental Plan 2012* (179 items) and *Palerang Local Environmental Plan 2014* (over 300 items).

In the case of the *Queanbeyan Local Environmental Plan 2012* the database is updated periodically as new information comes in. Some work has been done on this recently.

The database for the former Palerang local government area requires substantial updating. This will be undertaken as part of the Bungendore heritage review project and the preparation of the draft Queanbeyan-Palerang Local Environmental Plan.

Participation in Regional Land Use Forums

This is a Delivery Program project. The current Operational Plan also requires participation on a minimum of four forums and workshops annually. This is generally achieved.

Currently the section regularly attends meetings of the ACT Commercial Advisory Committee and the ACT Residential Advisory Committee and the Canberra Airport Community Consultative Group. Since last reporting staff have attended a meeting of the latter group.

Also since last reporting staff have been appointed to the Planning Working Group of the CBRJO and have attended a meeting of this group with the Secretary of NSW Planning and Environment primarily to discuss the draft South East and Tablelands Regional Plan. Other meetings attended have included another meeting with the Secretary of NSW Planning and Environment and a briefing on the draft South East and Tablelands Regional Plan by officers of the Department.

Input into Other Directorate's Projects

At the current time the Section's input into other Directorate's projects include:

- Unsolicited Expressions of Interest into development opportunities within the Central Business District of Queanbeyan.
- Input into the proposed Memorandum of Understanding between QPRC and the ACT.
- Input into future traffic work relevant to South Jerrabomberra development.
- Oaks Estate Sewerage Treatment Works upgrade.

In addition support and assistance (along with other Directorates of Council) is provided for the Queanbeyan Excellence Awards. This is a project in the current Operational Plan and Delivery Program. These have been running for four years and is now run by Southern Region and Canberra BEC.

Submissions on Discussion Papers and the like

Submissions made during this period included one on the Draft South East and Tablelands Regional Plan. This followed a report to Council's meeting of 10 August 2016 and the subsequent resolution (Minute No. 148/16).

Submissions have also been made on Draft Variation No 353 to the ACT Territory Plan.

This followed a report to Council's meeting 22 June 2016 and the subsequent resolution (Minute No. 064/16).

Other submissions have included two submissions on the preliminary and draft EIS's for the proposed Waste Plastics to Fuel facility at Hume.

Recommendation

That the report be received for information.

Attachments

Nil

9.2 Successful nomination for Additional School Zone Flashing Lights (Ref: C16169479); Author: Tegart/Wilson-Ridley**Report**

NSW State Government recently announced two schools in Queanbeyan Palerang Local Government will receive additional school zone flashing lights as part of a \$5 million safety program.

All schools in NSW feature one set of flashing lights in their school zone. The NSW Government completed the rollout of these installations in January 2016, and this saw flashing lights installed in all schools in QPRC including the new school at Googong receiving flashing lights in October 2015.

The Additional School Zone Flashing Lights Program is in addition to the existing school flashing lights, with nominations for this program open to all schools that have multiple entrances. Four schools in Queanbeyan nominated for the additional flashing lights program and Council was able to assist a couple of the schools with their nomination by reviewing their application and providing traffic data information.

NSW State Government assessed the nominations using a risk assessment model which reviewed factors including pedestrian and vehicle volumes, speed limits and sight distances and as a result 400 nominations were selected for the program. The two schools selected in QPRC were Queanbeyan East Public School for Mulloon Street and Queanbeyan High School for Survey/Agnes Street.

NSW State Government have advised that the installation of the additional flashing lights will commence later in 2016 and estimated to be completed by mid-2017. The installation will be carried out by Roads and Maritime Services with their delivery partners.

The program has been very popular and should further rounds of the program receive funding the schools that were unsuccessful in their nominations would be encouraged to apply again.

Recommendation

That the report be received for information.

Attachments

Nil

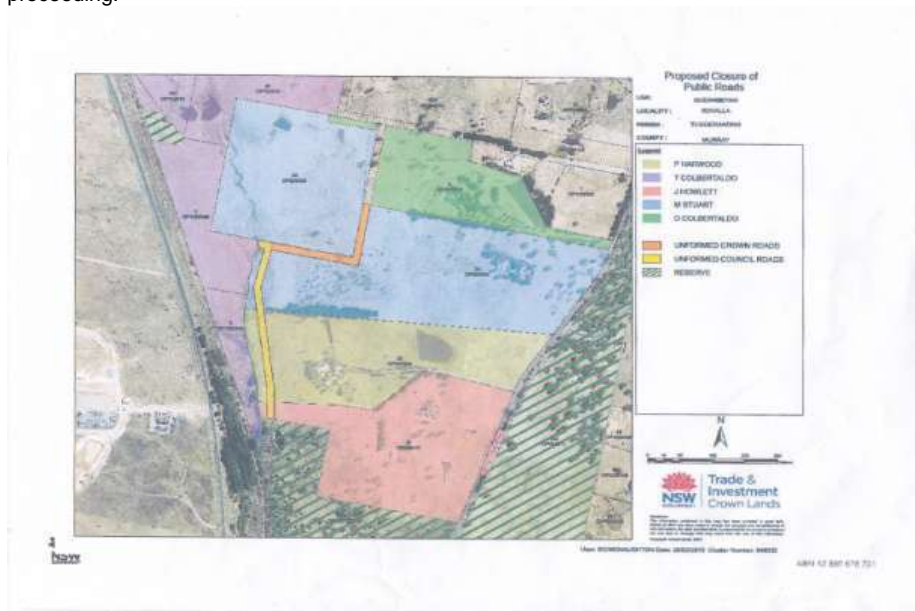
9.3 Proposed Road Closures - Old Cooma Road, Royalla (Ref: C16171245); Author: Gibson/Warne**Report**

At the 27 July 2016 Council meeting, Council resolved to close the unused Council roads passing through Lot 1 DP1092840, Lots 23 & 24 DP556984 and Lot 22 DP556417 (refer plan below). That proposal was subject to consent to the proposal being provided by the four adjoining property owners.

