



# **Ordinary Meeting of Council**

## **AGENDA**

**22 September 2021**

**Commencing at 5.30pm**

**In light of the COVID-19, this meeting will be held remotely. Presentations can either be made in writing or by attending a Zoom meeting - see Public Involvement at Meetings on Council's website.**



**On-site Inspections - Nil**

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**1 OPENING**

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**4 CONFIRMATION OF MINUTES**

4.1 Minutes of the Ordinary Meeting of Council held on 25 August 2021

4.2 Minutes of the Planning and Strategy Committee of the Whole held on 8 September 2021

**5 DISCLOSURES OF INTERESTS**

**6 ADJOURNMENT FOR PUBLIC FORUM**

**7 MAYORAL MINUTE**

**8 NOTICES OF MOTIONS OF RESCISSION**

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**Confidential - Not for Publication**

**16 REPORTS FOR CLOSED SESSION**

- 16.1 Review of Representation - Issue Order on Property Owners  
*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.*
- 16.2 Request for Concession on Development Application Fees - Repair to Heritage Building  
*Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*
- 16.3 Hardship Request - Deferral of Developer Contributions - Two Applications  
*Item 16.3 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*
- 16.4 Request for Rental Rebate

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*Item 16.4 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**16.5 Rent Relief - Queanbeyan Riverside Caravan Park**

*Item 16.5 is confidential in accordance with s10(A) (b) (di) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer; 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.*

**16.6 Undetected Leak Application - Greenleigh**

*Item 16.6 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**16.7 Complaint about Signage re Clarke Gang**

*Item 16.7 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**17 CONCLUSION OF THE MEETING**

**LIST OF ATTACHMENTS –**

***(Copies available from General Manager's Office on request)***

**Open Attachments**

- Item 9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood
- Attachment 1 DA.2019.1170 - Sec 4.15 Matters for Consideration - Braidwood Bakery - 87-91 Lascelles Street (Under Separate Cover)*
- Attachment 2 DA.2019.1170 - Plans - Braidwood Bakery - 87-91 Lascelles Street (Under Separate Cover)*
- Attachment 3 DA.2019.1170 - Concurrence from Transport for NSW - Braidwood Bakery - 87-91 Lascelles Street (Under Separate Cover)*
- Attachment 4 DA.2019.1170 - Traffic Report - Braidwood Bakery - 87-91 Lascelles Street (Under Separate Cover)*
- Attachment 5 DA.2019.1170 – Redacted Submissions – Braidwood Bakery – 87-91 Lascelles Street, Braidwood (under separate cover)*
- Attachment 6 DA.2019.1170 - Draft Conditions of Consent - Braidwood Bakery - 87-91 Lascelles Street (Under Separate Cover)*
- Item 9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong
- Attachment 1 Bunyip Drive/Old Cooma Road Intersection Form Review (Under Separate Cover)*

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- Item 9.8 Road Naming Proposed Foxton Place, Braidwood Village  
*Attachment 1 Map Showing Location of New Unnamed Road (Under Separate Cover)*
- Item 9.9 Review of Environmental Factors - Regional Sports Complex - Environa  
*Attachment 1 Review of Environmental Factors - Regional Sports Complex, Environa (Under Separate Cover)*
- Item 9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee  
*Attachment 1 Review of Environmental Factors - South Jerrabomberra Town Park (Under Separate Cover)*  
*Attachment 2 Landscape Plans - South Jerrabomberra Town Park (Under Separate Cover)*
- Item 9.13 Monaro Street Upgrade - Concept Design  
*Attachment 1 Community Engagement Report - Monaro Street Upgrade - Concept Design (Under Separate Cover)*
- Item 9.14 Crown Road Management Policy  
*Attachment 1 Draft Crown Road Management Policy (Under Separate Cover)*
- Item 9.18 Revised QPRC Parking Policy  
*Attachment 1 Revised QPRC Parking Policy (Under Separate Cover)*
- Item 9.19 QPRC 2020/21 Financial Statements  
*Attachment 1 Draft - Ready for Audit - 30 June 2021 General Purpose Financial Statements (Under Separate Cover)*  
*Attachment 2 Draft - Ready for Audit - 30 June 21 Special Purpose Financial Statements (Under Separate Cover)*  
*Attachment 3 Assurance of the Preparation of the Financial Statements (Under Separate Cover)*
- Item 9.20 Investment Report - August 2021  
*Attachment 1 Investment Report Pack - August 2021 (Under Separate Cover)*
- Item 10.1 COVID-19 Update  
*Attachment 1 COVID - Facilities Status (Under Separate Cover)*  
*Attachment 2 COVID - Organisation Response Levels (Under Separate Cover)*  
*Attachment 3 OLG - COVID Guidance to Councils (Under Separate Cover)*  
*Attachment 4 3 Step Plan - Example (Under Separate Cover)*
- Item 10.3 Mayoral Representation Following Local Government Elections  
*Attachment 1 LGNSW President's Message to all Mayors (Under Separate Cover)*
- Item 10.4 Resolution Action Sheet  
*Attachment 1 Resolution Action Sheet (Under Separate Cover)*
- Item 11.1 Braidwood Showground s355 Committee Meeting Minutes  
*Attachment 1 Braidwood Showground s355 Committee Meeting Minutes - 9 March 2021 (Under Separate Cover)*  
*Attachment 2 Braidwood Showground s355 Committee Meeting Minutes -*

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- 11 February 2021 (Under Separate Cover)*
- Attachment 3 Braidwood Showground s355 Committee Meeting Minutes - 25 July 2019 (Under Separate Cover)*
- Attachment 4 Braidwood Showground s355 Committee AGM Minutes - 25 July 2019 (Under Separate Cover)*
- Attachment 5 Braidwood Showground s355 Committee Meeting Minutes - 4 April 2019 (Under Separate Cover)*
- Attachment 6 Braidwood Showground s355 Committee Meeting Minutes - 15 November 2018 (Under Separate Cover)*
- Attachment 7 Braidwood Showground s355 Committee AGM Minutes - 31 July 2018 (Under Separate Cover)*
- Item 11.2 Bungendore Town Centre and Environs Committee Meeting Minutes
- Attachment 1 Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 31 May 2021*
- Attachment 2 Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 21 June 2021*
- Attachment 3 Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 19 July 2021*
- Item 11.3 Wamboin Community Hall s 355 Committee Meeting Minutes
- Attachment 1 AGM Minutes Wamboin Community Hall s 355 Committee - held 19 July 2021*
- Attachment 2 Meeting Minutes Wamboin Community Hall s 355 Committee - held 19 July 2021*
- Attachment 3 2020/2021 Financial Report Wamboin Community Hall s 355 Committee*
- Item 13.1 Delegates Report
- Attachment 1 Cr Harrison's SEATS Delegates report (Under Separate Cover)*
- Attachment 2 SEATS Attachment 1 - TfNSW Report - August 2021 (Under Separate Cover)*
- Attachment 3 SEATS Attachment 2 - ESC Report - August 2021 (Under Separate Cover)*
- Attachment 4 SEATS Attachment 3 - Evie Networks - August 2021 (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions
- Attachment 1 Responses to Councillors Questions (Under Separate Cover)*

**Closed Attachments**

- Item 9.15 Tender Recommendation - QPRC HVAC Maintenance Contract 2019/16
- Attachment 1 Tender Evaluation Report - QPRC HVAC Maintenance 2019-16 (Under Separate Cover)*
- Item 9.17 QPRC Cultural Grants application, Heart 2 Heart Psychic Centre
- Attachment 1 Funding Application Heart 2 Heart (Under Separate Cover)*
- Item 14.1 Responses to Councillors' Questions
- Attachment 2 Responses to Councillors Questions with Confidential Information (Under Separate Cover)*
- Item 16.1 Review of Representation - Issue Order on Property Owners
- Attachment 1 Notice of Proposed Order for ON.2021.0086 and Notice for*



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- Information and Records (Under Separate Cover)*
- Attachment 2 Representations Received from the Owner in Relation to the NOPO for ON.2021.0086 (Under Separate Cover)*
- Attachment 3 Response in Relation to the Notice for Information and Records (Under Separate Cover)*
- Attachment 4 WaterNSW - Maximum Harvestable Rights Calculator (Under Separate Cover)*
- Item 16.2 Request for Concession on Development Application Fees - Repair to Heritage Building
- Attachment 1 Request from Applicant to Consider Concession (Under Separate Cover)*
- Attachment 2 Plans of Proposed Repairs (Under Separate Cover)*
- Item 16.3 Hardship Request - Deferral of Developer Contributions - Two Applications
- Attachment 1 Applicant 1 - Request from Applicant (Under Separate Cover)*
- Attachment 2 Applicant 2 - Request from Applicant (Under Separate Cover)*
- Item 16.5 Rent Relief - Queanbeyan Riverside Caravan Park
- Attachment 1 Request for Rent Relief (Under Separate Cover)*
- Item 16.6 Undetected Leak Application - Greenleigh
- Attachment 1 Application (Under Separate Cover)*
- Attachment 2 Calculation sheet (Under Separate Cover)*
- Item 16.7 Complaint about Signage re Clarke Gang
- Attachment 1 Letter from Backhouse Legal 2017 (Under Separate Cover)*
- Attachment 2 Sign 1 (Under Separate Cover)*
- Attachment 3 Sign 2 (Under Separate Cover)*
- Attachment 4 Sign 3 (Under Separate Cover)*
- Attachment 5 Letter from Ms Lawson 2017 (Under Separate Cover)*
- Attachment 6 Response by Peter Smith 2017 (Under Separate Cover)*





MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held at the Queanbeyan Council Chambers, 253 Crawford Street, Queanbeyan NSW 2620 on Wednesday, 25 August 2021 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Overall (Chair)  
Cr Biscotti – via Zoom  
Cr Brown – via Zoom  
Cr Harrison – via Zoom  
Cr Hicks – via Zoom  
Cr Marshall – via Zoom  
Cr Noveska – via Zoom (from 5.34pm)  
Cr Schweikert – via Zoom  
Cr Taylor – via Zoom  
Cr Winchester – via Zoom

**Staff:** P Tegart, CEO  
M Thompson, Portfolio General Manager Natural & Built Character – via Zoom  
P Hansen, Portfolio General Manager Community Connections – via Zoom  
J Richards, Portfolio General Manager Community Choice – via Zoom  
A Knight, Portfolio General Manager Organisational Capability – via Zoom

**Also Present:** L Ison, Minute Secretary

### 1. OPENING

The meeting commenced at 5.30pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

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

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

226/21

#### **RESOLVED (Taylor/Biscotti)**

That the expected late arrival of Cr Noveska be noted.

The resolution was carried unanimously.

**4. CONFIRMATION OF MINUTES**

**4.1 Minutes of the Ordinary Meeting of Council held on 28 July 2021**

227/21

**RESOLVED (Taylor/Biscotti)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 28 July 2021 be confirmed.

The resolution was carried unanimously.

**4.2 Minutes of the Planning and Strategy Committee of the Whole held on 11 August 2021**

228/21

**RESOLVED (Taylor/Biscotti)**

That the Minutes of the Planning and Strategy Committee of the Whole held in the Queanbeyan Council Chambers on Wednesday 11 August 2021 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

229/21

**RESOLVED (Taylor/Hicks)**

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.

Mr Tegart declared a significant pecuniary interest in Item 9.1: Development Application - DA.2021.1352 - Alterations and Additions to a Dwelling - 17 Feagan Street Googong, employee of the specified company or other body, stating the Development Application is on his investment property.

Mr Thompson declared a less than significant non-pecuniary interest in Item 9.2: Development Application - DA.2021.1025 - Alterations and Additions to Existing Dwelling and Use of a Secondary Dwelling - 50 Aprasia Avenue, Googong, stating he is related to a Director of the Company nominated as the Applicant.

Cr Overall declared a less than significant non-pecuniary interest in Item 7.1: Requests to Council for Black Summer Bushfire Recovery Fund Grants, stating a relative of his has recently taken up a position with the Administering Department.

Cr Overall declared a less than significant non-pecuniary interest in Item 9.2: Development Application - DA.2021.1025 - Alterations and Additions to Existing Dwelling and Use of a Secondary Dwelling - 50 Aprasia Avenue, Googong, stating one of the submitters, and resident of the adjoining property, was elected to Council on his Group 'A' Ticket.

Cr Overall declared a less than significant non-pecuniary interest in Item 9.6: Council Landowner Permission Sought for Braidwood Lions Club Inc Application to the Black Summer Bushfire Recovery Fund and 9.12: Black Summer Bushfire Recovery Fund - Braidwood Swimming Club, stating a relative of his has recently taken up a position with the Administering Department.

Cr Biscotti declared a less than significant non-pecuniary interest in Item 9.2: Development Application - DA.2021.1025 - Alterations and Additions to Existing Dwelling and Use of a Secondary Dwelling - 50 Aprasia Avenue, Googong, stating as he knows the Applicant.

Cr Taylor declared a less than significant non-pecuniary interest in Item 9.2: Development Application - DA.2021.1025 - Alterations and Additions to Existing Dwelling and Use of a Secondary Dwelling - 50 Aprasia Avenue, Googong, stating she is the joint owner of a property directly adjacent to the subject property, partner of a presenter at the Ordinary Meeting of Council 25 August 2021, and submitter against the original development application.

During discussion Cr Noveska joined the meeting at 5.34pm.

## 6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.36pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

230/21

### **RESOLVED (Overall/Taylor)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

### **ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.36pm and resumed at 6.06pm.

Cr Overall declared an interest in the following item.

**SUPPLEMENTARY REPORT**

**7. MAYORAL MINUTE**

**7.1 Requests to Council for Black Summer Bushfire Recovery Fund Grants**

231/21

**RESOLVED (From the Chair)**

That Council consider the following requests for the Black Summer Bushfire Recovery Fund grants:

1. A letter of support from the Gundillion Recreation Reserve (Gundillion Hall) for their \$100,000 application for a Multipurpose Recreation Area and Sensory Garden.
2. A letter of support for the combined application from the The Servicemen's Club, Old Anglican Hall and Braidwood Radio to establish recognised evacuation centres in the Club and the Hall.
3. Modify the application for Araluen, to the items requested by the Araluen community, up to the value of \$100,000.

The resolution was carried unanimously.

Cr Overall vacated the Chair and left the Chambers at 6.08pm. The Deputy Mayor assumed the Chair.

During discussion Cr Harrison raised point of order stating that the Mayoral Minute must be moved from the Chair. The Deputy Mayor upheld the point of order.

The CEO advised Councillors that Items 9.6 and 9.12 had been withdrawn.

232/21

**RESOLVED (Biscotti/Schweikert)**

That in relation to the Black Summer Bushfire Recovery Fund grants, Council:

1. Provide a letter of support for the Gundillion Recreation Reserve (Gundillion Hall) for their \$100,000 application for a Multipurpose Recreation Area and Sensory Garden.
2. Provide a letter of support for the combined application from the The Servicemen's Club, Old Anglican Hall and Braidwood Radio to establish recognised evacuation centres in the Club and the Hall.
3. Modify the application for Araluen, to the items requested by the Araluen community, up to the value of \$100,000.

The resolution was carried unanimously.

The Mayor returned to the Chambers at 6.13pm and assumed the Chair.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

Mr Tegart declared an interest in the following item and left the meeting at 6.13pm.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**9.1 Development Application - DA.2021.1352 - Alterations and Additions to a Dwelling - 17 Feagan Street Googong**

233/21

**RESOLVED (Harrison/Schweikert)**

That Council grant conditional approval to development application DA.2021.1352 on the basis that it is compliant with all sections of the Queanbeyan Local Environmental Plan 2012, the relevant sections of the Queanbeyan Development Control Plan 2012 and Part 6 of the Googong Development Control Plan.

The resolution was carried unanimously.

Mr Tegart returned to the meeting at 6.15pm.

Crs Biscotti and Taylor, and Mr Thompson declared an interest in the following item and left the meeting at 6.15pm.

Cr Overall declared an interest in the following item, vacated the Chair, and left the Chambers at 6.15pm.

**Procedural Motion**

234/21

**RESOLVED (Marshall/Winchester)**

That Cr Schweikert assume the Chair for the consideration of Item 9.2.

The resolution was carried unanimously.

Cr Schweikert assumed the Chair at 6.15pm.

**9.2 Development Application - DA.2021.1025 - Alterations and Additions to Existing Dwelling and Use of a Secondary Dwelling - 50 Aprasia Avenue, Googong**

235/21

**RESOLVED (Hicks/Winchester)**

That:

1. Development application DA.2021.1025 for alterations and additions to an existing dwelling and use of a secondary dwelling on Lot 1163 DP 1210570, No. 50 Aprasia Avenue, Googong be granted conditional approval subject to suitable noise attenuation measures being applied to any air conditioning units that may be located in close proximity of the eastern or southern boundary.
2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

Crs Overall, Biscotti and Taylor and Mr Thompson returned to the meeting at 6.23pm.

The Mayor assumed the Chair.

**9.3 Crown Lands Initiated Road Transfer - Butmaroo Firetrail, Bombay**

236/21

**RESOLVED (Harrison/Schweikert)**

That Council object to the proposed transfer of Butmaroo Firetrail for the following reasons:

- The cost to administer and manage the road is unreasonable.
- The responsibility to deal with known neighbour disputes with this road is unreasonable.
- Council does not intend to accept the responsibility for the ongoing maintenance or improvement of this road.
- The location of practical access cannot fully align with the location of the crown road reserve.
- The current use of the road as an access to private property and as an access the Tallaganda State Forest is not benefited by transferring the road to Council.
- Crown Lands has the authority to approve any work on a Crown Road reserve and transferring the road to Council is not required.

The resolution was carried unanimously.

**9.4 The Great Queanbeyan Duck Race**

237/21

**RESOLVED (Marshall/Schweikert)**

That:

1. Council waive the \$218.00 hire fee for Queen Elizabeth 2 Park.
2. QPRC events staff assist the organisers with the implementation of Road Traffic Management and Risk Management Plans.
3. Council provide in-kind support by providing equipment such as marquees, traffic cones, barricades and pedestrian signage.

The resolution was carried unanimously.

**9.5 Oktoberfest 2021 Cancellation**

238/21

**RESOLVED (Schweikert/Biscotti)**

That Council transfer the agreed funding support from the 2021 event to the Oktoberfest 2023 event.

The resolution was carried unanimously.

**9.6 Council Landowner Permission Sought for Braidwood Lions Club Inc Application to the Black Summer Bushfire Recovery Fund**

Item 9.6 was withdrawn at the request of the applicant.

**9.7 Method of Ballot for Election of Mayor and Deputy Mayor**

239/21

**RESOLVED (Taylor/Biscotti)**

That the method of ballot for the election of Mayor and Deputy Mayor for the period 22 September to 4 December 2021, to be conducted on 22 September 2021, be by open voting (show of hands) pursuant to Schedule 7, Part 1(3) of the *Local Government (General) Regulation 2005*.

The resolution was carried unanimously.

**9.8 LGNSW Annual Conference and Board Elections 2021**

240/21

**RESOLVED (Biscotti/Taylor)**

That Council:

1. Nominate three Councillors, in addition to the Mayor, to register and be voting delegates at the LGNSW Annual Conference and Board Elections to be held online for one hour on 29 November 2021.
2. Consider whether it wishes to submit one or more motions for the LGNSW "Special Conference" to be held in-person in Sydney from 28 February to 2 March 2022.

The resolution was carried unanimously.

Council nominated Crs Schweikert, Winchester and Biscotti as voting delegates at the online LGNSW Annual Conference on 29 November 2021.

**9.9 Carry Forward / Revote of Expenditure to Financial Year 2021/22**

241/21

**RESOLVED (Schweikert/Harrison)**

That Council carry forward and re-vote budgets of \$15,502,609 into the 2021-22 financial year for the projects listed in the attached report.

The resolution was carried unanimously.



**9.10 June 2021 Quarterly Budget Review Statement**

242/21

**RESOLVED (Schweikert/Taylor)**

That Council

1. Note the June 2021 Quarterly Budget Review Statement.
2. Accept the Cash and Reserves Summary and confirms the reserve balances as at 30 June 2021.

The resolution was carried unanimously.

**9.11 Investment Report - July 2021**

243/21

**RESOLVED (Schweikert/Hicks)**

That Council:

1. Note the investment return for July 2021 was \$602,474.
2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Queanbeyan-Palerang Regional Council's Investment Policy.
3. Receive the Investment Report for the month of July 2021.

The resolution was carried unanimously.

**9.12 Black Summer Bushfire Recovery Fund - Braidwood Swimming Club**

Item 9.12 was withdrawn at the request of the applicant.

**SUPPLEMENTARY REPORT**

**9.13 Strengthening Telecommunications Against Natural Disasters**

244/21

**RESOLVED (Schweikert/Biscotti)**

That Council endorse the installation of the satellite services in line with the parameters of the STAND program at the RFS Fire Control Centre in Queanbeyan, the Braidwood Fire Station, the SES/RFS Station in Bungendore and at the Braidwood National Theatre.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

**10.1 Tree Application Fees**

245/21

**RESOLVED (Hicks/Schweikert)**

That the tree application fees not be implemented at this time.

For: Crs Biscotti, Brown, Hicks, Marshall, Noveska, Schweikert,  
Taylor and Winchester

Against: Crs Harrison and Overall

**10.2 Update on Maslin Place Drainage**

246/21

**RESOLVED (Marshall/Schweikert)**

That:

1. The report be received for information.
2. Council develop a plan for funding the Maslin Place drainage works using section 7.11 contributions past and future.

The resolution was carried unanimously.

**10.3 Greenwaste Arrangements for Araluen and Majors Creek Bin Compounds**

247/21

**RESOLVED (Hicks/Schweikert)**

That Council workshop the closure of the Araluen and Majors Creek Bin Compounds.