Council has received notification from one of the adjoining owners that they decline the proposal.

The remaining property owners and NSW Trade & Investment – Lands, have been notified that Council cannot support the proposal at this time as consent from all adjoining owners has not been achieved.

Accordingly, Council is advised that the closure of these unused Council roads will not be proceeding.

**Recommendation**

That the report be received for information.

Attachments

Nil

9.4 Sale of Property - Lot 103 DP 1213713 (7 Phillip Avenue) Queanbeyan (Ref: C16171246); Author: Gibson/Warne

Report

At Council's Planning & Development Review Committee meeting on 08 September 2010, Council agreed to progress the sale a small area of Council owned land being part of Lot 2 DP 874067, to the owner of the adjoining property being Lot 1 DP 874067 (5 Phillip Avenue, Queanbeyan).

A Plan of Subdivision was required to create the smaller piece of land as it was part of a larger block. The Subdivision was registered on 04 December 2015 as DP1213713, creating Lot 103 (97.8m²) and Lot 102 (6.862ha). Lot 103 highlighted in red on plan extract below.

Council then engaged its Valuer to carry out a Valuation of Lot 103, which resulted in a value of \$16,000 for the land.

Deeds of Agreement for the sale of Lot 103 were entered into, the sale price was paid on 04 February 2016 and the transfer of the land to the new owner was registered on 14 October 2016.

Accordingly, the sale of the property has now been finalised.

Further to the above, a Development Application by the new owner to consolidate Lot 103 DP 1213713 (7 Phillip Avenue) with her current property (Lot 1 DP 874067 - 5 Phillip Avenue) is currently being processed by Council's Planning Officers.



Recommendation

That the report be received for information.

Attachments

Nil

COMMITTEE REPORTS

10.1 Report of the Queanbeyan Heritage Advisory Committee - 17 October 2016 (Ref: C16160820; Author: Thompson/Carswell)

Present: Sue Whelan (Chair), Brendan O'Keefe, Heather Thomson, Jane Underwood, David Loft

Also Present: Mike Thompson (Director Environment, Planning and Development), David Carswell (Executive Manager Strategic Land Use Planning), Pip Giovanelli (Heritage Advisor)

Others Present: Nil

The Committee Recommends:

Apologies:

Nil.

1. Confirmation of Report of previous meeting held on 13 July 2016**Recommendation (Loft/Thomson)**

HAC 009/17 That the Report of the meeting of the Committee held on 20 June 2016 be confirmed.

2. Business Arising from Minutes - Chairperson

In relation to the Item on State Listing – St Stephens Church Update, Mr O'Keefe further updated the Committee.

Since last meeting Mr O'Keefe has worked with the Heritage Division, Office of Environment and Heritage to assist with their assessments. However, the application is still to have a formal decision made on it in regard to whether or not to list it on the State Heritage Register. Consequently the application for listing remains outstanding.

3. Declaration of Conflicts of Interest

Nil.

4. Timing of Local Heritage Place Grants

Mr Carswell gave the Committee an overview of the current status of these grants. Amongst other things it was noted that grants were currently being advertised with applications closing on 4 November 2016. A number of enquiries have been received and packages sent out. Once applications have closed they will be reviewed and a number of recommendations brought back to the Committee for their consideration. It was also noted that there is a relatively short time for successful applicants to complete their work with Council being required to report back to the Heritage Division by mid May 2017.

10.1 Report of the Queanbeyan Heritage Advisory Committee - 17 October 2016 (Ref: C16160820; Author: Thompson/Carswell) (Continued)

5. Special Heritage Grants

Mr Carswell advised the Committee that a report was going to Council's meeting of 26 October 2016 recommending that the Special Heritage Grants scheme be extended to the former Palerang Council area on the same terms and conditions as applying to the former Queanbeyan LGA.

Mr Thompson also advised that the DA for extension to the Queanbeyan Arts Society Building (which received a grant under the last round) was going to the same meeting with a recommendation for conditional approval.

6. Palerang Heritage Advisory Committee

Mr Carswell advised the Committee that he is now providing administrative support to and chairing the Palerang Heritage Committee.

7. Housing of Restored Sulky

The issue of housing the restored sulky was discussed by the Committee. This included consideration of both temporary housing and permanent housing.

Potential sites for permanent housing included within or close by the Museum Precinct, on a site adjoining the Visitors Information Centre, at Rusten House or in the Bicentennial Hall. In regard to each of these the advantages and disadvantages were discussed. Further discussion with the restorer is needed as well as further investigation before a decision is made.

8. Next Meeting

The next meeting will be held on Monday 21 November in the Committee Room commencing at 5:30 pm.

There being no further business, the meeting closed at 6:02pm.

Attachments

Nil

14 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.

NIL