The resolution was carried unanimously.

**10.4 Stephen Ward Scholarship - Completion Report**

248/21

**RESOLVED (Schweikert/Biscotti)**

That the report be received for information.

The resolution was carried unanimously.

**10.5 Resolution Action Sheet for Notice of Motions**

249/21

**RESOLVED (Schweikert/Hicks)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES**

**11.1 Local Traffic Committee Meeting Minutes - 3 August 2021**

250/21

**RESOLVED (Schweikert/Biscotti)**

That Council:

1. Note the minutes of Local Traffic Committee held on 3 August 2021.
2. Adopt recommendations LTC 37/2021 to LTC 43/2021 from the meeting held on 3 August 2021.

LTC 37/2021 PROPOSED SOLUTION: Under *Roads Act 1993* approve the event on the condition that the organiser modifies the TMP to ensure the roads used are closed to traffic for the event, The TCP is designed and implemented by accredited persons, include measures for emergency communications, advise residents on route about the event, provide additional signage and advertise the event in the local Hoskintown paper.

LTC 38/2021 PROPOSED SOLUTION: Under *Roads Act 1993*, approve the TMP for the Christmas in July Markets to be held in Queanbeyan Sunday 19<sup>th</sup> September 2021, on the provision the TMP is updated as previously recommended.

LTC 39/2021 It is recommended that the comments provided by Police are communicated to the organiser for consideration and to assist with future event planning.

LTC 40/2021 PROPOSED SOLUTION: under *Roads Act 1993*, approve the TMP for the event on the condition that the organiser modifies the TMP to ensure that riders are uplifted from Collector Road to Hadlow Drive so they do not ride on the Federal Hwy or other major arterial roads. The LTC is support of the use of Bidges road with the proposed traffic control measures. It is noted that the event is pending formal approval through the Police State Planning Unit.

LTC 41/2021 PROPOSED SOLUTION: Under *Roads Act 1993*, approve the TMP for the event on the condition that the organiser modifies the TMP and other planning documents to suitably address the comments from the LTC.

LTC 42/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve design at Molonglo River crossing on Briars Sharrow Road.

LTC 43/2021 PROPOSED SOLUTION: Under the *Road Transport Act 2013* approve the design for parking changes at the Lowe Street Carpark and Rutledge Street, Queanbeyan.

The resolution was carried unanimously.

- 251/21                    **11.2 Bungendore Floodplain Risk Management Committee Meeting Minutes - 13 July 2021**  
**RESOLVED (Schweikert/Harrison)**  
That Council note the minutes of the Bungendore Floodplain Risk Management Committee meeting held on 13 July 2021.  
  
The resolution was carried unanimously.
- 252/21                    **11.3 Minutes of Aboriginal Consultative Committee 20 July 2021**  
**RESOLVED (Schweikert/Taylor)**  
That Council:  
  1. Note the minutes of the Aboriginal Consultative Committee meeting held on 20 July 2021.
  2. Support the renaming change of the Aboriginal Consultative Committee to the 'Queanbeyan-Palerang Regional Council First Nations Consultative Committee'.  
The resolution was carried unanimously.
- 253/21                    **11.4 Disability Access Committee - 28 July 2021**  
**RESOLVED (Winchester/Schweikert)**  
That Council note the minutes of Disability Access Committee held on 28 July 2021.  
  
The resolution was carried unanimously.
- 254/21                    **11.5 Youth Committee Meeting - 16 August 2021**  
**RESOLVED (Winchester/Schweikert)**  
That Council:  
  1. Note the minutes and actions of the Youth Committee, held on 16 August 2021.
  2. Adopt recommendation YC01 from the meeting held on 16 August 2021.  
  
YC01: Council approve engaging Braidwood artist Bohie Palacek (<https://www.bohiepalecek.com/>) to conduct a design workshop with local youth and paint a mural on the Moore Park shipping container in November 2021 (refer to Attachment 2 for artist quote).  
The resolution was carried unanimously.

**12. NOTICES OF MOTIONS**

There were no Notices of Motions.

**13. REPORTS TO COUNCIL - DELEGATES REPORTS**

There were no Delegates Reports.

**14. QUESTIONS WITH NOTICE**

**14.1 Responses to Councillors' Questions**

255/21

**RESOLVED (Taylor/Schweikert)**

That the report be received for information.

The resolution was carried unanimously.

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

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

**16. REPORTS FOR CLOSED SESSION**

256/21

**RESOLVED (Overall/Marshall)**

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 Bungendore Property**

*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.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.00pm to discuss the matter listed above.

**Supplementary Report**

**16.1 Bungendore Property**

257/21

**RESOLVED (From the Chair)**

That Council delegate authority to the Planning and Strategy Committee of the Whole to consider a Bungendore property legal matter at its meeting on 8 September 2021.

The resolution was carried unanimously.

258/21

**RESOLVED (Overall/Taylor)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.06pm and the livestream was opened for the public.

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 7.06pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**



## PLANNING AND STRATEGY COMMITTEE OF THE WHOLE MEETING

Council at its meeting of 23 November 2016 resolved (M/N 295/16) as follows:

The Planning and Strategy Committee of the Whole be delegated authority in accordance with Section 377 of the *Local Government Act 1993* to determine matters pursuant to the:

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Swimming Pools Act 1992*
- *Roads Act 1993*
- *Public Health Act 2010*
- *Heritage Act 1977*
- *Protection of the Environment Operations Act 1997*

MINUTES OF THE PLANNING AND STRATEGY COMMITTEE OF THE WHOLE OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 8 September 2021 commencing at 5.30pm.

### ATTENDANCE

**Councillors:** Cr Overall (Chair)  
Cr Biscotti – via Zoom  
Cr Harrison – via Zoom  
Cr Hicks – via Zoom  
Cr Marshall – via Zoom  
Cr Noveska – via Zoom (from 5.49pm)  
Cr Schweikert – via Zoom  
Cr Taylor – via Zoom  
Cr Winchester – via Zoom

**Staff:** P Tegart, CEO  
M Thompson, Portfolio General Manager Natural & Built Character – via Zoom  
P Hansen, Portfolio General Manager Community Connections – via Zoom  
J Richards, Portfolio General Manager Community Choice – via Zoom  
A Knight, Portfolio General Manager Organisational Capability – via Zoom

**Also Present:** L Ison, Minute Secretary



**1. OPENING**

The meeting commenced at 5.30pm.

**2. ACKNOWLEDGEMENT OF COUNTRY**

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

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

PLA149/21

**RESOLVED (Taylor/Biscotti)**

That the apology for non-attendance from Cr Brown be received and the expected late arrival of Cr Noveska be noted.

The resolution was carried unanimously.

**4. DISCLOSURES OF INTEREST**

PLA150/21

**RESOLVED (Taylor/Biscotti)**

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.

Mr Michael Thompson declared a less than significant non-pecuniary interest in Item 8.1: Development Application - DA.2021.1151 - Alterations, Extension and Second Storey Addition to a Dwelling House - 81 Turallo Terrace, Bungendore, stating he is related to a Director of the Applicant's Company.

**5. ADJOURNMENT FOR PUBLIC FORUM**

At this stage of the proceedings, the time being 5.32pm, Cr Overall advised that the meeting should now adjourn for the Public Forum.

PLA151/21

**RESOLVED (Overall/Biscotti)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.32pm and resumed at 5.40pm.

**6. MAYORAL MINUTE**

There was no Mayoral Minute.

**7. NOTICES OF MOTIONS OF RESCISSION**

There were no Notices of Motions of Rescission.

Mr Thompson declared an interest in the following item and left the meeting at 5.40pm.

**8. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**

**8.1 Development Application - DA.2021.1151 - Alterations, Extension and Second Storey Addition to a Dwelling House - 81 Turallo Terrace, Bungendore**

PLA152/21

**RESOLVED (Biscotti/Harrison)**

That:

1. Development application DA.2021.1151 for alterations and second story addition to the dwelling house on Lot 5 DP 758183, No.81 Turallo Terrace, Bungendore be granted conditional approval.
2. Those persons who lodged a submission on the application be advised in writing of the determination of the application.

The resolution was carried unanimously.

Mr Thompson returned to the meeting at 5.45pm.

**8.2 Administrative Amendments to Braidwood DCP 2006 and Palerang DCP 2015**

PLA153/21

**RESOLVED (Schweikert/Harrison)**

That Council place the amended Braidwood Development Control Plan 2006 and amended Palerang Development Control Plan 2015 on public exhibition for 28 days.

The resolution was carried unanimously.

**8.3 Proposed Voluntary Planning Agreement - Jumping Creek**

PLA154/21

**RESOLVED (Biscotti/Schweikert)**

That Council:

1. Agree to progress the attached draft Voluntary Planning Agreement for the Jumping Creek site generally consistent with the offer received from PEET Jumping Creek Pty Ltd.
2. Place the draft Voluntary Planning Agreement on public exhibition for 28 days, and report back to Council.

The resolution was carried unanimously.

During discussion Cr Noveska joined the meeting at 5.49pm.

- PLA155/21                      **8.4      Draft Mobile Food Vending Policy**  
**RESOLVED (Schweikert/Biscotti)**
- That:
1. Council place the draft Mobile Food Vending Policy on public exhibition for a period of 28 days.
  2. A report considering all submissions and recommended Policy amendments be brought back to Council following exhibition.

The resolution was carried unanimously.

- PLA156/21                      **8.5      Request from Wildcare to Install Floating Barrier Across Queanbeyan River**  
**RESOLVED (Hicks/Schweikert)**
- That Council support the installation of a floating barrier upstream of the weir, such barrier to be secured by new bollards on each side of the Queanbeyan River to allow for ease of removal in the event of rising flood waters.

The resolution was carried unanimously.

**9.      REPORTS TO COUNCIL - ITEMS FOR INFORMATION**

- PLA157/21                      **9.1      Land-Use Planning Projects / Activities - Status Report - July 2021**  
**RESOLVED (Schweikert/Taylor)**
- That the report be received for information.
- The resolution was carried unanimously.

- PLA158/21                      **9.2      Submission - Regional Housing Taskforce**  
**RESOLVED (Hicks/Schweikert)**
- That the report be received for information.
- The resolution was carried unanimously.

**10. REPORTS OF COMMITTEES**

**10.1 Minutes of Environment and Sustainability Advisory Committee - 4 August 2021**

PLA159/21

**RESOLVED (Marshall/Schweikert)**

That Council:

1. Note the Minutes of the Environment and Sustainability Advisory Committee held on 4 August 2021.
2. Adopt recommendation QPRC ESAC 02/21 from the meeting.  
QPRC ESAC 02/21 That the Committee undertake an onsite inspection of the proposed Botanical Garden and invite Councillors to attend.

The resolution was carried unanimously.

**10.2 Minutes of Braidwood and Curtilage Heritage Advisory Committee - 8 July 2021**

PLA160/21

**RESOLVED (Marshall/Taylor)**

That Council note the minutes of the Braidwood and Curtilage Heritage Advisory Committee held on 8 July 2021.

The resolution was carried unanimously.

**10.3 Minutes of Braidwood and Curtilage Heritage Advisory Committee - 12 August 2021**

PLA161/21

**RESOLVED (Marshall/Taylor)**

That Council note the minutes of the Braidwood and Curtilage Heritage Advisory Committee Meeting held on 12 August 2021.

The resolution was carried unanimously.

Cr Biscotti lost connection and left the meeting at 5.54pm.

**10.4 Minutes of Queanbeyan-Palerang Sports Council - 7 June and 9 August 2021**

PLA162/21

**RESOLVED (Winchester/Hicks)**

That Council:

1. Adopt the minutes of the Queanbeyan-Palerang Sports Council meeting held on 7 June 2021 and in doing so endorse resolution QSC 001/21 of that meeting.

QSC 001/21 That the Council consider the following five listed projects as priorities for the Stronger Country Community Grants and other appropriate grant opportunities:

- New 4 court Indoor (Basketball) stadium
- Flood lights at Halloran Oval and Steve Mauger Oval
- Toilets for Archery
- New Amenities at Wright Park
- Women's amenities (all fields)

2. Note the minutes of Queanbeyan-Palerang Sports Council meeting held on 9 August 2021.

The resolution was carried unanimously.

**11. NOTICES OF MOTIONS**

There were no Notices of Motions.

**12. NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION**

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

**13. REPORTS FOR CLOSED SESSION**

PLA163/21

**RESOLVED (Overall/Taylor)**

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 13.1 Bungendore Property**

*Item 13.1 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.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 5.56pm to discuss the matters listed above.

During discussion Cr Biscotti returned to the meeting at 6.00pm.

**13.1 Bungendore Property**

PLA164/21

**RESOLVED (Overall/Hicks)**

That Council:

1. Note the report.
2. Delegate authority to the CEO to progress the matter as discussed.

For: Crs Biscotti, Hicks, Noveska, Overall and Taylor

Against: Crs Harrison, Marshall, Schweikert and Winchester

PLA165/21

**RESOLVED (Overall/Taylor)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.38pm.

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.

**14. CONCLUSION OF THE MEETING**

The time being 6.38pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR TIM OVERALL  
MAYOR  
CHAIRPERSON**

**ITEM 5    DECLARATION OF CONFLICTS/PECUNIARY INTERESTS**

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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.**





File Reference: 52.6.1

### **Summary**

As reported to Council at its meeting on 25 August 2021, mayoral elections must be held in September 2021 for mayors who were elected in September 2019. The mayors elected in September 2021 will serve until 4 December 2021, being the date of the next local government general elections. Council resolved at its August meeting that the method of ballot for the election of the Mayor on 22 September 2021 be by open voting (show of hands). This report outlines the election procedure to be followed.

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### **Recommendation**

**That an election for the position of Mayor be now conducted by open voting (show of hands) pursuant to Schedule 7, Part 1(3) of the *Local Government (General) Regulation 2005*, the term of office being from their date of election until 4 December 2021.**

---

### **Background**

Clause 230(1) of the *Local Government Act 1993* requires that mayors elected by the councillors hold the office for two years. Due to the deferral of the local government general elections until 4 December 2021, councils that elected their mayor in 2019, as in QPRC's case, are now required to hold a mayoral election in September 2021. The term of office for mayors so elected is from their date of election until the local government general elections on 4 December 2021.

Council resolved at its meeting held on 25 August 2021 (Resolution 239/21) that the method of ballot for the election of the Mayor and Deputy Mayor is to be by open voting (show of hands).

### **Election Procedure**

A detailed explanation of the Mayoral Election Procedures is available from the Office of Local Government's website at <https://www.olg.nsw.gov.au/sites/default/files/OLG%20-%20September%202018%20mayoral%20elections%20-%20Fact%20Sheet.pdf>

Clause 3(1) of Schedule 7 of the Regulation provides that if only one councillor is nominated, that councillor is declared elected.

Clause 3(2) of Schedule 7 provides that if more than one councillor is nominated, the Council is to resolve whether the election is to be by open voting, ordinary ballot or preferential ballot. Clause 6 of Schedule 7 provides that if there are only two candidates, the candidate with the higher number of votes is elected.

However, if there are only two candidates and their votes are tied, the election is chosen by lot.

Clause 7 of Schedule 7 provides that if there are three or more candidates, the one with the lowest number of votes is to be excluded and a further vote is taken of those remaining candidates and the one with the lowest number of votes from that further vote is excluded.

**9.1 Election of Mayor (Ref: ; Author: Knight/Ferguson) (Continued)**

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The above procedure is to be repeated until two candidates remain. If two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

**Returning Officer**

Clause 1 of Schedule 7 of the Regulation provides that the CEO or their delegate is the returning officer for the election.

**Nominations**

Clause 2 of Schedule 7 provides that a councillor may be nominated without notice and that such nomination is to be made in writing by two or more councillors. The nomination is not valid unless the nominee has shown consent to the nomination in writing.

Returning Officer to conduct the election.

**Implications*****Legal***

The election of the Mayor of QPRC is to be conducted in accordance with the *NSW Local Government Act 1993* and the *NSW Local Government (General) Regulation 2005*.

**Conclusion**

Council, having elected its current Mayor in 2019, must now conduct an election for the position of Mayor for the period 22 September to 4 December 2021, being the date of the deferred local government general elections. Council resolved at its August 2021 meeting to conduct the ballot by open voting (show of hands).

**Attachments**

Nil

9.2 Position of Deputy Mayor (Ref: ; Author: Knight/Ferguson)

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File Reference: 52.6.1

**Summary**

The decision to elect a deputy mayor and the duration of their term of office are determined by individual councils. Since its creation, Council has each year resolved to fill the position of Deputy Mayor for a one-year term. Council is now given the opportunity to decide if it wishes to continue this practice, and if so decided, the term will be from 22 September until 4 December 2021.

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**Recommendation**

**That Council elect a Deputy Mayor for the period 22 September until 4 December 2021, noting that the method of ballot for such an election is by open voting (show of hands), pursuant to Schedule 7, Part 1(3) of the *Local Government (General) Regulation 2005*.**

---

**Background**

The deputy mayor of a council is the person who may be elected to the office by councillors from among their number. A deputy mayor elected by councillors may hold that office for the mayoral term (two years) or for a shorter term and commences the day the person elected to that office is declared elected.

Council elected Cr Michele Biscotti in 2020 as Deputy Mayor for a one-year term, and as that term has now concluded, Council should decide whether it wishes to elect a Councillor to the position of Deputy Mayor for the period 22 September until 4 December 2021.

The election of the deputy mayor must be conducted in accordance with Clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005*.

Council resolved at its meeting held on 25 August 2021 (Resolution 239/21) that the method of ballot for the election of the Mayor and Deputy Mayor be by open voting (show of hands).

**Election Procedure**

A detailed explanation of the Deputy Mayoral Election Procedures is available from the Office of Local Government's website at <https://www.olg.nsw.gov.au/sites/default/files/OLG%20-%20September%202018%20mayoral%20elections%20-%20Fact%20Sheet.pdf>

Clause 3(1) of Schedule 7 of the Regulation provides that if only one councillor is nominated, that councillor is declared elected.

Clause 3(2) of Schedule 7 provides that if more than one councillor is nominated, the Council is to resolve whether the election is to be by open voting, ordinary ballot, or preferential ballot. Clause 6 of Schedule 7 provides that if there are only two candidates, the candidate with the higher number of votes is elected.

However, if there are only two candidates and their votes are tied, the election is chosen by lot.

**9.2 Position of Deputy Mayor (Ref: ; Author: Knight/Ferguson) (Continued)**

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Clause 7 of Schedule 7 provides that if there are three or more candidates, the one with the lowest number of votes is to be excluded and a further vote is taken of those remaining candidates and the one with the lowest number of votes from that further vote is excluded.

The above procedure is to be repeated until two candidates remain. If two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

**Returning Officer**

Clause 1 of Schedule 7 of the Regulation provides that the CEO or their delegate is the returning officer for the election.

**Nominations**

Clause 2 of Schedule 7 provides that a councillor may be nominated without notice and that such nomination is to be made in writing by two or more councillors. The nomination is not valid unless the nominee has shown consent to the nomination in writing.

Returning Officer to conduct the election.

**Implications*****Legal***

The election of deputy mayor must be conducted in accordance with the *NSW Local Government Act 1993* and the *NSW Local Government (General) Regulation 2005*.

**Conclusion**

Council is asked to determine whether it wishes to fill the position of Deputy Mayor for the period 22 September to 4 December 2021. The method of ballot for the election of the Deputy Mayor is, as by resolution of Council in August 2021, by open voting (show of hands). The CEO is the Returning Officer for the election.

**Attachments**

Nil

9.3 Delegations to Mayor and Deputy Mayor (Ref: ; Author: Knight/Ferguson)

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File Reference: 52.4.3

**Summary**

It is necessary to provide delegations to the Mayor and the Deputy Mayor to enable Council to operate outside the Ordinary meetings.

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**Recommendation**

**That, pursuant to Section 377(1) of the *Local Government Act 1993*, the delegations to the Mayor <Name> and Deputy Mayor <Name> be granted and remain in force until revoked by resolution of Council.**

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**Background**

Pro forma delegations for the Mayor and Deputy Mayor are listed below:

Mayor

That pursuant to the powers conferred on it by Section 377(1) of the *Local Government Act 1993* and by any other Act or Regulation the administration of which the Council is charged, the Council with these powers delegates to:

- Councillor (name) ..... Mayor
1. To carry out any function conferred on, and duty imposed on, the Mayor under any Act or regulation.
  2. Generally supervise the CEO/General Manager.
  3. Authorise any works/services pursuant to Section 252 and Council's "Policy on the payment of expenses and provision of facilities for the mayor and councillors" and shall ensure that the account for such works/services so authorised is submitted for payment by the Council in accordance with the Code.
  4. In conjunction with the CEO/General Manager, authorise Councillors to attend and represent Council at meetings, seminars, conferences, and the like, where time does not permit authorisation by Council.

Deputy Mayor

That pursuant to the powers conferred on it by Section 377(1) of the *Local Government Act 1993* and by any other Act or Regulation the administration of which the Council is charged, the Council with these powers, delegates to:

- Councillor (name) ..... Deputy Mayor
1. During the absence of Mayor from the Council area or where the Mayor is unable to carry out his duties, the powers delegated to the Mayor, Councillor (name) ..... under Section 377(1) of the *Local Government Act 1993* be transferred to the Deputy Mayor.

9.3 Delegations to Mayor and Deputy Mayor (Ref: ; Author: Knight/Ferguson)  
(Continued)

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**Implications**

***Legal***

The delegations to the Mayor and Deputy Mayor are in accordance with the *NSW Local Government Act 1993*.

**Conclusion**

Delegations to the Mayor and the Deputy Mayor are necessary to enable Council to operate outside the Ordinary Council meetings.

**Attachments**

Nil



9.4 Committee Delegates and Representatives (Ref: ; Author: Knight/Ferguson)

File Reference: 52.3

**Summary**

Council is asked to re-appoint its representatives and delegates to all committees and external organisations for the remainder of this Council’s term of office, i.e. until 4 December 2021.

**Recommendation**

**That Council re-appoint its representatives and delegates to all committees and external organisations from 22 September until 4 December 2021.**

**Background**

The following table lists all Committees and external organisations, their current delegates, and the frequency of meetings. Many committees and organisations have been unable to hold their meetings during the past 18 months as per their normal frequency due to the restrictions of the COVID-19 pandemic.

The new Council will consider its delegates and representatives at its first meeting in 2022.

	COMMITTEE	CURRENT DELEGATE	Frequency
	<b>COUNCIL COMMITTEES</b>		
1	Planning and Strategy Committee of the Whole	Whole Council	Monthly
	<b>ORGANISATIONAL COMMITTEES</b>		
2	Audit, Risk, and Improvement Committee	Cr Harrison and Portfolio GM Organisation Capability	Quarterly
3	Australia Day and Community Awards Committee	Mayor, Portfolio GM Community Choice, Service Manager Recreation and Culture	As required
4	Australia Day Organising Committee	Cr Schweikert, Cr Hicks, Portfolio GM Community Choice and Service Manager Recreation and Culture (Note: Council may nominate a person for organising the Bungendore event)	As required
5	Consultative Committee on Aboriginal Issues	Cr Marshall	Quarterly
6	Dangerous Dog Panel	Cr Taylor, Service Manager Communications & Customer Service	As required
7	Disability Access Committee	Cr Winchester	As required
8	CEO Performance Review Committee	Mayor, Deputy Mayor, Crs Harrison, Hicks and Schweikert	Six-monthly

#### 9.4 Committee Delegates and Representatives (Ref: ; Author: Knight/Ferguson) (Continued)

9	Queanbeyan-Palerang Library Service – NSW Public Library Zone	Cr Winchester	As required
10	Queanbeyan Sporting Gallery Committee	Mayor	As required
11	Sports Council	Crs Winchester, Hicks and Biscotti	Quarterly
12	Sister City Committee	Mayor and Cr Noveska; Portfolio GM Community Choice; Service Manager Governance & Risk	As required
<b>STATUTORY COMMITTEES</b>			
13	Dargues Reef Community Consultative Committee	Cr Harrison	As required
14	District Liaison Committee	Cr Schweikert; CEO; RFS representatives	Biannually
15	Integrated Water Cycle Management Project Reference Group	Cr Marshall	As required
16	Lake George Bush Fire Management Committee	Cr Overall	Biannually
17	Lake George Emergency Management Committee	Portfolio GM Community Connections (Chair) ( <i>State Emergency and Rescue Management Act 1989</i> )	Quarterly
18	Local Traffic Committee	Cr Schweikert; Portfolio GM Community Connections	Bi-monthly
19	Old Cooma Road Holcim Quarry Consultative Committee	Cr Hicks	As required
<b>LOCALITY COMMITTEES</b>			
20	Araluen	Crs Winchester and Marshall	Biannually
21	Braidwood	Crs Overall and Noveska	Biannually
22	Bungendore	Crs Schweikert and Biscotti	Biannually
23	Burra	Crs Hicks and Taylor	Biannually
24	Captains Flat	Crs Hicks and Marshall	Biannually
25	Wamboin	Crs Harrison and Winchester	Annually
<b>ADVISORY COMMITTEES</b>			
26	Braidwood and Curtilage Heritage Advisory Committee	Cr Marshall; QPRC Heritage Advisor	As required
27	Braidwood Floodplain Risk Management Committee	Cr Harrison	As required
28	Bungendore Floodplain Risk Management Committee	Crs Schweikert and Harrison	As required
29	Bungendore Town Centre and Environs Committee	Staff	Quarterly
30	Captains Flat Floodplain Risk Management Committee	Has ceased to exist but will be re-formed in the future	
31	Cultural Development and Public Arts Advisory Committee	Cr Noveska (Chair); one Councillor as alternate Chair; Service Manager Recreation &	Quarterly

#### 9.4 Committee Delegates and Representatives (Ref: ; Author: Knight/Ferguson) (Continued)

		Culture or Cultural Development Coordinator	
32	Economic Advisory Panel	Cr Schweikert	Quarterly
33	Environment and Sustainability Advisory Committee	Cr Marshall	Quarterly
34	Q Advisory Board	Cr Noveska, Chair Cultural Advisory Committee; Portfolio GM Community Choice	Bi-monthly
35	Queanbeyan Flood Management Committee	Cr Harrison	As required
36	QPRC Heritage Advisory Committee	Cr Overall and Marshall; QPRC Heritage Advisor; Portfolio GM Natural and Built Character	Bi-monthly
37	Queanbeyan Showground Advisory Committee	Cr Taylor	As required
38	Queanbeyan Trust Committee	All Councillors	As required
39	Tourism Advisory Board	Cr Schweikert	Quarterly
40	Youth Advisory Council	Cr Winchester (Chair and Deputy Chair to be elected from community membership)	Quarterly
	<b>REGIONAL COMMITTEES</b>		
41	ACT-NSW Cross Border Illegal Dumping Steering Committee	Portfolio GM Community Connections	As required
42	Canberra Airport Community Aviation Consultation Group	Cr Schweikert and CEO	Quarterly
43	Canberra Region Joint Organisation (CRJO)	Mayor	Bi-monthly
44	Community Safety Precinct Committee – Monaro Local Area Command	Cr Overall and Schweikert	As required
45	Interim ACT and Region Catchment Management Coordination Group	Portfolio GM Natural Built Character	
46	South-East Weight of Loads Group	Staff	As required
47	South East Australia Transport Strategy (SEATS)	Cr Harrison and Portfolio GM Community Connections	Quarterly
48	Southern Joint Regional Planning Panel	Cr Harrison Cr Marshall (alternate)	As required
49	Southern Tablelands Arts Board	Portfolio GM Community Choice	As required
50	Upper Murrumbidgee Catchment Network	Staff	Quarterly
51	WaterNSW (Local Government Reference Panel)	Staff	As required
52	Woodlawn Eco-Precinct Community Liaison Committee (Veolia)	Cr Schweikert	Quarterly
	<b>WORKPLACE COMMITTEES</b>		
53	Risk Committee	Management representatives and staff representatives	Bi-monthly

**9.4 Committee Delegates and Representatives (Ref: ; Author: Knight/Ferguson)  
(Continued)**

54	Workplace Consultative Committee	Management representatives and staff/union representatives	Monthly
55	Workplace Health and Safety Committee	Management representatives and staff representatives	Monthly
56	Workplace Innovation Group	Staff	Bi-monthly
57	Workplace Access Committee (TBC)	Staff	Half-yearly
58	Workplace Diversity and Inclusion	Staff	Bi-monthly

**Implications**

***Legal***

In accordance with the *Local Government Act 1993*.

**Conclusion**

Council is asked to re-appoint all its delegates and representatives to committees and external organisations from 22 September until 4 December 2021.

**Attachments**

Nil

9.5 Delegation of Authority to Planning and Strategy Committee of the Whole  
(Ref: ; Author: Knight/Hagger)

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File Reference: 43.2.1-21

**Summary**

To provide delegation of authority to the Planning and Strategy Committee of the Whole to make determinations in relation to certain financial related documentation and administrative processing.

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**Recommendation**

**That Council delegate the decision-making powers to the Planning and Strategy Committee of the Whole for the following financial related documentation and processes:**

- 1. Endorsement of the Long-Term Financial Plan for public exhibition.**
  - 2. Resolution to notify IPART of Council's intention to lodge a Special Rate Variation application.**
  - 3. Endorsement of the revised Operating Plan for public exhibition with inclusion of the Special Rate Variation option.**
- 

**Background**

A number of financial reports and documentation will be required to be progressed before the current Council enters caretaker mode 40 days prior to the Council election to be held on 4 December 2021.

While Council is yet to resolve to proceed with a Special Rate Variation, staff intend to present a report to Council in the coming months for consideration. Should Council resolve to proceed, the notification to IPART for Council's intention to lodge a Special Rate Variation is due in November. To finalise its options review, Council is waiting on the release of the following advice from IPART:

- 2022/23 rate peg amount
- Publication of the IPART revenue and population peg review

This documentation will inform Councillor decisions that will be further discussed at the next LTFFP workshop on 29 September 2021.

***Engagement***

Comprehensive community engagement will be required to appraise the community of details and implications in the draft Long-Term Financial Plan and any proposed Special Rate Variation.

***Financial***

Decisions made in relation to the proposed Special Rate Variation will impact on the draft Long-Term Financial Plan and listed works and service levels to be provided to the community during the period the Long-Term Financial Plan covers.

9.5 Delegation of Authority to Planning and Strategy Committee of the Whole (Ref: ;  
Author: Knight/Hagger) (Continued)

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***Resources (including staff)***

Dedicated resources will be required to prepare the Special Rate Variation application and associated documentation and attend public forums to present the proposal.

**Attachments**

Nil

9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns)

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File Reference: DA.2019.1170

**Summary**

***Reason for Referral to Council***

This application has been referred to Council because more than six submissions have been received in relation to the application.

Proposal:	Commercial Premises (Bakery)
Applicant/Owner:	RW & JJ Pty Ltd
Subject Property:	Lots 1-3, Sec 15 DP758152, No.87-91 Lascelles Street, Braidwood
Zoning and Permissibility:	B4 Mixed Use under Palerang Local Environmental Plan 2014
Public Submissions:	15
Issues Discussed:	Stormwater Parking Access
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

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**Recommendation**

That:

- 1. Development application DA.2019.1170 for a commercial premises (bakery) on Lot 1, Lot 2, Lot 3 Sec 15 DP 758152, No.87-91 Lascelles Street, Braidwood be granted conditional approval.**
  - 2. Those persons who lodged a submission(s) on the application be advised in writing of the determination of the application.**
- 

**Background**

***Proposed Development***

The development application seeks approval for a commercial premises, specifically a bakery and food and drink premises, at 87-91 Lascelles Street Braidwood. The development comprises the following elements:

- A new bakery building including a large kitchen and food preparation area, retail service area and outdoor seating area under a verandah.
- Male and female toilet facilities.
- An outdoor shade structure.
- Parking for 24 vehicles (including one disabled space) accessed off Elrington Street.
- Landscaping.

9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)

The proposed hours that the business will be open to the public will be between 6:00am to 5:00pm Monday to Sunday. However, as a bakery, staff will be working within the premises throughout the night generally between 10.30pm and 9.30am the following morning.

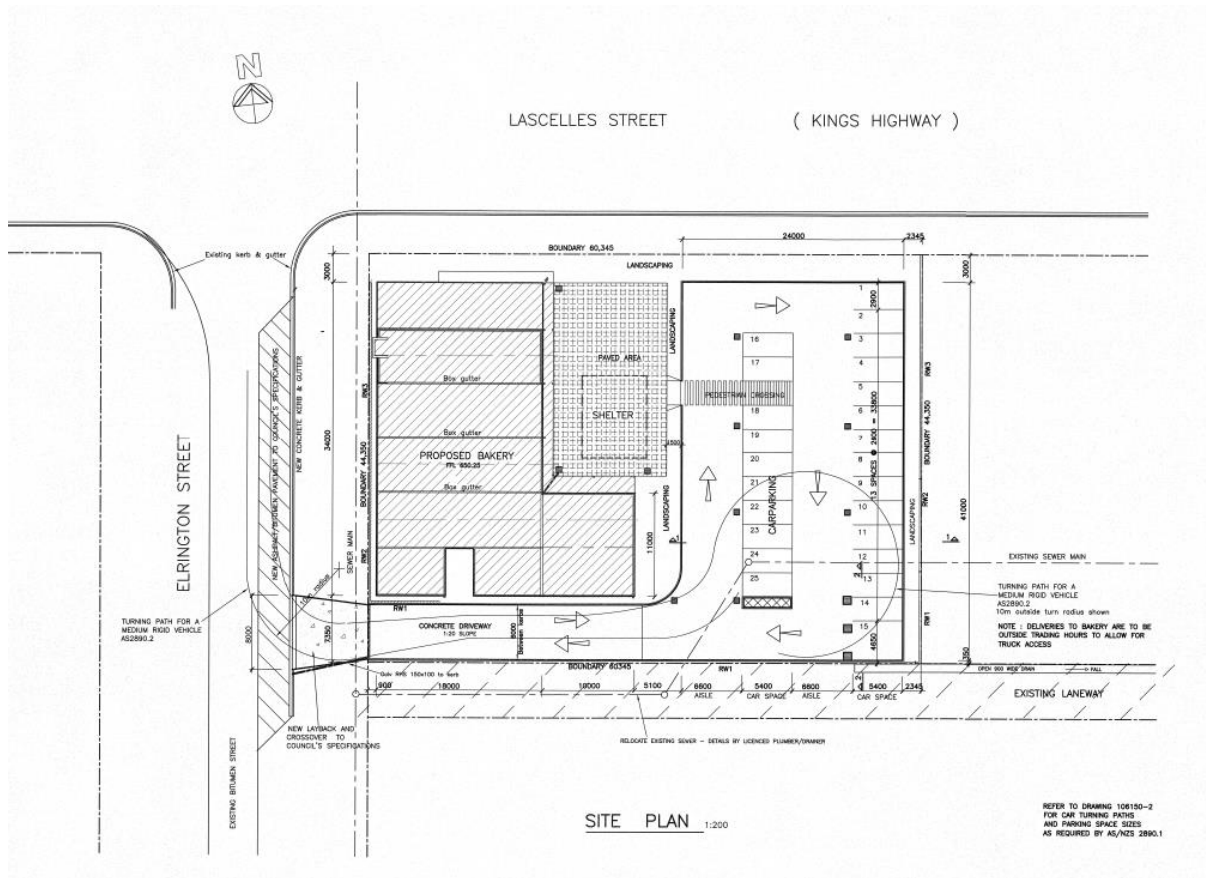


Figure 1: Site Plan

**Subject Property**

The site is comprised of Lots 1 to 3, Sec 15, DP 758152 and is known as 87-91 Lascelles Street, Braidwood. The land is located in the B4 Mixed Use Zone and is currently vacant.



Figure 2: Locality Plan



9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)

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**Figure 3: Aerial Imagery of the Subject Site**

The site is generally flat with a slight fall to the south east corner. It is surrounded by residential development to the east, south and west with another established commercial premises and further dwellings to the north on the other side of the Kings Highway (Lascelles Street).

### **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 (Infrastructure) 2007*
2. *State Environmental Planning Policy No. 55 - Remediation of Land*
3. *Palerang Local Environmental Plan 2014 (PLEP)*
4. *Braidwood Development Control Plan 2006 (BDCP)*

While the development generally satisfies the requirements and achieves the objectives of these planning instruments relevant issues relating to the Infrastructure SEPP are as follows.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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**(a) State Environmental Planning Policy (Infrastructure) 2007**

This section of the report discusses matters relating to access to the site. It incorporates comments from Council's Development Engineering Team.

The subject site has a frontage to a classified road, being Lascelles Street (Kings Highway). The initial proposal proposed access being provided via Lascelles Street. Clause 101 of the Infrastructure SEPP provides as follows.

**101 Development with frontage to classified road**

(1) *The objectives of this clause are—*

- (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

(2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
  - (i) *the design of the vehicular access to the land, or*
  - (ii) *the emission of smoke or dust from the development, or*
  - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Despite attempts by the applicant to justify their position, initial consultation with Transport for NSW (TfNSW) indicated that they were not prepared to support access to the site off Lascelles Street.

As such amended plans showing access from Elrington Street were submitted. It has been deemed by TfNSW that the Elrington Street entrance would allow better safety, efficiency and ongoing operation of Lascelles Street.

The proposed development is classified as a Food and Drink Premises and, subject to Schedule 3 of the Infrastructure SEPP, is classified as a traffic generating development as the proposed food and drink premises is accessed within 90 metres of a classified road and has a gross total floor area of more than 300m<sup>2</sup>. Clause 104 of the Infrastructure SEPP is relevant.

**104 Traffic-generating development**

(1) *This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves—*

- (a) *new premises of the relevant size or capacity, or*
- (b) *an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.*

(2) *In this clause, relevant size or capacity means—*

- (a) *in relation to development on a site that has direct vehicular or pedestrian access to any road (except as provided by paragraph (b))—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or*

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

- (b) *in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.*
- (2A) *A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies that this Policy provides may be carried out without consent unless the authority or person has—*
- (a) *given written notice of the intention to carry out the development to TfNSW in relation to the development, and*
- (b) *taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.*
- (3) *Before determining a development application for development to which this clause applies, the consent authority must—*
- (a) *give written notice of the application to TfNSW within 7 days after the application is made, and*
- (d) *take into consideration—*
- (i) *any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*
- (ii) *the accessibility of the site concerned, including—*
- (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
- (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
- (iii) *any potential traffic safety, road congestion or parking implications of the development.*
- (4) *The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.*

This means that the application requires concurrence from TfNSW and as such the application was subsequently referred to them for comment. After several amendments to the plans to fine tune access and requests for further information TfNSW provided the following response:

*“TfNSW does not believe the development will have a significant impact on Lascelles Street and on this basis, does not object to the development application. This is subject to the points outlined in Attachment 3 being included in the conditions of development consent.*

*TfNSW highlights that in determining the DA under Part 4 of the Environmental Planning and Assessment Act, 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent (i.e. no stopping signage). Depending on the level of environmental assessment undertaken to date and nature of the works, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.”*

The requirements of TfNSW will be included as conditions of consent as requested.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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Relevantly Council's Development Engineering Team also made the following comments in relation to access to the site.

The plan proposes a two-way 6m wide entry/exit tapered to 8m at the kerb, with a circulating internal driveway for the carpark and aisle widths of 6.6m. The proposed access is on the boundary, with the taper encroaching on the boundary, however given the site is adjacent to a laneway this would be acceptable.

Proposed service vehicles and loading areas have not been specified, however the traffic report advises that all deliveries will take place outside of operating hours. It is expected that service vehicles for this scale of development could be accommodated within the proposed parking layout and are likely to occur outside of operating hours generally.

Along with ensuring access is provided off Elrington Street, TfNSW have also advised that they will not support the development unless a "strategic design" for the Kings Highway is provided, implementing "No Stopping" signage along the Lascelles Street frontage. The applicant has advised verbally and in their traffic report that they agree with this recommendation and it will be included as a condition of consent.

To accommodate the increase in traffic and mitigate potential on-street parking issues, Elrington Street will be widened and the kerb and gutter extended from the intersection past the site access. Footpaths should also be constructed along the street frontages. Prior to undertaking works, civil plans for the road, a Works Certificate application and a S138 application will need to be submitted to Council and the LTC for endorsement. A Road Occupancy License will need to be obtained from TfNSW for any works impacting on Lascelles Street. Two street trees exist in the verge that will likely need removal with approval from Council's tree officer required.

**(b) Compliance with LEP**

The development generally satisfies the requirements and achieves the objectives of PLEP. The significant issues relating to the proposal for the Council's consideration are as follows.

*Aims of the Plan, Objectives of the Zone and Permissibility* - The site is located within the B4 Mixed Use zone under the Palerang Local Environmental Plan. The proposed use is permitted with consent and is defined as the following:

*commercial premises means any of the following—*

- (a) business premises,*
- (b) office premises,*
- (c) retail premises.*

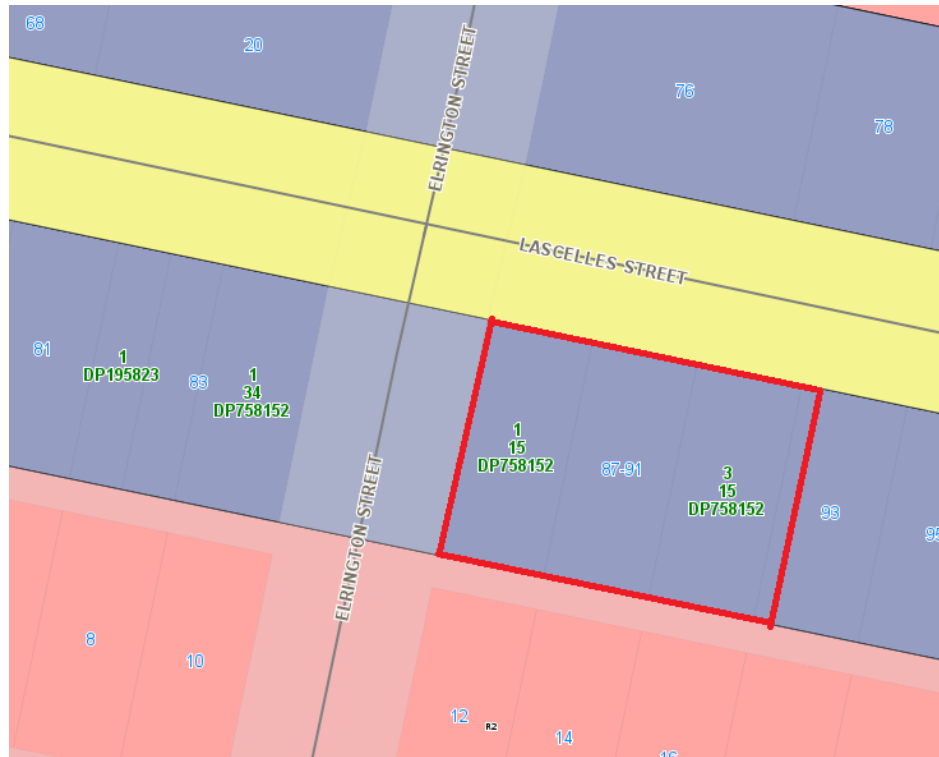
*food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—*

- (a) a restaurant or cafe,*
- (b) take away food and drink premises,*
- (c) a pub,*
- (d) a small bar.*

*Note - Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary.*

The proposed development generally complies with the aims of the Palerang LEP and the objectives of the B4 zone.

9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)



**Figure 4 – Zoning Map – Purple Indicates B4 Mixed Use – Pink is R2 Low Density Residential**

*Principal Development Standards* – The maximum allowable height of buildings is 7.2m. At a maximum height of 7.2m the proposal complies with this requirement.

*Heritage Considerations* - These are discussed under the provisions of clause 4.2 of the BDCP below.

**(c) Compliance with DCP**

The proposed development generally complies with the Braidwood DCP. The relevant matters of interest in relation to this application are as follows.

*Clause 4.2 Precinct 1b – Lascelles Street Commercial Area*

*Heritage* - The proposed development is located within the Braidwood and its Setting State Heritage Conservation Area. The proposed development has been designed in accordance with the Braidwood DCP and is considered to be compatible with the area.

The development is not considered to compromise views or other attributes of historic structures. A locally significant heritage item is located to the rear of the site. The siting of the proposed development is considered to not have any adverse impact on this identified item.

The architectural elements and colours of the proposed development are sympathetic to the heritage styles of Braidwood and the proposed roof design reduces the apparent bulk of the building. The design of the building is not considered to detract from the heritage significance of nearby heritage items or the heritage conservation area. The proposed development is considered to be compatible with the town's historic character in terms of scale, form and character.



**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

*Height* - The proposed height of 7.2 metres meets the 7.2 height requirement specified in the BDCP.

*Floor Space Ratio* – The maximum floor space ratio is 0.5:1. With a site area of 2660m<sup>2</sup> the maximum floor area is 1330m<sup>2</sup>. The proposed floor area of 611m<sup>2</sup> therefore complies.

*Setbacks* - The proposed setback from Lascelles Street is 3 metres, with a 0.9m secondary setback to Elrington Street. This is considered to comply with the requirements of the BDCP.

#### *Clause 7.30 – Parking*

The following discussion includes comments from Council's Development Engineering Team.

The *RMS Guide to Traffic Generating Developments* recommends the following carparking calculations for drive-in take-away food outlets:

- developments with on-site seating but no drive through facilities:
  - 12 spaces per 100m<sup>2</sup> GFA, or the greater of.
  - 1 space per 5 seats (both internal and external seating), or.
  - 1 space per 2 seats (internal seating).

The proposed development has an internal floor area of approximately 600m<sup>2</sup> (excluding the bathrooms) and nominates 4 indoor and 24 outdoor seats. Based on the floor area the parking requirement would be 72 spaces. Based on seating provided the requirement would be 6 spaces. Clearly there is a need to reach a compromise on the number of spaces required.

The initial plans submitted by the applicant provided for 15 spaces based on the floor area of the retail service area alone (i.e. excluding the kitchen and food preparation area). However, Council would generally consider the entire GFA when calculating parking rates for similar developments and therefore does not agree with this assumption.

To assist Council in determining an appropriate car parking rate, the applicant was asked to revisit the parking generation rates and submitted a traffic report which drew on experience from the operator's similar facility in Goulburn. The Goulburn site is a much larger site, with additional cooking and dining areas. The parking available at that site is 56 vehicles with further provision for longer vehicles such as truck or caravans. This site similarly targets travellers along the Hume Highway and while not located directly on the highway it is surrounded by alternative commercial sites providing food and bathroom facilities. The proposed Braidwood location, positioned on the Kings Highway, would potentially attract higher peak patronage as drivers do not have to detour and there is limited competition in the vicinity of the site. However, the traffic on the Kings Highway is significantly less than that on the Hume Highway. In the end the Goulburn based traffic study determined a parking rate of 21 spaces per 100m<sup>2</sup>, which is higher than the generic RMS rate.

The various rates were then applied to 195m<sup>2</sup> of floor area of the retail area (including the verandah) as this is the space the customers will occupy. This would generate a parking rate of 40 vehicles based on the Goulburn traffic generation or 24 spaces based on the RMS Traffic Generating Developments Guide.

Given the above, Council staff were keen to see the number of parking spaces maximised. Consequently, revised plans were submitted proposing 25 spaces, with dimensions of 2.6m x 5.4m in accordance with AS2890 User Class 3A. A disabled space had not been designated and was required in close proximity to the bakery entrance. This would also require an adjacent shared area to comply with AS2890.6, which reduced the total number of functional spaces to 24.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

It is understood that scaling back the development to allow greater parking is not feasible hence, should the development be supported, Council will need to understand significant investment will also be required by Council and TfNSW to upgrade the surrounding infrastructure beyond what is upgraded by the applicant in the medium and long term. As each site within the adjacent B4 zone is developed it will need to ensure infrastructure such as kerb and guttering and footpaths are constructed.

In summary the 24 parking spaces provided is considered adequate as the applicant has attempted to maximise the parking on site.

**Other Comments(a) Building Surveyor's Comments**

The development is likely to comply with the National Construction Code (NCC) provisions for a Class 6 Building (building used for sale of goods by retail). Standard conditions have been placed on the consent. A special condition has been included to address the concerns below for disabled access.

- Front door to the retail area must swing in the direction of egress unless the building or part has a floor area of less than 200m<sup>2</sup> or is the only required exit from a building. The swinging doors in the path of egress may also impact on disability access. The premises needs to consider other front entrance door arrangements like an automatic sliding door or other compliant door arrangement.
- Disabled access *"to and within all areas normally used by the occupants"* does not appear to comply. Disabled access must not only be provided for customers but workers of the premises as well. There appears to be no access to disabled persons past the retail counter via the front entry to kitchen and service area of bakery. To make disabled staff enter via the rear staff door is considered as unjustifiable hardship and not within the intent of the Disability Standards (Access to Premises-Building) Standards 2010,
- The front counter should be provided with a serving area suitable to serve customers at a lower height with a disability. This needs to be demonstrated by Internal Floor Sections of the retail premises.
- Construction Certificate plans should show that the premises will be fully accessible by disabled persons especially the path of travel and entry to and within all areas.

The above concerns may be amended by minor changes to the DA plans or addressed at CC stage of development. Any consent will be conditioned accordingly.

Otherwise the proposal complies with the provision of adequate sanitary facilities for the number of expected occupants and disabled toilet and layout of the building for setbacks to boundaries for fire safety. General access and egress provisions appear to be compliant with NCC requirements. All other matters to be addressed at construction certificate application stage.

**(b) Development Engineer's Comments**

*Water* - Existing 100mm water mains are located in the verge along Lascelles and Elrington Streets. Size of required water service to be determined by a hydraulic consultant. If required, any existing services are to be disconnected and new service and meter to be installed by Council at the applicant's cost.

*Sewer* - A 150mm sewer main bisects the rear portion of the lots. The proposed bakery building would be located over the sewer main. Where a structure is intended to be sited over a main or within its zone of influence, the main should be diverted clear of the structure at the expense of the proponent.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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The submitted civil plan (106150-2) details a sewer re-alignment angled from within the proposed carpark to the rear lane, including the construction of two manholes. The applicant should re-align only the sewer main within the lots under development, leaving the main as is within neighbouring lots 4 and 5.

However, Utilities Branch have advised that the proposed above-ground OSD would not be supported over the main, though the proposal does comply with Council Design Specification. Hence, the sewer manhole lids will need to be replaced with gas tight class C lids to ensure that detained stormwater does not infiltrate into the sewerage system.

A 3m wide easement is to be registered over the line within the applicant's lots. An application for section 68 approval is to be submitted prior to undertaking the works, accompanied by civil plans in accordance with Council's Design and Construction specifications.

*Storm Water* - The site falls to slightly to the rear and no existing piped stormwater infrastructure exists as the site is undeveloped. A shallow swale runs within the Elrington Street verge, flattening out at the corner of Elrington and Keder St. There are visible signs of pooling at the verge/road junction before water is directed west across the road. A formed swale and headwall also exist on the opposite side of Elrington Street, taking water south. Additional channels run through Council road reserves to the east of lot 5, unmaintained and varying in depth, directing runoff south to a creek at the south of Clyde Street.

The submitted stormwater plan collects roof and surface water and directs it to a control pit at the south-east corner of the lot. The kerbing of the carpark acts as on-site detention, allowing for 65m<sup>3</sup> of above ground storage. In accordance with Council's D5 Specification, the ground is graded toward the pits and the maximum water depth is 150mm. Preliminary calculations suggest a permissible site discharge of 27L/s, with 64m<sup>3</sup> storage required for a 50mm orifice to limit flows to predevelopment levels. Water discharges from the site through a trash screen and 50mm orifice plate to a 900wide open drain along the rear of lot 4 and 5 to the stormwater channel running north to south. As per Council specs, inter-allotment drainage would need to be piped rather than conveyed through an open drain. At this end discharge point, the channel is triangular with a maximum depth of 0.5m. The rear laneway is essentially flat and achieving fall from the site to the channel would result in minimal cover, if any, over the pipe. Therefore, this is not considered a suitable solution despite being the preferred discharge point.

Development Engineering have advised the owner/applicant that the only viable method of discharging stormwater would be to channel it down the eastern side of Elrington Street, and then direct it to the western side via a road crossing at the intersection of Elrington and Keder Street. This road crossing will need to be constructed at the applicant's expense, to enable flows both from the site and pre-existing flow along Keder Street to continue downstream unobstructed. An access will also need to be formalised for the property to the south of the development. Stormwater discharge requirements to be conditioned and undertaken under a Section 68/Section 138 Approval.

A drains model was provided to Council and considered satisfactory. Water quality treatments are not indicated though for the size of the site, litter and coarse grit removal would be considered satisfactory and can be conditioned.

*Pedestrian Access* - Clause 104(3)(iii) of the Infrastructure SEPP requires consideration of any potential traffic safety, road congestion or parking implications.

It is recognised that the relocation of this existing business from Wallace Street has the potential to reduce traffic congestion and parking deficiencies in the main street of Braidwood, however it will increase congestion and pedestrian activity around the site.



**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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While the traffic report assumes most traffic generation is existing “passing” traffic rather than new traffic generation, potential congestion may still occur as the Kings Highway experiences high levels of traffic in peak periods especially during holidays. Most of these road users are travelling through Braidwood, and encountering vehicles turning on and off onto the highway would not be expected. Additionally, with no parking provided for long vehicles such as motorhomes and vehicles carrying trailers, additional trips will be generated on the side streets increasing traffic congestion at intersections.

Surrounding the site, there is no formalised pedestrian control or formed footpaths. It is likely that commuters travelling east will park to the north of the site, increasing pedestrians crossing the Kings Highway. Longer vehicles will likely park near the sportsgrounds at the end of Elrington Street, generating pedestrian traffic along this side street. No detail has been provided to address how additional pedestrians generated from the site will be managed.

However, as previously explained it would be unreasonable to ask the developer of this single development to resolve pedestrian management and interconnections that are well away from the site. While the applicant will be required to provide footpaths in the immediate vicinity of the development Council needs to be aware that as further commercial development of the area takes place in Lascelles Street, Council will need to invest in both road and pedestrian infrastructure in the area. Council will also need to ensure that upgrades to provide safe access from the road should be identified and implemented, with concurrence from RMS required as Lascelles Street is a State classified road, identified as SR-52 Kings Highway

*Section 64 – Water and Sewer Contributions* - Due to increased demand on Council’s water and sewer infrastructure, Section 64 contributions will apply to the development. These are calculated in accordance with the Water Directorate ET Guidelines, 2017, for Take Away/Fast Food development including amenities. Credits are applied based on 1ET per existing lot. It has been calculated that the development will generate 10.98 water ETs and 19.0 sewer ETs having an approximate contribution value of \$83,458 and \$202,350 respectively.

*7.11 – Developer Contributions for Roads* - Not applicable as Lascelles Street is a State Classified road, identified as SR-52 Kings Highway.

*Other Matters* - Lot consolidation will be required.

**(c) Environmental Health Comments**

*Trade Waste* - C4 & C5 Liquid Trade Waste applications are to be submitted and approved by Council prior to commencement of works. The application is to specify the type of system being installed and the specifications together with the hydraulic drawings showing the trade waste drainage lines.

*Solid Waste Management* – A Waste Management Plan incorporating the following elements will need to be provided prior to issue of construction certificate:

- Details of how the waste will be separated to maximise reuse or recycling of waste materials during the build.
- Details of how waste will be managed to maximise waste separation and diversion from landfill once the business begins operation.
- All back of house bins need to be kept in a secure area out of site of the public and signage to be placed above bins so that staff can easily use the bins.
- Waste storage area to be enclosed to reduce the impact of windblown litter escaping from the bins.

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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- The bakery to provide a litter management plan detailing provision of bins for use of the public and how litter removal around the area of the bakery and car park area will be managed.
- Single use items such as straws, plastic cutlery etc. should be minimised or not offered, instead using reusable cutlery and crockery in order to minimise one use items and waste from the business.
- The Bakery to sign up to the FREE ACT smart business recycling program offered by Council who will assist with planning for waste and recycling and ensure staff are trained appropriately.
- The Bakery to work with Council on Litter prevention and recycling campaigns.

*Acoustic Impacts* – It is noted that delivery vehicles have been specified as using the site outside opening hours. However, it is noted that baking staff will be on site throughout the night and early morning. Deliveries between 9.00pm and 6.00am the following morning are likely to have unacceptable noise impacts on the many surrounding residential properties.

However, comments from the Development Engineering indicate that it is important that deliveries occur at times when conflicts between customers and delivery vehicles will be minimised.

If deliveries cannot be carried out during opening times and cannot be carried out before 6.00am then they should be restricted to times when noise issues will be minimised. To that end a condition will be imposed requiring deliveries to be conducted between 5.00pm and 9.00pm or the applicant to satisfy Council that other arrangements can be made for the safe delivery of products during the business' opening hours.

In addition to noise from delivery vehicles noise will be generated by plant and equipment on site, in particular refrigeration equipment and exhaust fans over cooking appliances. The consent will be conditioned requiring that noise from plant and equipment used at the site shall not exceed 5dBA above the background noise level between 10.00pm and 6.00am the following day.

**Engagement**

The proposal required notification under QPRC Community Engagement and Participation Plan. It was advertised from 9 December 2019 to 29 January 2020 and following the submission of amended plans, again from 5 June 2021 to 2 August 2021. Fifteen submissions were received. Ten submissions were received in the first round of notifications including four anonymous submissions. Five submissions were received in relation to the second round of notifications. Three of these were from residents who made submissions in the first round, one new submitter and one anonymous submitter. A submission was also received from one of the submitters via the local State Member and is included under that submitter. For the information of Councillors copies of submissions are provided in Attachment 6.

The relevant issues raised are as follows:

**1. Noise impacts due to early hours of operation**

*Comments* - The proposed hours of opening are from 6:00am to 5:00pm. It is proposed that service vehicles will make deliveries outside business hours, however, if these deliveries are carried out before 6.00am in the morning they do have the potential to create noise complaints. As such deliveries will be restricted to between 5.00pm and 9.00pm unless the operator can provide evidence to Council that deliveries can be safely achieved during business hours. In

**9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)**

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addition, any consent will be conditioned to ensure plant and equipment used on site do not cause additional noise problems.

**2. Stormwater drainage impacting dwellings south of the site on Keder and Clyde Street, and the capabilities of existing stormwater infrastructure to accommodate the increased runoff**

*Comments* – Council’s Development Engineers have provided comments and applied conditions of consent to address the drainage concerns. This includes channelling stormwater drainage down Elrington Street to the intersection with Keder Street. Stormwater will be directed away from Clyde Street. Discharge of stormwater from the site will be detained and released gradually with a design to ensure new flows do not exceed pre-development flows.

**3. Carpark access from Lascelles Street (Kings Highway)**

*Comments* - This has been addressed through a redesign of the development. Access from Lascelles Street was not supported by TfNSW. As such access will now be provided in the south-western corner of the allotments off Elrington Street.

**4. Increases in traffic volume at the Lascelles/Elrington Street intersection and the resultant dangers to pedestrians. Lack of Footpaths in the area.**

*Comments* - A number of submissions raised concerns over impacts to current pedestrian activities. The proposed development is not considered to increase the traffic volume of Lascelles Street. However, the proposed development would increase vehicles turning on to and off Lascelles Street, likely increasing pedestrian and vehicle interactions around the development site.

While the developer will be required to provide footpaths adjacent to both road frontages it is unreasonable to ask the developer to extend these footpaths to connect to existing footpaths in Wallace and Duncan Streets which are well outside the area of impact of the proposed development. These connections will be completed as other development takes place within the B4 zone along Lascelles Street. Kerb and guttering will be required to be constructed along the Elrington Street frontage.

**5. Elrington/Lascelles intersection lines of sight**

*Comments* - The proposed increase in traffic is not considered to impact visibility at the intersection. Lascelles Street is a 20m wide, two lane carriage way. “No Stopping” signs are proposed on the Lascelles and Elrington Street frontages, allowing for unimpeded sight lines at the intersection.

**6. The increased usage and quality of nearby roads**

*Comments* - Increased usage of the Elrington/Lascelles intersection may result in motorists using alternative routes and/or parking spaces. This may result in nearby roads undergoing

### 9.6 Development Application DA.2019.1170 - Commercial Premises (Bakery) - 87-91 Lascelles Street, Braidwood (Ref: ; Author: Thompson/Burns) (Continued)

increased usage. In zoning land along Lascelles Street as a B4 mixed use zone Council has always contemplated increased development and traffic in this locality.

#### 7. *The site being a residential area*

*Comments* - The site is located within the B4 - Mixed Use zone, allowing for both commercial and residential development to occur. The zoning provides a clear direction as to the future intended use for this area for commercial purposes.

#### 8. *Parking for longer vehicles (trucks, caravans etc) not provided*

*Comments* – While the submitted Traffic Report does not address parking for longer vehicles, there is no planning provision which requires this type of development to make special provision for longer vehicles. This would not be a requirement for any commercial premises in Braidwood.

### **Conclusion**






The submitted proposal for a commercial premises (Bakery) on Lot 1, Lot 2, Lot 3 Sec 15 DP 758152, 87-91 Lascelles Street, Braidwood is an Integrated Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and 15 submissions were received.

The proposal has been assessed under Section 4.15 *Environmental Planning & Assessment Act 1979* including the relevant provisions of *Palerang Local Environmental Plan 2014* and *Braidwood Development Control Plan 2012*.

The development generally 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 	DA.2019.1170 - Sec 4.15 Matters for Consideration - Braidwood Bakery - 87-91 Lascelles Street ( <i>Under Separate Cover</i> )
Attachment 2 	DA.2019.1170 - Plans - Braidwood Bakery - 87-91 Lascelles Street ( <i>Under Separate Cover</i> )
Attachment 3 	DA.2019.1170 - Concurrence from Transport for NSW - Braidwood Bakery - 87-91 Lascelles Street ( <i>Under Separate Cover</i> )
Attachment 4 	DA.2019.1170 - Traffic Report - Braidwood Bakery - 87-91 Lascelles Street ( <i>Under Separate Cover</i> )
Attachment 5	DA.2019.1170 – Redacted Submissions – Braidwood Bakery – 87-91 Lascelles Street, Braidwood ( <i>Under Separate Cover</i> )
Attachment 6 	DA.2019.1170 - Draft Conditions of Consent - Braidwood Bakery - 87-91 Lascelles Street ( <i>Under Separate Cover</i> )

9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong (Ref: ; Author: Thompson/Jol)

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File Reference: 21.2.1

**Summary**

The proposed development of Neighbourhoods 3 to 5 at Googong will see the construction of a third and final intersection onto Old Cooma Road.

The proposed intersection layout could be of considerable public interest and to assist Council with the preferred layout along with the engineering requirements, it is proposed to place the proposed intersection design on public exhibition for 28 days to allow for community comment and feedback on the proposal.

The feedback will assist Council staff in determining what may be the best option for the site and community.

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**Recommendation**

**That the two signalised intersection options for the proposed Bunyip Drive and Old Cooma Road intersection, servicing neighbourhoods 3 to 5 at Googong, be placed on public exhibition for a period of 28 days.**

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**Background**

During the planning phases and preliminary assessment of the subdivision layout for Neighbourhoods 3 to 5 for Googong, Council staff have identified that the construction of these neighbourhoods will produce significant traffic movements where the proposed Bunyip Drive will intersect with Old Cooma Road.

Traffic should be encouraged from Gorman Drive to use the Bunyip Drive route from Neighbourhoods 3 to 5 onto Old Cooma Road. This will reduce traffic around the proposed K-12 school on Gorman Drive and reduce traffic around the proposed Town Centre.

Traffic on Gorman Drive that continues north past the Bunyip Drive intersection with Old Cooma Road should then be predominantly local traffic that has a specific need to access the Town Centre or school precinct.

A report prepared by the developers traffic consultant examined various options for the intersection and is attached for information.

The preferred proposal would be that the intersection of Bunyip Drive and Old Cooma Road be a signalised intersection. The signalisation of this intersection also provides the best road safety outcomes for pedestrians and cyclists. The level of service for a signalised intersection through traffic queuing will also meet acceptable levels.

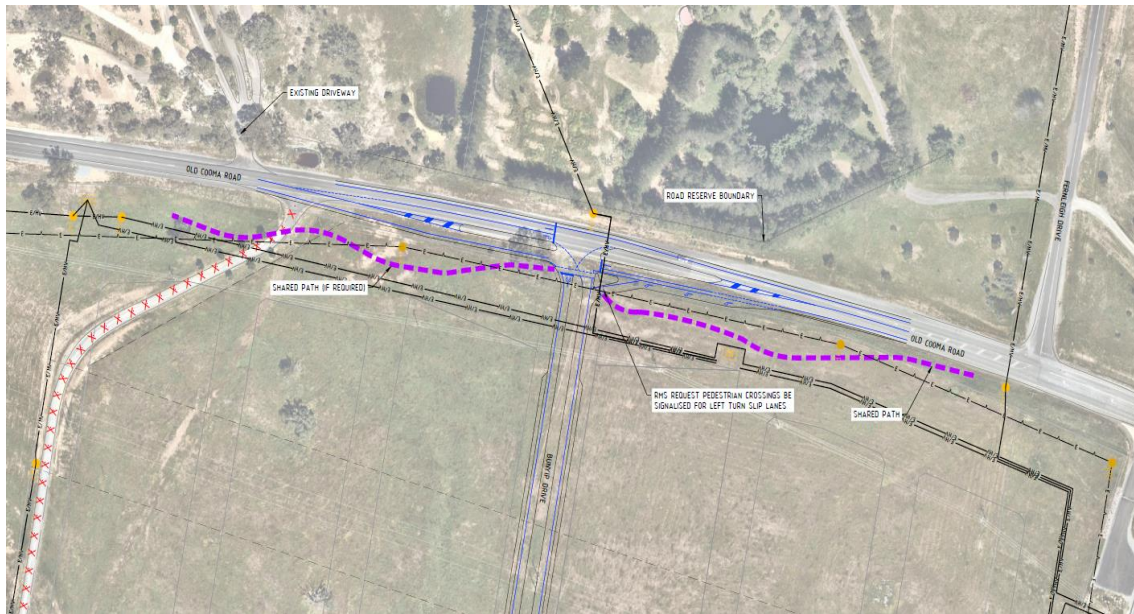


9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong (Ref: ; Author: Thompson/Jol) (Continued)

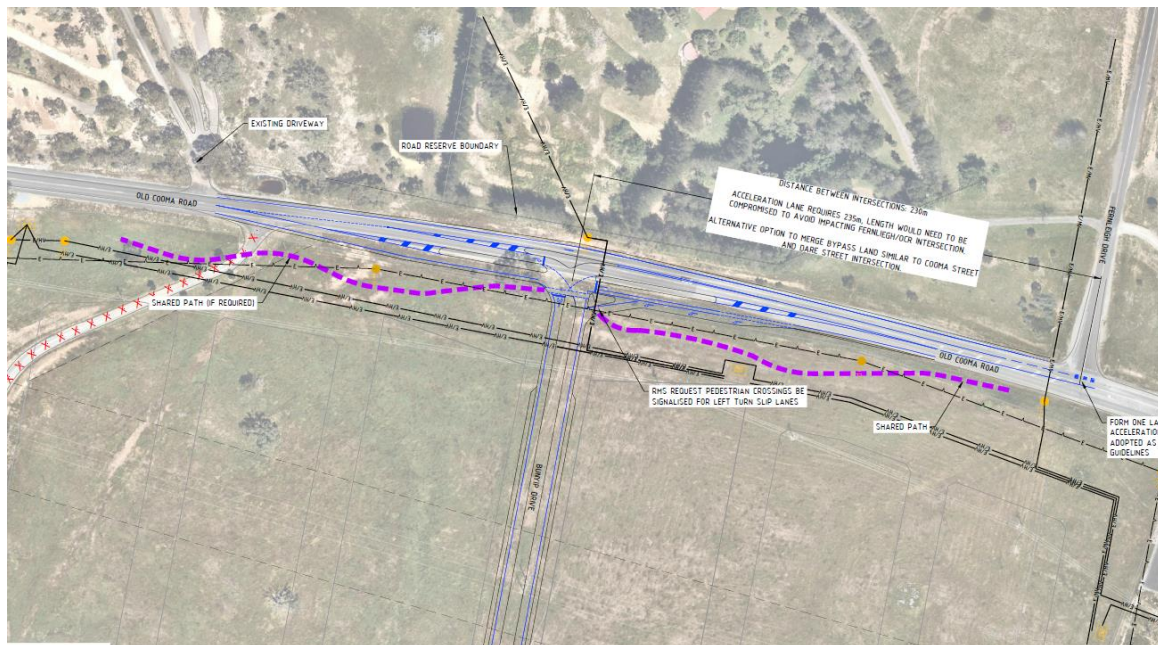
**Options for Proposed Intersection**

There are two versions of a signalised intersection that would be suitable and these are outlined in the options below.

Option 1 will hold all through traffic on Old Cooma Road while traffic in Bunyip Drive is cleared.  
 Option 2 will provide for a by-pass lane for traffic heading north towards Queanbeyan.



**Option 1 - Holding all Traffic**



**Option 2 - By-pass Lane for Traffic travelling North Along Old Cooma Road**

To meet regulatory merge taper distance some alterations to the Fernleigh Drive intersection may be required for both options. Some land acquisitions may also apply.

It is these versions of intersections that are proposed to be presented for public comment and feedback for a 28 day period.

**9.7 Proposed Exhibition of Intersection Layout - Bunyip Drive/Old Cooma Road, Googong (Ref: ; Author: Thompson/Jol) (Continued)**

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**Implications*****Social / Cultural***

The opportunity for the community to provide feedback on this proposal outside the framework of a notification period for a development application, where it would be embedded in the detailed annexures and layers of an application, will provide a more transparent approach to determining the best infrastructure option for the local community of Googong and surrounding rural residential areas.

***Engagement***

In line with its Stakeholder and Community Engagement Policy Framework, Council commits to engaging in an honest and transparent manner, clearly communicating any limitations or impediments that impact on its ability to engage effectively as well as clarifying early in the engagement process about how much the community may influence decision making. This will include clearly stating what can be negotiated and what cannot be negotiated and the reasons why. Council will implement a minimum 28 day consultation timeframe on all matters, unless there are exceptional circumstances.


This will allow Council staff to make an informed recommendation to Council, balancing the engineering regulatory outcomes in line with community expectations. The information will then be used to provide conditioning for determination for the proposed development by the Southern Region Planning Panel.

The exhibition will include both the preferred intersection layouts and the attached *Intersection Form Review* prepared by the developers traffic consultant.

**Conclusion**

The further development of Googong and the implications of the connection of traffic into the existing road network can be of interest to the community. By exhibiting the options for the proposed intersection layouts it provides the community with an opportunity to comment and provide feedback and will be an important tool for Council in its assessment process of a development application for the future neighbourhoods.

**Attachments**

Attachment 1  Bunyip Drive/Old Cooma Road Intersection Form Review (*Under Separate Cover*)





9.8 Road Naming Proposed Foxtton Place, Braidwood Village (Ref: ; Author: Thompson/Lamont)

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File Reference: 26.4.1-04

**Summary**

Council has received a request to name a new cul-de-sac created as part of a 10 lot subdivision in Braidwood. The proposed name is Foxtton Place. This report considers the name proposed and recommends endorsement for public exhibition.

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**Recommendation**

That Council:

1. **Adopt in principle the name Foxtton Place as the proposed name for the new road created under subdivision development consent DA.2014.143.**
  2. **Advertise the name for public comment for 28 days.**
  3. **Publish a notice in the NSW Government Gazette if no objections are received.**
- 

**Background**

Council has received a request to name a new road created as a result of a new 10 lot subdivision constructed under the consent for DA.2014.143. The subject road is shown in Attachment 1 and will run in a southerly direction off Wilson Street, Braidwood and extends approximately 70 metres to a cul-de-sac.

The proposed street name is Foxtton Place. The origin of the name is as follows:

*Foxtton Place* - William Foxtton Robertson, was the clerk of petty sessions in Braidwood circa. 1875 for approximately eight years. Unfortunately, Mr Robertson was killed in a motor accident outside his home in Ryde in 1930. The original Parish map of Boyle shows that Mr Robertson was the owner of the land where the subdivision is occurring.

The developer of this subdivision has put forward the name "Foxtton Place" and the Geographical Names Board (GNB) have approved the name in principle sighting no issues with this name.

**Implications**

***Policy***

The Code of Practice for addressing premises requires the recommended road names to be reported to Council and then advertised for public comment. If supported by Council and the Geographical Names Board and there are no objections received from notifications then the notice will be published in the NSW Government Gazette. If any objections are received then a further report will be put to Council.

***Engagement***

The proposed name will be exhibited for 28 days for public comment.

9.8 Road Naming Proposed Foxton Place, Braidwood Village (Ref: ; Author: Thompson/Lamont) (Continued)

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***Financial***

All costs associated with advertising of the road names and supply of road name plates are to be borne by the developer.

**Conclusion**

The name chosen is unique, interesting, and appropriate to the local area concerned. The name has been selected in accordance with Council's Code of Practice for the Naming of Roads and the Geographical Names Board guidelines for the naming of roads.

The name Foxton Place comprises an unambiguous word that is easy to spell and pronounce and is therefore recommended.

**Attachments**

Attachment 1      Map Showing Location of New Unnamed Road (*Under Separate Cover*)



9.9 Review of Environmental Factors - Regional Sports Complex - Environa (Ref: ; Author: Thompson/Geyer)

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File Reference: PJ 100184

**Summary**

The Regional Sports Complex has been in the planning phase for many years and more recently was held up due to archaeological survey works required by Heritage NSW. These delays had placed the development application on "Stop Clock" and exposed the funding from Sports NSW to potential risk.

Given that there is still likely to be several months before the DA is finalised, it is proposed to undertake some initial works under the provisions of *State Environmental Planning Policy (Infrastructure) 2007* which allows certain works to be carried out by Council. This will allow the project to get back on track while the DA process runs its course. Development without consent is regulated under Part 5 of the *Environmental Planning and Assessment Act 1979 (EP&A)* and requires that Council prepare and consider a Review of Environmental Factors (REF) before work commences.

A REF has been prepared for the proposed site works and is submitted to Council for determination.

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**Recommendation**

**That pursuant to Division 12 of *SEPP (Infrastructure) 2007* and Section 5.5 of the *Environmental Planning and Assessment Act 1979*, Council adopt the Review of Environmental Factors for the Regional Sports Complex for the completion of bulk earthworks, stormwater infrastructure and below ground services and endorse all of the mitigation measures recommended therein.**

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**Background**

The Regional Sports Complex (RSC) has been a major Council project in the planning since a Council resolution in 2012. The RSC is to be constructed on 23ha of land, dedicated to Council by the developer of the South Jerrabomberra urban release area, and is located between Environa Drive and Jerrabomberra Creek in Environa.

Stage One of the RSC consists of a series of sports fields and facilities aimed at pre-elite athletes, adding a level of facilities currently unavailable for certain sports within QPRC. The site will be the home ground for Queanbeyan-based field hockey (which currently needs to utilise ACT facilities in Lyneham), as well as Premier League football facilities for the region. Council currently has funding in place for this Stage.

Stage Two includes a four-court indoor multipurpose sports stadium suitable for basketball, netball, and various other sports. A grant application, under the Building Better Regions Fund, is still pending for Stage Two. Once known, the business plan can be finalised and presented to Council. Concept plans for the purpose of DA, have been prepared for Stages One and Two.

Stage Three, which is at Master Plan phase only, is expected to include an indoor 50m competition standard pool, hydrotherapy pool and associated administrative facilities.

Significant planning, design work and public consultation has been completed for the initial stages of the project and a development application was lodged for stages one and two in August 2020. Design details have been developed following a number of stakeholder workshops and community engagement over a number of years.

**9.9 Review of Environmental Factors - Regional Sports Complex - Envirova (Ref: ; Author: Thompson/Geyer) (Continued)**

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At the outset of the project it was envisaged pre-construction works onsite, including bulk earth works, storm water channels, stormwater pipe network and water/sewer mains would be carried out under the SEPP (Infrastructure) 2007. These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 65(3) of *State Environmental Planning Policy (Infrastructure) 2007*, which includes:

- a) development for any of the following purposes—
  - (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
  - (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,
  - (iii) visitor information centres, information boards and other information facilities,
  - (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
  - (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,
  - (vi) amenities for people using the reserve, including toilets and change rooms,
  - (vii) food preparation and related facilities for people using the reserve,
  - (viii) maintenance depots,
- b) environmental management works,
- c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).

Under Part 5 of the EP&A Act development without consent requires the determining authority to *'examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity'*. As such a Review of Environmental Factors (REF) has been prepared to address those matters likely to affect the environment and is provided at Attachment 1.

The REF has been prepared for all works which can be carried out under the SEPP including:

- Bulk earthworks across the site
- Construction of:
  - four football (soccer) fields;
  - two hockey pitches;
  - multiple playing fields;
  - car parking;
  - a main access road & internal roads and paths;
  - stormwater infrastructure;
  - a storage/maintenance shed,
- Installation of:
  - public lighting, including sports field flood lighting
  - utilities;
  - fencing;
  - irrigation;
  - signage,
- Initial landscaping,
- Creek remediation.

**9.9 Review of Environmental Factors - Regional Sports Complex - Environa (Ref: ; Author: Thompson/Geyer) (Continued)**

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While a large part of the project can technically be completed under the SEPP, the adaptive reuse of the heritage listed stone amenities building and the large indoor sports building require formal consent under Part 4 of the Act and require the submission of a DA.

Therefore, it was deemed in the community's interest to only do those initial works and below ground services under the SEPP and all above ground visible works under an approved DA. Unfortunately, the archaeological requirements from Heritage NSW that placed the DA on 'stop the clock', also prevented the work commencing under the SEPP.

The delay has been due to the major stormwater channels passing through a potential archaeological deposit (PDA) and needing a formal permit to assess. Ironically, these channels do not service the RSC, rather they drain land to the south but pass through the RSC site and as such their impact had to be assessed. In early August 2021, Council received a clearance certificate from the archaeologists and Heritage NSW has removed the stop clock.

To get the project back on track, it is proposed to carry out bulk earth works, services and major stormwater works under the SEPP as these site works can be commenced fairly quickly - a contract for that purpose has been let. However, the REF must be approved by Council. This will allow site works to get underway while the DA is being finalised for the visible works.

The works covered by the REF have previously been placed on public exhibition and have been widely exhibited and feedback sought and incorporated into the works. As such the REF does not require further exhibition.

**Implications*****Legal***

These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 65(3) of *State Environmental Planning Policy (Infrastructure) 2007*. Under the SEPP, the work can be completed by, or on behalf of Council without consent.

Section 5.5 of the EP&A Act requires the determining authority to '*examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity*'. The REF has been prepared to address those matters likely to affect the environment and is provided at Attachment 1.

There are permits under the *Fisheries Act* which will be required by the contractors before work impacting Jerrabomberra Creek can commence.

***Environmental***

The RSC has been designed to ensure the highest level of environmental protection and adds extensive tree planting and landscaping, to what is currently a degraded former speedway site. Contractors are required to provide a Construction Environmental Management Plan.

***Social / Cultural***

The RSC is an important community infrastructure project and many sporting groups are constantly seeking updates on the construction progress. The complex, when complete will provide a new level of sports and associated health and well-being opportunities for the region. Design of amenities has been completed to ensure all access and inclusion, opening the door for a broad range of sports, including both indoor and outdoor wheelchair sports.

### 9.9 Review of Environmental Factors - Regional Sports Complex - Environa (Ref: ; Author: Thompson/Geyer) (Continued)

#### ***Economic***

The economic return from sports events and sports tourism is just one aspect the RSC will bring to the region. The return in community health and wellbeing is significant yet difficult to quantify in monetary terms.

#### ***Engagement***

The RSC has been a major Council project within delivery and operational plans since 2012. During this time, the project has been workshopped with sports groups and exhibited widely with broad community support. The project is also a standard item on the QPRC Sports Council agenda from quarterly meetings.

Community interest, understandably, is primarily focussed on sports fields, sports courts, amenities, and potential for hosting events. The works proposed under the REF generally have little to no visual impact on the community as they are below ground and ancillary to the sports complex, although necessary for the project to proceed. As such the REF does not require further exhibition.

#### ***Financial***

The RSC is funded through a combination of grant and loan funds, with Stage One estimated at around \$30m.

<b>Program Code</b>	<b>Expense Type</b>	<b>Funding source</b>	<b>Amount</b>	
		Sports Infrastructure Fund	Grant	\$10,000,000
		QPRC	Loans	\$15,000,000
		Other government grants	Grant	\$5,000,000


#### ***Resources (including staff)***

The RSC Project is currently being managed though Council's Urban Landscapes Branch with the support of NSW Public Works Advisory.

#### **Conclusion**

The commencement of work on the RSC is critically important to meet funding agreement milestones. The twelve-month delay has exposed the project to a higher level of risk than is desirable and carrying out early works under the *SEPP (Infrastructure) 2007* will assist to mitigate this risk. Only carrying out the bulk earth works, storm water works and below ground services, will still allow the higher profile visible works to undergo public review, as part of the DA process.

#### **Attachments**

Attachment 1  Review of Environmental Factors - Regional Sports Complex, Environa  
(Under Separate Cover)

9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee  
(Ref: ; Author: Thompson/Geyer)

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**File Reference:** 460 Environa Drive, Tralee

**Summary**

As part of the urban release area at South Jerrabomberra, the developers will be dedicating an area of land for the main 'Town Park', located on Environa Drive. The creation of the lot for the Park is part of a sub-division DA currently under assessment. Once the lot is created, it will be dedicated to Council under the South Jerrabomberra Developer Contributions Plan.

The developer will also construct the landscape and community facilities within the Park and hand these over to Council when complete. As the works are being carried out for or on behalf of Council they can be completed as development without consent under *State Environmental Planning Policy (Infrastructure) 2007*. Development without consent is regulated under Part 5 of the *Environmental Planning and Assessment Act 1979* and requires that Council prepare and consider a Review of Environmental Factors (REF) before work commences.

This REF has now been prepared and is presented to Council for endorsement for the purpose of public exhibition.

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**Recommendation**

**That:**

- 1. Council endorse the Review of Environmental Factors and Landscape Plans for the proposed South Jerrabomberra 'Town Park' and place the documents on public exhibition for 28 days.**
  - 2. Any comments made during the exhibition period be the subject of a further report for Council's consideration.**
- 

**Background**

The developers of South Jerrabomberra have been working with Council's Urban Landscapes Team to prepare landscape concepts for the proposed new Town Park on a 2.2ha site on Environa Drive in the new urban release area at Tralee. The Park, yet to be formally named, will be alongside the new Community Centre and will be the main urban park for the new residential development.

The design consists of children's playgrounds, learn to ride area, BBQ and picnic facilities, public toilets and well laid out landscape gardens and tree planting. The developer and designers are taking their inspiration from Queanbeyan Park with a central open green, surrounded by large shade trees (see Figure 1 below).

It is however important to note, the "central green" is a passive open space, not a sports field. The South Jerrabomberra developers are contributing to the Regional Sports Complex for the estates sporting requirements.

While the subdivision to create the lot on which the park is located and the adjoining Community Centre are subject to separate development applications, the landscape and Park facilities can be constructed under the SEPP (Infrastructure) 2007 and a Review of Environmental Factors (REF) is required to be prepared.

9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee  
(Ref: ; Author: Thompson/Geyer) (Continued)



**Figure 1 - Concept Design (See Attachment 2 for More Details)**

The landscaping and community infrastructure within the Park will be carried out under the SEPP (Infrastructure) 2007. These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 65(3) of *State Environmental Planning Policy (Infrastructure) 2007*, which relevantly includes.

- a) development for any of the following purposes—
  - (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
  - (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,
  - (iii) visitor information centres, information boards and other information facilities,
  - (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
  - (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,
  - (vi) amenities for people using the reserve, including toilets and change rooms,
  - (vii) food preparation and related facilities for people using the reserve,
  - (viii) maintenance depots,
- b) environmental management works.



**9.10 Review of Environmental Factors - South Jerrabomberra 'Town Park' - Tralee  
(Ref: ; Author: Thompson/Geyer) (Continued)**

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**Implications*****Legal***

These works are characterised as development without consent under Division 12, Parks and other Public Reserves Clause 65(3) of *State Environmental Planning Policy (Infrastructure) 2007*. Under the SEPP, the work can be completed by, or on behalf of Council without consent.

Section 5.5 of the EP&A Act requires the determining authority to '*examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity*'. The REF has been prepared to address those matters likely to affect the environment and is provided at Attachment 1.

***Environmental***

The REF considers the likely impacts on the environment through the construction of the Park. The result, in this instance, will be an enhanced environment based on the current state of the site, when compared to the extensive tree planting and landscaping in the finished Park.

***Asset***

On completion of the works, the Park will become a Council asset and will be incorporated into the Urban Landscapes Asset Management Plans. Forward planning has already factored the projected "gifted assets" at South Jerrabomberra into account.

***Social / Cultural***

Urban Parks are considered critical community infrastructure and an essential part of life in an urban environment. Park advocates are pushing for everyone living in an urban area to have access to a park or green space within a 10 minute walk of their home. The 'Town Park' design caters for many aspects of community life, social gatherings, play and exercise. It will no doubt also provide the necessary open space for community events, health, and wellbeing.

***Economic***

While there are a number of economic returns during construction and as a result of events, the real benefit will be to the quality of life afforded to the new residents of South Jerrabomberra.

***Engagement***

As this is a new concept design and not forming part of any DA, it is appropriate to exhibit the REF and Landscape Design package for wider community comment and feedback. It is suggested the plans go on 28 day exhibition and feedback be received via Your Voice.



***Financial***

The estimates to construct elements of the Park are covered within the South Jerrabomberra Local Developer Contributions Plan: Land Dedication - \$214,725: and District Park - \$2,057,671 embellishment. The dedication and works are to be funded and carried out by the developer on Council's behalf.

**Conclusion**

The proposed landscape plans and associated REF have been prepared with the view to delivering an attractive Town Park for South Jerrabomberra. Placing the designs on exhibition will provide the wider community the opportunity to comment on the various aspect of the Park and on the proposed construction.

**Attachments**

- |   |   |
|---|---|
| Attachment 1<br> | Review of Environmental Factors - South Jerrabomberra Town Park<br>(Under Separate Cover) |
| Attachment 2<br> | Landscape Plans - South Jerrabomberra Town Park (Under Separate Cover)                    |



9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications  
(Author: Thompson/Geyer)

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File Reference: 23.1.1-03

**Summary**

The NSW Government have recently announced the opening of Round 2 of the Regional Sports Facilities Fund. Grants of between \$100,000 and \$1,000,000 are available for projects that deliver well designed new and improved sports facilities in regional NSW. Council may lodge up to three applications and should nominate the priority order. Applications close midnight 8 October 2021.

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**Recommendation**

**That Council nominate and seek grant funds from the Regional Sports Facilities Fund Round 2, for three high priority projects from the QPRC Sports Facilities Strategic Plan.**

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**Background**

The fund is open to applications from Council and community-based sporting organisations. Projects for \$1 million or greater require 25% cash contribution.

The key objectives of the Fund are to:

- Increase the number and type of sporting facilities
- Improve the standard of existing sporting facilities
- Increase participation in sport.

The fund is limited to \$25 million in the current round. Applications will be assessed entirely on merit against the guidelines and the objectives above.

Over the past eighteen months Council and the community have applied for a number of grants to fund sporting and recreational projects from a range of State and Federal programs. Some have been successful, some are still pending determination and other applications are due to be lodged. Table 1 below shows an overview of the current status of applications lodged in the QPRC area.

**Table 1 - Overview of Programs and Projects**

<b>Funding Program</b>	<b>Projects</b>
<b>Bushfire Local Economic Recovery Package (BLERF)</b>	All the following projects have been <i>successful</i> in receiving funding under this program: <ul style="list-style-type: none"><li>• Five Community Halls and Araluen Campground</li><li>• Solar Energy for RFS Stations</li><li>• Freebody Oval Women's Change Rooms (Club)</li><li>• Bungendore Playground (Community)</li><li>• Bungendore Skate Park (Community)</li><li>• Halloran Oval Flood Lights (Club)</li></ul>

**9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications  
(Author: Thompson/Geyer) (Continued)**

<i>Funding Program</i>	<i>Projects</i>
<b>Local Roads and Community Infrastructure Fund (LRCIF)</b>	The following project has been <u>successful</u> in receiving funding under this program: <ul style="list-style-type: none"> <li>• Halfway Creek Bridge - Access to Bungendore Sports Hub</li> </ul>
<b>Stronger Country Communities Fund – Round 4 (SCCF)</b>	Applications for the following projects have been lodged for funding under this program. At the date of writing, the outcome of those applications is <u>pending</u> : <ul style="list-style-type: none"> <li>• Toilets Facilities at Hoover Road Archery Field</li> <li>• Replacement of Wright Park Amenities</li> <li>• Steve Mauger Oval Floodlights</li> <li>• Steve Maguer Netball Amenities</li> </ul>
<b>Building Better Regions Fund – (BBRF)</b>	An application for the following project has been lodged for funding under this program. At the date of writing, the outcome of that application is <u>pending</u> : <ul style="list-style-type: none"> <li>• Regional Sports Complex – Stage 2 (Indoor Sports Centre)</li> </ul>
<b>Black Summer Bushfires Fund</b>	Council has resolved that applications for the following projects should be lodged for funding under this program. Applications are <u>due</u> to be lodged by 6 October 2021 <ul style="list-style-type: none"> <li>• Nerriga Reserve and Main Street Improvements</li> <li>• Bungendore Sports Hub – Stage 2</li> <li>• Decontamination, demolition of D&amp;S Motors Site in Braidwood, with landscaping, pedestrian access and new Public Amenities</li> </ul>

At the time Council considered the above projects, there were other projects which did not progress to application yet are still worthy of consideration. In addition, there are a number of improvements listed within the QPRC Sporting Facilities Strategic Plan, developed through the Sports Council, which are also worthy of consideration.

Listed below are projects that meet the criteria for this current round of sports grant funding that Council may choose to seek funds for:

1. The following projects have previously been reported to Council but are yet to be funded. All would fit the criteria for this round of funding:
  - a) Braidwood Pool - \$1M (will require 25% contribution)
  - b) Upgrade to Axis Youth Centre to become a Community Centre \$280K (Note – Council is holding a workshop on plans for the precinct on 15 September)
  - c) Moore Park Inclusive Outdoor Fitness Facility - \$300K

**9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications  
(Author: Thompson/Geyer) (Continued)**

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2. Projects from QPRC Sporting Facilities Strategic Plan:
  - a) Upgrade High Street, NPL Lights and spectator facilities - \$350k
  - b) Riverside Oval Women's Amenities \$850K
  - c) Bungendore Netball Facilities \$350K
  - d) Seiffert Oval upgrade irrigation and boxes upstairs. \$350K
  - e) Letchworth Oval upgrade and extend amenities \$650K
  - f) Madew Oval Women's Change rooms \$850K
3. Other worthy projects that meet the criteria include:
  - a) Queanbeyan Riverwalk Glenrock drain link \$550K
  - b) Blundell Park "Nature Play" Playground upgrade \$850K
  - c) Captain's Flat Playground and park upgrade \$450K
  - d) Adventure/Commando style and Parkour training circuit Regional Sports Complex \$850K (could be staged)

The projects are for Council's consideration, noting the 25% contribution for projects over \$1 million and tight time frame for staff to complete the applications. Staff recommend focus be placed on two or three projects from the QPRC Sports Facilities Strategic Plan.

Council's Community Choice section is also seeking support from Council for the Moore Park Inclusive Outdoor Fitness Facility listed in 1c) above. The following information has been provided in support of the project:

*Moore Park – Installation of Parkour & Inclusive Outdoor Fitness Equipment - \$300K - Fitness equipment will be installed at Moore Park in the grassed open section next to the basketball court. This facility will allow for a wide range of users, including youth, seniors and people with a disability to increase their health and wellbeing. By including a wider range of activities at Moore Park, the user demographic will be more diverse, and this is expected to result in increased safety and a more positive, constructive environment.*

**Implications*****Legal***

There are no legal impediments preventing Council making an application under the Regional Sports Facilities Fund.

***Asset***

Any new or improved asset received through this grant fund will become a Council asset and be managed in accordance with Urban Landscapes Asset Management Plans.

***Social / Cultural***

Sporting facilities contribute significantly to the community's social and cultural wellbeing. The Sporting Facilities Strategic Plan has been put together to help deliver the best possible outcomes for the wider community.

***Engagement***

The Sports Facilities Strategic Plan has been put together in consultation with all QPRC based sporting clubs and associations, via the Sports Council. The completed document was then widely circulated on Your Voice and Council's web for further community feedback. The recommendations within the Plan are regularly reviewed by the Sports Council.

**9.11 Regional Sports Facilities Fund Round 2 - Nomination of Grant Applications  
(Author: Thompson/Geyer) (Continued)**

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***Financial***

The projects listed above are currently unfunded and grant funding is the only short-term option for these projects to proceed.

***Resources (including staff)***

Each application will take staff a number of days to complete, therefore it is recommended to limit the number of applications to two or three.

**Conclusion**

Subject to complying with the funding programs criteria there are many worthy projects that Council could seek funding for. However, the resources required to prepare an application do impact on other works and the fund is limited. Therefore, it is considered that the best result for Council would be to seek funds for those projects already adopted through the Sports Facilities Strategic Plan which already have general community support.

Should Council wish to include the Moore Park Fitness Facility it can added as an additional project to the recommendation.

**Attachments**

Nil

9.12 Captains Flat Road Grant Works Program (Ref: ; Author: Hansen/Hansen)

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File Reference: 36.1.4-01

**Summary**

The Captains Flat Road is a Regional Road that connects the village of Captains Flat to the Kings Highway. The 27km section of the Captains Flat Road from Briars Sharrow Road to Captains Flat has deteriorated over time and needs to be repaired.

Council has successfully obtained a \$10m grant for the work from the NSW State Government with funding phased over 4 years. The grant funds will not repair the full 27 km section of road. Further to a recent councillor workshop, this report details the work proposed to be completed with the funds that are available.

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**Recommendation**

**That Council endorse the program of work detailed in this report for the Captains Flat Road from Briars Sharrow Road to Captains Flat village.**

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**Background**

In 2020 a grant from the State Government of \$10m was announced for the upgrade and repair of the Captains Flat Road from Briars Sharrow Road.

Council will receive the funds from Transport for NSW across 4 years as follows:

Year	2020/2021	2021/2022	2022/2023	2023/2024
Amount	\$1,000,000	\$3,000,000	\$3,000,000	\$3,000,000

This section of Captains Flat Road is 27 km long and has deteriorated significantly. The pavement has failed across long lengths of the road and there are numerous locations where the road requires realignment. The map below shows:

- Sections that require realignment and reconstruction in red.
- Sections that require pavement widening and pavement stabilisation in yellow.
- Sections that do not require work at this time in green.

9.12 Captains Flat Road Grant Works Program (Ref: ; Author: Hansen/Hansen)  
(Continued)



Staff have undertaken an assessment of the road and have discussed this with Councillors at a workshop held on 1 September 2021. As a result of the workshop, the following works have been proposed.

Year	Grant Amount	Project Description	Length	Cost
20/21	\$1m	Design and Approvals and Contingencies		\$1.0m
21/22	\$3m	Pavement Stabilisation and Drainage Widening: <ul style="list-style-type: none"> <li>Chainage 0.3 km to chainage 4.4 km</li> <li>Chainage 9.2 km to chainage 14.4 km</li> </ul>	4.1km 5.2 km	\$1.44m \$1.56m
22/23	\$3m	Realign and Reconstruct: <ul style="list-style-type: none"> <li>Chainage 4.4 km to 5.8 km</li> </ul>	1.5 km	\$3.0m
23/24	\$3m	Pavement Stabilisation and Drainage Widening: <ul style="list-style-type: none"> <li>Chainage 14.4 km to chainage 15.4 km</li> <li>Chainage 18.2 km to chainage 19.2 km</li> </ul> Realign and Reconstruct <ul style="list-style-type: none"> <li>Chainage 21.3 km to Chainage 22.3 km</li> </ul> Reconstruct, Improve Safety, Resurface <ul style="list-style-type: none"> <li>Chainage 24.6 km to chainage 26.9 km</li> </ul>	1.0 km 1.0 km 1.0 km 2.3 km	\$0.35m \$0.35m \$1.0m \$1.3m
		<b>Total:</b>		<b>\$10.0m</b>

Note: All chainages commence from Briars Sharrow Road.

Road reconstruction involves the full reconstruction of the base and sub-base of the road. This usually occurs where the road requires realignment both vertically and horizontally, has insufficient formation width and needs drainage upgrades. This work is extensive and a typical 1 km section usually takes about 4 months to complete.

Pavement widening and stabilisation can be completed on sections where the road formation is sufficiently wide and the road sub-base has not failed. Stabilisation involves the widening of drainage structures and the incorporation of additional road base into either cement or lime



**9.12 Captains Flat Road Grant Works Program (Ref: ; Author: Hansen/Hansen)  
(Continued)**

stabilised in-situ material. This is a relatively fast treatment once the drainage widening has been completed with a 1 km section usually being completed in about 1 week.

The map below shows the location of the work proposed for the next 3 years. This work will expend the grant funds available.



**Implications**

***Environmental***

Most of the work is within the existing road corridor. Appropriate environmental assessment and protection will be completed where required.

***Asset***

This work will improve the condition of the Captains Flat Road and improve user safety and comfort.

***Financial***

All work is funded from the \$10m NSW State Government grant. A further \$300k Black Spot grant will complement works at the Woolcara Ln intersection.

Program Code	Expense Type	Funding source	Amount
		Grant	\$ 10,000,000

***Resources (including staff)***

Contract and Council work crews will be used to complete this work.

**Attachments**

Nil



9.13 Monaro Street Upgrade - Concept Design (Ref: ; Author: Hansen/Long)

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File Reference: 100894

**Summary**

The concept design for the Monaro Street Upgrade was placed on public exhibition between 15 July 2021 and 15 August 2021. In accordance with Council resolution PLA130/21, a report on the submissions received following the public exhibition is presented for Council's consideration. A copy of the full report is included as an attachment.

Further to a councillor workshop on 15 September, it is intended to invite tenders for the detailed design and construction of the Monaro Street Upgrade works.

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**Recommendation**

**That Council:**

- 1. Note the Community Engagement Report on the Monaro Street Upgrade concept design.**
  - 2. Note that the species selection for street trees in Monaro Street will include Urban Ash and Pin Oak.**
  - 3. Note the proposed street layout and parking.**
  - 4. Endorse the exhibited Monaro Street Upgrade concept design to progress to detailed design.**
- 

**Background**

Council received \$10 million grant funding from the NSW Government and has committed an additional \$5.5 million for the Queanbeyan CBD Activation and Transformation project, known as the Monaro Street Upgrade, comprising upgrades to the road and two adjacent pedestrian laneways. At its meeting of 24 February 2021, Council received a report on the progress of the project which identified that Scenario 4 of the option designs for the road upgrade would be used as the basis for the concept design.

At its meeting on 14 July 2021, Council resolved to place the concept designs for Monaro Street on public exhibition and to consider submissions at a future meeting.

**Implications**

**Asset**

Both Council and Transport for NSW assets will be replaced or upgraded as part of this project. These will be identified in the detailed design process. The Monaro Street upgrade will be designed and undertaken across 2 stages (Stage 1: Lowe Street – Crawford Street; Stage 2: Crawford Street - Queens bridge), with stage 1 the subject of construction.

***Social / Cultural***

This project aims to enhance the amenity of the Queanbeyan CBD for pedestrians, residents, visitors and businesses as identified in the CBD Transformation Strategy and Queanbeyan CBD Place Plan Report.

### 9.13 Monaro Street Upgrade - Concept Design (Ref: ; Author: Hansen/Long) (Continued)

#### **Engagement**

The concept designs were prepared after several consultation sessions with impacted stakeholders and councillors including:

Session	Date	Description
Initial information	11 November 2020	Introduction of project
Stakeholder workshop	25 November 2020	Road functionality
Access Committee	3 February 2021	Information session
Councillor workshop	3 February 2021	Update on 4 draft scenarios
Pop-up display/information	11-12 February 2021	Opportunity for stakeholders/public to view and comment on scenarios
Council report	24 February 2021	Update and endorsement to progress scenario 4
Stakeholder workshop	23 March 2021	Landscape features
Access Committee	28 April 2021	Information session
Councillor workshop	30 June 2021	Median tree relocation
Councillor workshop	7 July 2021	Concept design visualisation

The concept designs were placed on public exhibition between 15 July 2021 and 15 August 2021. The proposed designs were placed on Council's online engagement platform, Your Voice, for this period and public information sessions were held at Riverside Plaza from 22-24 July 2021. Notices on Council's Facebook page and an e-newsletter advised the public of opportunities to view the plans and provide comments.

A report on the feedback from this community engagement is included in Attachment 1. A workshop for Councillors was held on 15 September 2021 to discuss the engagement report.

#### **Financial**

The Monaro Street Upgrade is funded by a \$10 million grant from the NSW Government's Drought Stimulus Package and an additional \$5.5 million will be loan funded. A further \$500k has been secured under the NSW High Street grants program for the laneway elements.

#### **Resources (including staff)**

The existing internal project team will co-ordinate and manage the proposed tender process within the project budget.

#### **Integrated Plan**

This project aims to meet Key Goal 2.1.1 of the Community Strategic Plan to 'continue the ongoing revitalisation of the Queanbeyan CBD'

#### **Conclusion**

The draft concept design for the Monaro Street Upgrade has been placed on public exhibition and responses have been considered including the amendment to species selection of street trees. Council endorsement is sought for the concept design to proceed to detailed design. If this endorsement is provided, staff will proceed to invite tenders for the detailed design and construction of the Monaro Street Upgrade.

#### **Attachments**

Attachment 1  Community Engagement Report - Monaro Street Upgrade - Concept Design (Under Separate Cover)

9.14 Crown Road Management Policy (Ref: ; Author: Hansen/Hansen)

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**File Reference:** 52.5.4

**Summary**

Many NSW councils navigate requests from property owners and Crown Lands to assume ownership and maintenance responsibilities for crown roads. The Draft Crown Road Management Policy provides a clear approach for the ongoing management of Crown Roads. The Draft Policy sets out the criteria where a Crown road may be transferred to Council and will provide direction to Crown Lands if they are considering the transfer of any Crown road to Council. The draft was recently discussed at a workshop.

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**Recommendation**

**That Council adopt the Crown Road Management Policy.**

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**Background**

Council is regularly approached to maintain Crown roads. Crown roads are road reserves that are vested in the Crown and are owned and managed by the State Government. Crown Lands is the road authority for all Crown roads.

Crown roads were originally created last century to provide legal access to individual portions of land. Many of these roads remain unconstructed and are often fenced in to adjoining properties.

Crown roads are often used to access properties and often end up with numerous properties using them for access. As Council does not maintain Crown roads, the maintenance burden falls to the road users. Council is often requested to take over the maintenance of the Crown roads.

The Draft Crown Road Management Policy establishes the criteria for Council to accept the maintenance of Crown roads and offers guidance to Crown Lands in any future consideration of transferring Crown roads to Council. In line with other policies, processes and construction standards are established to consider accepting a Crown road for management by Council.

**Implications**

***Legal***

It should be noted that the *Roads Act 1993* permits the Minister to transfer a Crown road to any other Roads Authority (See *Section 152I of the Roads Act 1991*). It follows that any Crown road may be transferred to Council by the Minister, however it is Crown Lands policy to seek comment from a Council before any transfer is made.

***Policy***

This is a new policy for the management of Crown roads.

9.14 Crown Road Management Policy (Ref: ; Author: Hansen/Hansen) (Continued)

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**Asset**

This policy provides direction on the acceptance of roads for the care and control of Council and consequently the addition of Crown roads to Councils asset liabilities and ongoing maintenance and depreciation burden.

**Attachments**

Attachment 1      Draft Crown Road Management Policy (*Under Separate Cover*)



9.15 Tender Recommendation - QPRC HVAC Maintenance Contract 2019/16 (Ref: ;  
Author: Hansen/Zubrinich)

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**File Reference:** 1414006

**Summary**

In August this year, the QPRC Facilities section requested tenders from mechanical services contractors to maintain air conditioning and ventilation systems across all Council sites within the LGA. The contract term is an initial three years followed by a possible further two, one-year extensions.

The aim of this procurement process was to source a suitably qualified and experienced company, in an open and transparent process, to undertake scheduled and reactive maintenance of Councils heating, ventilation and cooling assets.

There was a strong interest from prospective tenderers with thirteen submissions received. The tenders were evaluated in accordance with the approved tender evaluation plan, by a three-person panel of QPRC staff members.

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**Recommendation**

**That Council accept the tender submitted by Tenderer 10 to the value of \$(insert) including GST.**

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**Background**

QPRC currently have three hundred and fifty individual HVAC (Heating, Ventilation & Cooling) assets installed in sixty-two sites across the LGA. There is currently no comprehensive contract in place to maintain these assets. Queanbeyan sites are maintained on a month to month basis by Carrier Australia with eastern sites being maintained on an ad-hoc basis.

This year a comprehensive survey of HVAC assets was undertaken by QPRC Facilities with a view to engaging a contractor to undertake scheduled maintenance across the merged LGA. A review of the maintenance schedule was also completed to provide QPRC staff and contractors a clear guideline to what is expected.

***Legal***

Section 55 Of the *Local Government Act 1993* requires that a Council invite open tenders before entering into contracts for projects over \$250,000. Budget estimates indicated the total contract value exceeds the procurement threshold for quotations, leading us towards the tender process.

***Policy***

The Tenders have been assessed as per QPRC procurement policies and the Tender Evaluation Plan for the project.

***Engagement***

Internal stakeholders were consulted prior to inviting tenders to ensure all needs were met.

**9.15 Tender Recommendation - QPRC HVAC Maintenance Contract 2019/16 (Ref: ;  
Author: Hansen/Zubrinich) (Continued)**

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***Financial***

HVAC maintenance will be funded by existing maintenance budget allocations for each building.

The recommended tender price is considered fair and reasonable and within 20% of the pre-tender estimate.

***Resources (including staff)***

This contract will be managed by Council's Facilities staff. All maintenance work will be completed by the successful tenderer.

**Conclusion**

The tenderer who best satisfied the selection criteria for the maintenance of QPRC HVAC assets was found to be tenderer number 10. The reference obtained for the tenderers quality of work was excellent. It is recommended that Tenderer 10 be awarded the contract to undertake this work.

**Attachments**

- Attachment 1 Tender Evaluation Report - QPRC HVAC Maintenance 2019-16 (*Under Separate Cover*) - **CONFIDENTIAL**



9.16 Community Facilities (Ref: ; Author: Richards/Duncan)

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File Reference: 1.3.1

**Summary**

During the transfer to the new online booking system, *Intelligenz*, several inconsistencies in the application of Councils Fees and Charges to some hires were identified. This report details the current anomalies and seeks an approach to ensure consistent billing processes apply to all users of Council community facilities. The fees are listed under Community Centres in the Fees and Charges.

The hirers identified provide an important service to our community and have relied on long standing arrangements. Requests for rental rebates from Council Category B funding in the QPRC Annual Community Grants Program does not provide certainty as this program is competitive and near current capacity.

However, a consistent approach in billing is essential to Council reputation amongst all hirers of Council facilities.

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**Recommendation**

**That Council:**

- 1. Note the report.**
  - 2. Waive hire fees during Covid lockdown for the groups listed in the report.**
  - 3. Apply the 2021/2022 Community Centre fees and charges for all groups listed in the report from 1 November 2021.**
  - 4. Advise users who currently receive free hire of facilities to apply to the QPRC Annual Community Grants Program.**
- 

**Background**

During the transfer to the new booking system, *Intelligenz*, several groups using Council community facilities at no cost were identified, some dating back many years.

Groups identified to date include:

- Jerrabomberra Residents Association (JRA)

The JRA uses the Jerrabomberra Community Centre once a month for two and a half hours. This fee should be \$122.50 per booking or an annual charge of \$1,347.50 (11 meetings). The JRA believes they have an agreement that dates from when the developer of Jerrabomberra gifted the venue to Council in the early 1990s. The agreement was said to allow the JRA to use the community centre for their meetings free of charge (no such written agreement can be found). Payments were not requested or made by this group since Council commenced operating the facilities until 2015.

In 2015-16, an allowance for free hire was made for the JRA and documented in the Fees and Charges, supporting JRA's position. However, since 2016-17, there has been no free use documented in the Fees and Charges. The intention was that from 2016-2017, the JRA should apply through the QPRC Annual Community Grants Program. The JRA has not made an application through the program and to date, has made no payments. The JRA advised that

**9.16 Community Facilities (Ref: ; Author: Richards/Duncan) (Continued)**

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they would prefer not to apply for an annual donation, relying on the initial agreement when the facility was gifted to Council.

- Southern NSW Health (SNSWH)

SNSWH uses two clinic rooms for baby health clinics and immunisation at the Jerrabomberra Community Centre, one day per week at the cost of \$90 per room per day. The cost per booking is \$180 per week for 40 weeks for a total of \$ 7,200.

SNSWH also has a 'mums and bubs' group at the Jerrabomberra Community Centre that meets weekly for two and a half hours over 40 weeks. The cost per booking is \$62.50, or an annual charge of \$2,500.

SNSWH also has a playgroup at the Bungendore Community Centre that meets weekly for two hours over 40 weeks. The cost per booking is \$10.00 per hour, or an annual charge of \$800.00.

SNSWH has not been invoiced for the baby health clinics, immunisation, mums and bubs or the Bungendore playgroup.

The baby health clinics and 'mums and bubs' walking group were listed in the Fees and Charges for free hire until 2015/2016. No payments have been received since 2016/2017. SNSWH submitted an application to the Council's donation scheme for 2020/2021 that was not approved.

- Bungendore Medical Centre

The Bungendore Medical Centre uses the Captains Flat Multipurpose Health Centre for medical appointments once a week for four hours. The cost per booking should be \$75.00 or an annual charge of \$3,750 over 50 weeks. It is understood they have not paid for several years.

- Meals on Wheels

Meals on Wheels currently use the Youth Axis Centre once a week for three hours. The community rate cost per booking should be \$40, or an annual charge of \$2,000 over 50 weeks. Prior to this arrangement, Meals on Wheels operated for many years through the Senior Citizens Centre, paying a nominal fee for this use to the Senior Citizens.

- Abbeyfield

Abbeyfield uses the Bungendore Community Centre (front room) once a month at \$10 per booking. The cost for 11 bookings over 12 months is approximately \$110. It is understood that Abbeyfield has never paid any hire fee to Council. There is a likely expectation that free usage will apply for the new community facilities once constructed.

It is not uncommon for councils to offer free or low-cost facilities to community groups, often in a Neighbourhood Centre style of arrangement. The commencement of the PCYC in Queanbeyan provides the potential to provide such an arrangement for a number of community purposes, but this would not address the needs in other areas of the LGA.

**Implications*****Legal***

Council staff do not have a delegation to waive or reduce fees and are seeking a consistent process for all hirers.

***Social / Cultural***

Revoking long-standing arrangements may potentially generate criticism, especially in the short term. However, inconsistency in approach also causes potential issues.

***Financial***

The annual total cost of fees waived for the above groups is \$17,707.50. This amount could not currently be covered by the \$35,000 in funding allocated for 2021/2022 for the QPRC Annual Community Grants Program. A total of \$26,109 from this fund has already been allocated, leaving \$8,891 in 2021/2022.

The QPRC Annual Community Grants Program is competitive, and the potential for groups to miss out on funding has increased. Any rebates that are currently provided for other groups are funded from this program.

COVID Lockdown has had an impact on bookings to date in 2021/2022 and will continue to do so until the LGA is out of lockdown and restrictions are reduced.

**Conclusion**

It is important for Council to have a consistent approach to providing community facilities for use across the LGA for a variety of different usages and purposes. Anomalies that currently exist have allowed some community groups to rely on long standing arrangements for free usage. Changes to these tacit agreements will compel all groups to apply for competitive funding where success is not assured. This may impact cost of, and/or certainty of services for these groups.

For consistency, it is proposed to provide notice to the groups the Community Centre fees will apply from 25 October, and they should apply for rebates or waivers under the annual grants program.

**Attachments**

Nil



9.17 QPRC Cultural Grants application, Heart 2 Heart Psychic Centre (Ref: ;  
Author: Richards/Mirowski)

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**File Reference:** GRANTS 11.10

**Summary**

On 11 August 2021, The Heart 2 Heart Psychic Centre submitted an online application for funding under Council's Cultural Grants Program 2021/22. Heart 2 Heart Psychic Centre is a business located at 142 Monaro Street, Queanbeyan.

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**Recommendation**

**That Council not approve a donation of \$1,000 from QPRC Cultural Grants to the Heart 2 Heart Psychic Centre, due to the project not meeting the eligibility criteria for QPRC Cultural Grants.**

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**Background**

The application seeks \$1,000 from QPRC towards the cost of venue hire for an Expo which showcases small businesses operating in the spiritual and wellness industry in our LGA, and in the ACT. The stated benefits of the project are to provide a platform for local small businesses in the industry, so that they can gain visibility and increase their customer base.

Heart 2 Heart are seeking \$1,000 venue hire costs so that they can provide free stalls at the planned two-day Expo Event to authors, therapists, intuitive artists, and retail such as crystals, candles, oils, handmade and locally-sourced jewellery. The event will also provide a reading room for approximately 15 local psychics, mediums and intuitives, and will include workshops, speakers and demonstrations. The Expo is planned for 20 November 2021, at the Jerrabomberra Community Centre, or at another suitable venue.

The funding application has been assessed by Councils Grants Officer as not meeting the criteria for QPRC Cultural Grants funding. The Guidelines for QPRC Cultural Grants, and *QPRC Donations Policy 2020* denote that not-for-profit community organisations are eligible entities to receive QPRC grants and donations, but for-profit businesses are not eligible. The Guidelines for QPRC Cultural Grants state that eligible organisations and groups must be 'community-based not-for-profit organisations'. The applicant advises that Heart 2 Heart is a for-profit business.

The Expo Event for which the Cultural Grant funds are sought will also be for-profit and include selling of retail products. Under the Cultural Grant Guidelines commercial for-profit ventures are also not eligible for funding. Artistic benefits to the LGA's broader community from the Expo are not well-demonstrated. A copy of the Funding Application is at **Attachment 1**.

**Implications**

***Legal***

The application includes a COVID Safe Plan for the Expo Event, as this is currently compulsory for QPRC Cultural Grants. The Plan states that the requirement of not more than one person for every four metres of indoor space at the venue will be policed, meaning that no more than 25 persons can be allowed in the venue at any time. As the event will include

9.17 QPRC Cultural Grants application, Heart 2 Heart Psychic Centre (Ref: ; Author: Richards/Mirowski) (Continued)

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many stalls, it would not allow for many members of the public to be present at any one time, including for the planned demonstrations and speakers.

**Policy**

This project broadly aligns with Strategic Pillar 1 – Community and Strategic Pillar 2 – Choice of the *QPRC Community Strategic Plan 2018-2028*. However, the application, does not meet the eligibility requirements for QPRC Cultural Grants or the eligibility requirements for QPRC funding in the *QPRC Donations Policy 2020*.

**Financial**

The Cultural Grants financial allocation for the 2021/2022 financial year is \$20,000. \$1,500 Cultural Grants Funding has been approved by Council and allocated this financial year, leaving \$18,500 funds available.

Program Code	Expense Type	Funding source		Amount
3020 - 5070	Grants and Donations	QPRC Cultural Grants	\$	\$1,000

Conclusion This project does not meet the eligibility criteria for the QPRC Cultural Grants Program and will include for-profit activities, and therefore is not recommended as sufficiently meeting the eligibility criteria for funding.

**Attachments**

Attachment 1 Funding Application Heart 2 Heart (*Under Separate Cover*) -  
**CONFIDENTIAL**

9.18 Revised QPRC Parking Policy (Ref: ; Author: Knight/Ferguson)

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File Reference: 52.5.4

**Summary**

Council adopted its Parking Policy in February 2020, following public exhibition and consideration of submissions. The policy has now been reviewed after a number of representations were made to Council by residents about vehicles parking on footpaths and nature strips and the associated penalties for doing so. The revised policy clarifies the legal obligations and parking enforcement measures. Council will implement an education program to raise awareness of the policy's content.

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**Recommendation**

**That Council adopt the revised QPRC Parking Policy 2021.**

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**Background**

Council adopted its Parking Policy on 12 February 2020 (Res. PLA009/20) to provide guidelines for the safe and authorised parking of tradespersons' works vehicles at construction sites in Queanbeyan, and the new residential developments in Googong, Tralee and South Jerrabomberra. The policy also established parking controls and permits to guide management of residents' parking in town streets and public car parks near the Queanbeyan CBD and the new residential developments.

Since its adoption, representations have been made by residents who do not have on-street parking available near their residence, or who live in areas such as Googong with narrow street widths, or who operate premises in industrial areas in Queanbeyan. They have been parking illegally on nature strips and footpaths, consequently receiving a PIN incurring a fine of \$272. They have asked Council to facilitate the management of this type of illegal parking.

It is acknowledged that, in many cases, full or partial parking on nature strips in residential areas where streets are narrow can make it safer for drivers on the road and that there is often little to no consequence to pedestrian safety, infrastructure, vegetation or general amenity. However, it is illegal under the *NSW Roads Act 1993* to do so.

The revised policy clarifies that, for construction sites and industrial premises only, short-term parking on hard surfaces or un-landscaped verges or nature strip may be possible during business hours.

For other areas, limited parking on verges and nature strips may be possible subject to conditions as outlined in Clause 5.6.2 of the revised policy (**Attachment 1**). The policy also allows for some discretion by Council's Rangers in managing infringements.

A program of driver and community education will be implemented to ensure that the community is aware of the legal requirements and the penalties that may be applied for any infringements.

**Implications*****Legal***

In accordance with the *NSW Roads Act 1993*.

***Policy***

The revised Parking Policy addresses issues raised by the community regarding parking on footpaths and nature strips in different zones. The proposed changes are highlighted in yellow in the attachment.

**Conclusion**

The QPRC Parking Policy has been reviewed following representations from the community about vehicle owners being fined for parking illegally on footpaths and nature strips. The concerns have been addressed in the revised policy, which is now presented to Council for adoption.

**Attachments**

Attachment 1      Revised QPRC Parking Policy (*Under Separate Cover*)





9.19 QPRC 2020/21 Financial Statements (Author: Knight/Langton)

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File Reference: PJT0039-06-01

**Summary**

The Financial Statements for the year ended 30 June 2021 have been completed to draft stage (except for the issues noted below) and are ready for the NSW Audit Office to commence audit on 27 September 2021.

The Audit Office is expected to complete the audit and issue the Independent Auditors Report by 28 October 2021, with detailed findings of the audit presented to Council on 24 November 2021.

There is a risk of late lodgement due to delays in receiving valuation of developer contributions and asset revaluation reports, as noted below. The Audit Director, Michael Kharzoo has been kept informed of anticipated late items. Further to the ARIC meeting on 16 September, on the advice of the Auditor, an extension for lodgement of the statements will be placed with OLG.

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**Recommendation**

**That Council:**

1. Refer the 2020/21 Financial Statements to audit in accordance with section 413(1) of the *Local Government Act 1993*.
  2. Note that the 2020/21 financial statements have been prepared in accordance with:
    - a. The *Local Government Act 1993* and regulations made thereunder
    - b. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
    - c. The Local Government Code of Accounting Practice and Financial Reporting.
  3. Note that the 2020/21 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
  4. Note that the financial statements will be adjusted to include gifted assets once their in-house valuation has been completed.
  5. Note that the financial statements will be adjusted to include revaluation of Infrastructure, Property, Plant and Equipment once revaluation workpapers have been finalised.
  6. Is not aware of any matter that would render these statements false or misleading in any way.
  7. Delegates authority to the Mayor, Deputy Mayor, CEO and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements.
  8. Delegate authority to the CEO to issue the financial statements upon receipt of the audit report.
-

**Background**

The financial statements for the year ended 30 June 2021 have been completed to draft stage, to be ready for audit, as attached to this report.

The statement preparation process has been overseen by ARIC's Financial Statements Subcommittee (FSSC), which has met with Council officers throughout the project period to keep a current knowledge of progress against the workplan, issues and risks. The FSSC has been able to provide Council with high level assurance regarding the processes and controls followed by staff in the preparation financial statements, and to ensure the Audit Committee has remained informed of all significant issues that could affect the financial statements.

The FSSC reported to the September ARIC meeting and recommended that the 30 June 2021 financial statements be endorsed as ready for referral to audit.

Staff has been notified that Council has received a high value of non-cash assets contributed by developers. These assets are currently being valued in-house by Council staff, and the financial statements will be adjusted to include these non-cash assets once their valuation has been finalised. The ARIC meeting recommended an extension for lodgement of the statements be sought to enable completion of the outstanding valuation of gifted assets.

Council has also contracted consultants to complete a fair value revaluation of Council' Infrastructure, Property, Plant and Equipment in accordance with Australian Accounting Standards. Once revaluation workpapers have been verified, the financial statements will be adjusted to reflect updated asset values.

**Implications*****Legal***

Section 413 of the *Local Government Act* requires a resolution of Council to refer the draft financial statements to audit.

Section 413 (2c) requires a resolution of Council that the annual financial statements have been prepared in accordance with:

- The *Local Government Act 1993* (as amended) and the Regulations made there under
- The Australian Accounting Standard and professional pronouncements,
- The Local Government Code of Accounting Practice and Financial Reporting.

and that, to the best of their knowledge and belief, the financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.

Section 418 of the Act requires that as soon as practicable after Council receives a copy of the auditor's report, it must fix a date for a meeting to present the audited financial statements to the public, and it must make the financial statements available for public inspection for at least seven days prior to the meeting date.

***Asset***

In accordance with Australian accounting standards, Council is required to revalue its infrastructure, property, plant and equipment (IPP&E) at fair value every three to five years. As Council's IPP&E has not been revalued since amalgamation, QPRC has engaged contractors to revalue IPP&E assets for the 2020/21 financial statements. However, the

**9.19 QPRC 2020/21 Financial Statements (Author: Knight/Langton) (Continued)**

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revaluation for several asset classes has not yet been finalised. When completed, the revaluation will impact Council's Statement of Financial Position and Statement of Comprehensive Income.

During the 2020/21 financial year, Council also received hand-over of gifted infrastructure at the completion of subdivisions at Googong, Braidwood and Bungendore. The in-house valuation is currently being finalised, and when completed, will impact the draft Income Statement and Statement of Financial Position, with an increase of non-cash income, and an increase of Infrastructure, Property Plant and Equipment.

***Engagement***

On finalisation of audit and receipt of the audit report, the financial statements will be made available to the public and advertised in accordance with the *Local Government Act (NSW) 1993*. Council's Auditors will be invited to present their findings to the November Council meeting.

***Financial*****Operating Result**

Council's consolidated operating result (after capital) is a deficit of \$3.3 million. By Fund, the General Fund recorded a \$10.3M deficit, the Water Fund recorded a \$2.9M surplus and the Sewer Fund recorded a \$4.1M surplus. The deficit is driven by several factors, including a \$3M accounting adjustment to Council's tip restoration provisions, and a significant increase in annual depreciation of assets, (11.3% increase) based on the capitalisation of \$227M additional assets over the last 2 financial years, and nett costs due to natural disasters and Covid.

**Cash and Investments**

Council recorded a total balance of cash, cash equivalents and investments as at 30 June 2021 of \$193M. After taking into account external and internal restrictions, Council held unrestricted cash of \$271,000. Whilst overall cash and investments increased by \$2.7M during the year, unrestricted cash remains very low due to \$1.5M increases in both Council's property and business waste reserves, and deferred recoveries of rates due to disasters.

Council recorded a net receivables balance of \$28M as at 30 June 2021, a reduction of \$8M from 30 June 2020. This is attributed to a significant reduction in government grants and subsidies receivable, as Council was owed an unusually high value of reimbursements from the NSW government for bushfire and floods work at 30 June 2020.

## 9.19 QPRC 2020/21 Financial Statements (Author: Knight/Langton) (Continued)

Financial Performance

	2021	2020	2019	Benchmark
Operating Performance Ratio	-2.77%	3.11%	5.2%	> 0
Own Source Revenue Ratio	52.38%	50.78%	53.22%	>60%
Unrestricted Current Ratio	1.64x	1.57x	1.34x	>1.5x
Debt Service Cover Ratio	4.00x	3.84x	6.41x	>2x
Rates and Annual Charges Outstanding	9.25%	9.74%	5.65%	<10%
Cash Expense Cover Ratio	8.15 months	7.44 months	14.30 months	>3 months

The *operating performance ratio* measure's Council's ability to fund operational expenditure with operational revenue. Council's operating performance ratio is negative, reflecting that QPRC recorded an operating deficit as a consolidated entity for the year ending 30 June 2021.

The following unusual or one-off items affected the 2021 operating result.

	2021
Operating Result before capital grants and contributions	(\$3,357,000)
<b>Add back one-off / unusual adjustments:</b>	
Net Covid Impact	\$1,012,000
Accounting provision for tip restoration	\$3,096,000
Upgrade street lighting – recognised as an operational expense	\$1,992,000
Expenditure of bushfire operating grant received in prior year	\$525,000
Asset impairment reversal	(\$4,840,000)
<b>Normalised consolidated result</b>	<b>(\$1,572,000)</b>

*Own source revenue* measures the extent to which Council relies on external sources (i.e. grants and contributions) for revenue. Own source revenue remains below the benchmark of 60%, indicating that Council continues to attract a high level of grants from external organisations to fund local community projects and services; and that it could be at risk of becoming dependent upon external income for the provision of services.

The *unrestricted current ratio* is a measure of Council's ability to service its current liabilities. Council's unrestricted current ratio remained just above benchmark. This ratio is a critical measure and combined with the General Fund operating deficit in subsequent years, indicates a risk to Council's financial sustainability.

The *debt service ratio* measure's Council's financial capacity to repay interest and principal on loan repayments. The debt service ratio remains above benchmark.

The Rates and Annual Charges *outstanding ratio* rose in 2020 in conjunction with Council's decision to grant additional financial hardship relief to ratepayers that were affected by natural disasters (fire, flood, drought and pandemic). During this period Council continues to allow extended repayment options and has limited its debt recovery actions, impacting receivables.

The *Cash Expense Cover ratio* indicates the number of months Council could continue to pay its immediate expenses without additional cash inflow.

## 9.19 QPRC 2020/21 Financial Statements (Author: Knight/Langton) (Continued)

The audit fees are summarised below.

Program Code	Expense Type	Funding source	Amount
	External Audit Fees	General Revenues	\$148,500

### **Conclusion**




As required by legislation, Council should refer the annual financial statements for audit, and to resolve its opinion about the compliance of the Financial Statements, in the prescribed format.

The NSW Audit Office conducted an interim audit, including an assessment of the effectiveness of Council's internal controls as they relate to the risk of misstatement in the financial statements. The Interim Audit Report was received in July and has subsequently been reported to ARIC for oversight of the audit recommendations, and appropriate management response.

The Audit Risk and Improvement (ARIC) subcommittee FSSC has met with staff to oversee the preparation of the 2021 financial statements and have oversight of risks and issues.

Additionally, in order to provide confidence to the Council, the FSSC has requested the CFO provide direct assurance over the content of the member's statement, provided as a memo, attached to this report.

### **Attachments**

- |   |   |
|---|---|
| Attachment 1<br> | Draft - Ready for Audit - 30 June 2021 General Purpose Financial Statements ( <i>Under Separate Cover</i> ) |
| Attachment 2<br> | Draft - Ready for Audit - 30 June 21 Special Purpose Financial Statements ( <i>Under Separate Cover</i> )   |
| Attachment 3<br> | Assurance of the Preparation of the Financial Statements ( <i>Under Separate Cover</i> )                    |



9.20 Investment Report - August 2021 (Ref: ; Author: Monaghan/Drayton)

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File Reference: 43.6.5-02

**Summary**

In accordance with the *Clause 212 of the Local Government (General) Regulation 2005*, the Investment Report is presented to Council monthly. This report presents the investment result for August 2021.

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**Recommendation**

**That Council:**

1. Note the investment return for August 2021 was \$528,214.
  2. Note the investment portfolio has been made in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Queanbeyan-Palerang Regional Council's Investment Policy.
  3. Receive the Investment Report for the month of August 2021.
- 

**Background**

***Cash and Cash Equivalent Investments***

A list of Council's cash and investments held on 31 August 2021 is detailed in the attached Investment Report Pack.

Over the last 12 months, Council's portfolio produced an annualised rate of return of 2.84%, outperforming the benchmark Bank Bill Index by 2.80%.

On 31 August 2021, the principal amount invested was \$198,757,177 and the 2021/22 financial year to date return was \$1,130,689 which is 28.3% of Council's 2021/22 budgeted return.

***Market Update***

At its September 2021 policy meeting, the Reserve Bank (RBA) board left the cash rate unchanged at 0.10%. The RBA continues to maintain that a cash rate increase will not occur until inflation is within the 2 to 3% target range; a condition that may not be met before 2024.

Of the total \$198.7 million investment portfolio, Council holds \$29.27 million in TCorpIM long- and medium-term funds. Both funds continued their solid start to the 2021/22 financial year posting positive returns of \$318,777 and \$101,121 respectively in August 2021. While these funds are exposed to additional investment risk to generate higher potential returns, they are structured with longer term time horizons. The minimum advised investment time frame for the MTGF is 3-7 years and 7+ years for the LTGF.

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

**Implications**

***Legal***

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* and clause 212 of the *Local Government General Regulations 2005*, and Council's Investment Policy.

**9.20 Investment Report - August 2021 (Ref: ; Author: Monaghan/Drayton) (Continued)**

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Certified by Kate Monaghan, Responsible Accounting Officer, 10/9/2021.

***Policy***

The Investment Policy was adopted by Council on 28 July 2021 and is due for review in June 2022.

***Financial***

Council's cash and investment balance is made up of restricted and unrestricted funds. 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 kept for the purpose of covering Council commitments that are expected to arise in the future.

Internally restricted funds have been allocated through a resolution of council for a particular purpose, and unrestricted funds are available for future decisions and as a working balance.

Council has previously reported on the depletion of its internal and unrestricted cash and investments, and the requirement to implement budget correction and cost savings to improve the unrestricted cash position.

Externally Restricted, Internally Restricted and Unrestricted working funds' balances are reconciled to the cash and investments portfolio as part of the Quarterly Budget Review process.

**Conclusion**

On 31 August 2021, the 2021/22 Financial Year investment return amounted to \$1,130,689. The investment returns are added to the associated restricted funds (e.g. development contributions) that form Council's investment portfolio.

**Attachments**

Attachment 1      Investment Report Pack - August 2021 (*Under Separate Cover*)





10.1 COVID-19 Update (Ref: ; Author: Tegart/Tegart)

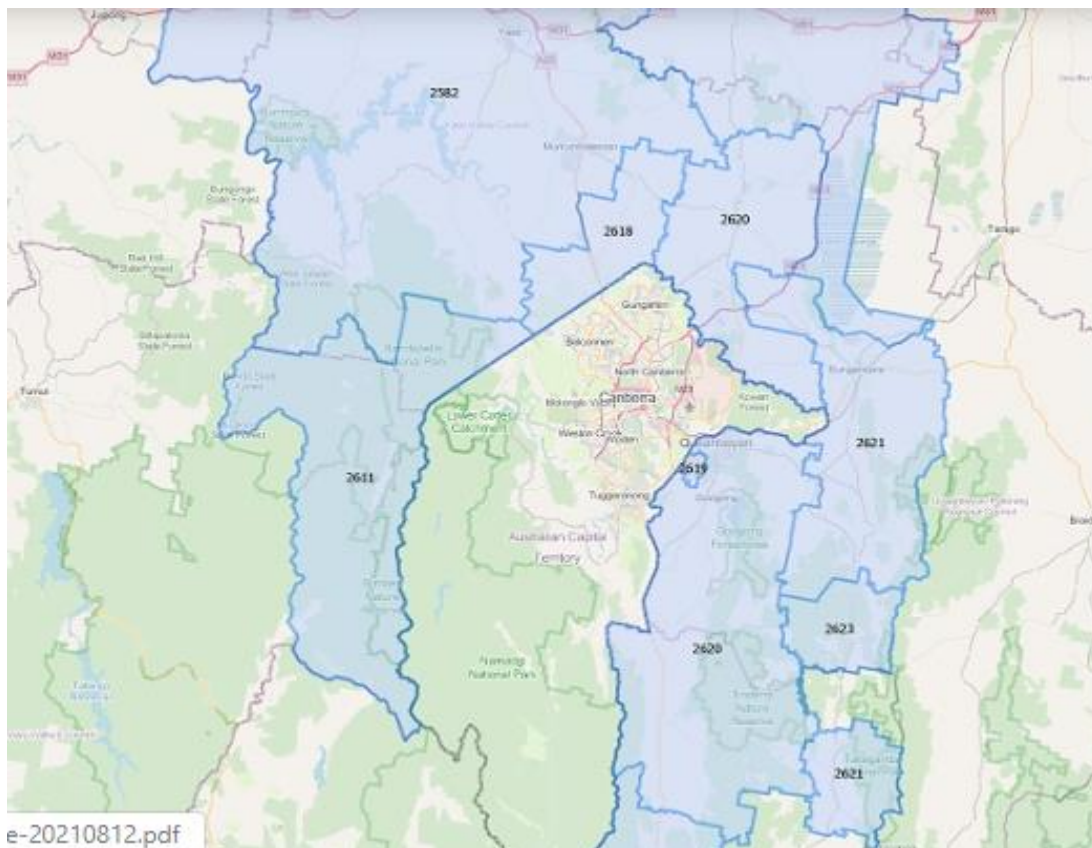
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File Reference: 45.4.1-02

**Report**

The ACT has been declared an 'area of concern' by the NSW Government and in lockdown since 12 August 2021 till 15 October, while the Queanbeyan-Palerang LGA has been under similar stay at home restrictions since 14 August 2021. Since then the ACT and NSW Governments established a 'border bubble', with standing exemptions in place enabling residents in border communities to traverse the area for work, essential supplies and medical appointments. <https://www.covid19.act.gov.au/travel/nswact-border-residents>. A 'postcode' system applies, meaning the areas in the 2619-2621 and 2623 postcodes in the QP LGA are within the bubble, while the Braidwood environs is excluded. Braidwood area residents can work, shop and exercise in the LGA in accord with the NSW stay at home rules, but must lodge a NSW online travel declaration should they enter and return from the ACT.

<https://www.service.nsw.gov.au/transaction/complete-nsw-entry-declaration-australian-capital-territory>



**10.1 COVID-19 Update (Ref: ; Author: Tegart/Tegart) (Continued)**

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Restrictions

Generally, the stay at home restrictions enable:

- shopping for food or other essential goods and services. Stay within the LGA unless these goods or services are not reasonably available locally. If you need to leave your LGA to shop, where practicable you should stay within 5km of your home. Only 1 person per household per day may leave home to shop.
- travelling for work, if your workplace is allowed to stay open and you can't work at home. You can only leave or enter an LGA of concern if you're an authorised worker with a worker's permit.
- travelling for education if you can't study at home
- exercising or outdoor recreation — with either 1 other person you don't live with or with the members of your household within your LGA. If you need to leave your LGA, stay within 5km of your home.
- medical or caring reasons, including for COVID-19 vaccination or testing
- accessing childcare
- shared-care arrangements for parents and children
- attending a funeral
- providing care or assistance to a vulnerable person

Council staff are deemed essential or authorised workers under both NSW and ACT jurisdictions. Where practicable, staff work remotely from home. Otherwise Council's operational and other staff may transit the LGA or ACT to attend their workplace. Certifying letters and ID cards have been issued to QPRC staff. Where appropriate, head contractors undertaking civil and construction works on infrastructure owned by or to be dedicated to Council, have been issued similar letters, with weekly lists provided to the ACT Government.

People in locked down areas must wear a mask whenever they leave their home — except when exercising. All Council staff are required to wear masks indoors and outdoors.

Some regional LGAs has lockdown orders lifted from 11 September:

## 10.1 COVID-19 Update (Ref: ; Author: Tegart/Tegart) (Continued)



### Facilities and Services

Similar to the initial outbreak last year, all Council community-facing facilities are closed, including customer centres, libraries, pools, theatres and halls (attachment 1). Online, telephone, and 'click and deliver' customer, library and animal services are available.

Council events and performances have been postponed or cancelled, with tickets refunded where applicable. Community sports are cancelled.

Sportsgrounds, parks and playgrounds remain open for private exercise, in accord with the restrictions above. All public amenities have automated soap dispensers installed.

Citizenship ceremonies are conducted online, while votes for the local government elections on 4 December will be polled by postal, pre-poll, online and in person.

The QPRC crisis management team (CMT) continues to apply its Pandemic Preparedness and Business Continuity Plans, moving the organisation through levels of service/facility closure and response pending Covid cases in the community and organisation, including communications and cleansing (attachment 2), and Covid plans for facilities and inspections.

### Communications

Council has been careful to point all enquiries and requests for information to the respective NSW or ACT Health websites. The Southern LHD website contains all local case and exposure site information. Council staff will replicate media release and other information through our social media channels but are not in a position to provide pandemic or health information. It is important a single source of truth remain (ie Health agencies) and not be filtered or misdirected through other channels.

Weekly briefings are held with Southern LHD, ACT Government and Cross Border Commissioner, with similar sector webinars with NSW Health. The Office of Local Government provides regular updates on impacts on local government (attachment 3).

**10.1 COVID-19 Update (Ref: ; Author: Tegart/Tegart) (Continued)**

The QPRC crisis management team (CMT) meets weekly after those briefings to determine operational risks and changes following Covid alerts or new PHOs, and provide updates to staff and manage weekend communications.

**Financial**

Council's financial hardship policy remains active, enabling residents and business to make arrangements to pay rates and charges interest free over 2 years, and business renting Council property to apply for similar easing of payments. Council has regularly discounted or waived community and sporting facility hire charges during the pandemic.

Councillors recently workshopped the financial status in advance of updating the LTFP, noting the recent natural disasters and the pandemic have cost (increased expenses/reduced revenues) around \$1.5m per year, impacting the underlying General Fund deficits in FY 2020-2022.

**COVID Impacts - Fee Income Community Facilities**

<b>Usage of Community Facilities</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>Change from 2017-18</b>
The Q Income	1,681,545	1,453,718	881,573	821,368	-51.15%
Saleyards	255,518	165,326	68,583	86,678	-66.08%
Swim School Programs	677,827	792,029	600,515	572,593	-15.53%
Aquatic Entry Fees	421,766	460,529	408,111	322,097	-23.63%
Community Events	47,061	35,523	36,794	16,956	-63.97%
Parks and Sportsgrounds Income	63,666	76,238	-	6,584	-89.66%
Community Halls and Facilities	230,496	218,129	249,126	251,328	9.04%
	<b>3,377,880</b>	<b>3,201,491</b>	<b>2,244,702</b>	<b>2,077,605</b>	
Actual Change	<b>408,767</b>	<b>-176,389</b>	<b>-956,789</b>	<b>-167,097</b>	
Actual Change	<b>13.77%</b>	<b>-5.22%</b>	<b>-29.89%</b>	<b>-7.44%</b>	<b>-38.49%</b>

Normal income increase @ 2.5%  
Lost annual income (to make-up)

3,462,327      3,548,886      3,637,608      7.69%  
1,560,003

**10.1 COVID-19 Update (Ref: ; Author: Tegart/Tegart) (Continued)**

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Covid forecast

At time of writing, 15 active cases remain in Queanbeyan-Googong, with 243 in the ACT. Covid fragments have been reported in the Queanbeyan STP. NSW Health have declined offers to test the other STPs in the LGA. Current case information is at <https://www.snswhd.health.nsw.gov.au/our-services/infectious-disease/covid-19>

The ACT was due to emerge from lockdown on 17 September. Both jurisdictions have signalled restrictions will not substantially ease until vaccination levels exceed 70%. QP full vaccination rates are currently 42%. <https://www.nsw.gov.au/covid-19/find-the-facts-about-covid-19#map-of-nsw-vaccinations-by-home-postcode>. Southern LHD will publish online the typical treatments for Covid and an outline of virtual monitoring and assessments.

NSW Health vaccination clinics open in Queanbeyan on 21 September. Residents can check eligibility and book vaccinations through <https://covid-vaccine.healthdirect.gov.au/?lang=en>. The NSW Government released several regional LGAs from restrictions on 11 September, noting zero cases on a rolling 14 day cycle may be a pre-requisite to emerge from or remain in lockdown.

It is likely the QP LGA will remain with stay at home restrictions until the case load in the LGA reaches the NSW nominated threshold, the NSW Government delists ACT as an 'area of concern', and the ACT case load falls into single figures – given the porous nature of the border. Staff have continued to advocate to the ACT Government to expand the border exemptions to the whole LGA, rather than postcode – particularly should the lockdowns continue.

Reopening

The Government has drafted a roadmap to reopening, largely premised on 70-80% vaccination targets and pointing to eased restrictions to residents that are fully vaccinated. <https://www.nsw.gov.au/media-releases/roadmap-to-freedom-unveiled-for-fully-vaccinated>

NSW is predicted to hit the 70 per cent double dose milestone around mid-October, which will allow the State to open up for those who have received both doses of a COVID-19 vaccine. Only fully vaccinated people and those with medical exemptions will have access to the freedoms allowed under the Reopening NSW roadmap.

The Council 3 step plans for staged facility re-openings have been updated (attached example).





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**Recommendation**

**That the report be received for information.**

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**Attachments**

- |  |  |
|--|--|
|  Attachment 1 | COVID - Facilities Status ( <i>Under Separate Cover</i> )            |
|  Attachment 2 | COVID - Organisation Response Levels ( <i>Under Separate Cover</i> ) |
|  Attachment 3 | OLG - COVID Guidance to Councils ( <i>Under Separate Cover</i> )     |
|  Attachment 4 | 3 Step Plan - Example ( <i>Under Separate Cover</i> )                |



**10.2 New Integrated Planning and Reporting Framework Guidelines (Ref: ; Author: Knight/Tozer)**

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**File Reference:** 51.1

**Report**

Following changes to the *Local Government Act* in 2016, the Integrated Planning and Reporting Guidelines have now been updated by the Office of Local Government.

These Guidelines explain what councils must do to ensure they comply with their planning and reporting requirements set out in the Act. The Guidelines are issued under section 406 of the Act and the Regulation.

The changes come into effect from the next round of Integrated Planning documents. This means that the End of Term Report and Annual Report that are currently being developed will not be impacted. However, the new Community Strategic Plan, Delivery Program, Operational Plan and Resourcing Strategy that are required to be adopted by 30 June 2022, will need to comply with the new guidelines.

Some of the changes and key points include:

- All plans and strategies adopted by Council must link to IP&R documents
- New guiding principles apply to councils
- Clearer roles and responsibilities for the governing body, Mayor and General Manager/CEO
- Oversight by the Audit, Risk, and Improvement Committee
- State of the Environment Report is no longer a requirement
- End of Term Report to be replaced by State of our City/Shire Report and to be presented to, and endorsed by, Council at the second meeting of a newly elected Council. No longer presented to outgoing Council
- Community Engagement Strategy to be reviewed and adopted by 31 December in the year of an election. Note: Council has 12 months to do this following the 2021 election.
- Long Term Financial Plan to be reviewed and updated at least annually
- Delivery Program must identify areas of service that Council will review during its term
- Operational Plan must be a separate document to the Delivery Program
- Operational Plan must specify which service reviews will be undertaken in that year
- Annual Report must include information on how service reviews have progressed

The revised IP&R Handbook includes 'good', 'better' and 'best' practices for councils to consider and implement in their IP&R documents.

As mentioned above, Council will still receive the Annual Report and End of Term Report at the November 2021 Council meeting.

The key changes to the Act are highlighted in the IP&R Guidelines and Handbook which are available at <https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/>

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Nil





10.3 **Mayoral Representation Following Local Government Elections (Ref: ; Author: Knight/Ferguson)**

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**File Reference:** 52.5

**Report**

The President of Local Government NSW (LGNSW), Cr Linda Scott, has contacted all mayors in NSW about mayoral representation following the local government general elections to be held on 4 December 2021 (**Attachment 1**).

In summary, there is an anomaly in the *NSW Local Government Act 1993*, following a legislative amendment to s.234 made in 2016, which means that mayors elected by councillors cease to hold office from the day of an ordinary election. Prior to that amendment, those mayors held office until the declaration of the newly elected mayor, regardless of whether they were candidates in the election.

The amendment does not affect popularly elected mayors.

Cr Scott requested that the Minister for Local Government, Shelley Hancock MP, fix the anomaly in time for the 2021 elections. However, the Minister has advised that she does not propose to revisit the amendment to s.234.

In accordance with the legislation, councils with mayors elected by councillors will be required to resolve to delegate to their chief executive officers those powers held by the mayors for the interim period following the general election until the first meeting of the new council.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Attachment 1      LGNSW President's Message to all Mayors (*Under Separate Cover*)





10.4 Resolution Action Sheet (Ref: ; Author: Tegart/Flint)

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File reference: 52.3.2

**Report**

The Resolution Action Sheet provides Council with information on action taken or proposed to be taken as a result of resolutions carried at Ordinary Council meetings and Planning & Strategy Committee of the Whole meetings.

The Resolution Action Sheet is an ongoing document, updated progressively by staff. From September 2021, as items are completed and presented to Council, they will be removed from the document.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Attachment 1 Resolution Action Sheet (*Under Separate Cover*)





11.1 Braidwood Showground s355 Committee Meeting Minutes (Ref: ; Author: Richards/Duncan)

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File Reference: 52.3.3

**Summary:**

The Braidwood Showground Reserve Trust s.355 Committee have submitted for Council's information Annual General Meetings (AGM) held on 31 July 2018 and 25 July 2019, and minutes of its meetings held on 15 November 2018, 4 April 2019, 25 July 2019, 11 February 2021 and 9 March 2021.

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**Recommendation**

**That Council:**

1. **Note the AMG meeting minutes of Braidwood Showground Reserve Trust held on 31 July 2018.**
  2. **Note the AGM meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019**
  3. **Note the meeting minutes of Braidwood Showground Reserve Trust held on 15 November 2018.**
  4. **Note the meeting minutes of Braidwood Showground Reserve Trust held on 4 April 2019.**
  5. **Note the meeting minutes of Braidwood Showground Reserve Trust held on 25 July 2019.**
  6. **Note the meeting minutes of Braidwood Showground Reserve Trust held on 11 February 2021.**
  7. **Note the meeting minutes of Braidwood Showground Reserve Trust held on 9 March 2021.**
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**Attachments**

- |              |  |
|--------------|--|
| Attachment 1 | Braidwood Showground s355 Committee Meeting Minutes - 9 March 2021 <i>(Under Separate Cover)</i>     |
| Attachment 2 | Braidwood Showground s355 Committee Meeting Minutes - 11 February 2021 <i>(Under Separate Cover)</i> |
| Attachment 3 | Braidwood Showground s355 Committee Meeting Minutes - 25 July 2019 <i>(Under Separate Cover)</i>     |
| Attachment 4 | Braidwood Showground s355 Committee AGM Minutes - 25 July 2019 <i>(Under Separate Cover)</i>         |
| Attachment 5 | Braidwood Showground s355 Committee Meeting Minutes - 4 April 2019 <i>(Under Separate Cover)</i>     |
| Attachment 6 | Braidwood Showground s355 Committee Meeting Minutes - 15 November 2018 <i>(Under Separate Cover)</i> |
| Attachment 7 | Braidwood Showground s355 Committee AGM Minutes - 31 July 2018 <i>(Under Separate Cover)</i>         |



**11.2 Bungendore Town Centre and Environs Committee Meeting Minutes (Ref: ;  
Author: Richards/Duncan)**

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File Reference: 52.3.3

**Summary:**

The Bungendore Town Centre and Environs Committee has submitted for Council's information the minutes of its meetings held on 31 May 2021, 21 June 2021 and 19 July 2021. Many of the recommendations have been actioned through separate reports to Council.

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**Recommendation**

**That Council:**

- 1. Note the minutes of the Bungendore Town Centre and Environs Committee held on 31 May 2021**
  - 2. Note the minutes of the Bungendore Town Centre and Environs Committee held on 21 June 2021**
  - 3. Note the minutes of the Bungendore Town Centre and Environs Committee held on 19 July 2021**
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**Attachments**

- |  |   |
|--|---|
| Attachment 1   | Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 31 May 2021  |
|  Attachment 2 | Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 21 June 2021 |
|  Attachment 3 | Bungendore Town Centre and Environs s355 Committee Meeting Minutes - 19 July 2021 |





11.3 Wamboin Community Hall s 355 Committee Meeting Minutes (Ref: ; Author: Tegart/Duncan)

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File Reference: 52.3.3

**Summary:**

The Wamboin Community Hall s.355 Committee has submitted for Council's information the minutes of its Annual General Meeting (AGM) and general meeting held on 19 July 2021.



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**Recommendation**

**That Council:**

- 1. Note the AGM meeting minutes of Wamboin Community Hall held on 19 July 2021.**
  - 2. Note the meeting minutes of Wamboin Community Hall held on 19 July 2021.**
  - 3. Note the 2020/2021 Financial Report of Wamboin Community**
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**Attachments**

- |  |  |
|--|--|
| Attachment 1   | AGM Minutes Wamboin Community Hall s 355 Committee - held 19 July 2021     |
|  Attachment 2   | Meeting Minutes Wamboin Community Hall s 355 Committee - held 19 July 2021 |
|  Attachment 3 | 2020/2021 Financial Report Wamboin Community Hall s 355 Committee          |



12.1 Poll on Election Day (Ref: ; Author: Marshall/Marshall)

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File Reference: Motions for 22 September 2021

**Notice**

Councillor Peter Marshall will move the following motion:

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**Motion**

**That Council:**

1. Pursuant to section 14 of the *Local Government Act 1993 (NSW)*:
    - a. Take a poll of electors on the question of whether the Queanbeyan-Palerang Regional Council local government area should be de-amalgamated, so as to restore the former local government areas of Queanbeyan City and Palerang;  
and
    - b. Hold the poll on the day of the 2021 NSW local government elections, being Saturday, 4 December 2021 or such later or other day as may subsequently be proclaimed.
  2. Examine any additional cost of a poll on the amalgamation as part of the quarterly budget review.
- 

**Background**

Section 14 of the *Local Government Act 1993* reads:

*“14 Council polls*

*A council may take a poll of electors for its information and guidance on any matter.”*

Queanbeyan City and Palerang Councils were merged in May 2016 against the wishes of their respective elected bodies, and without reference to the wishes of the voters. Polls at the time suggested that the majority of voters favoured retaining the two distinct councils, although there was some interest in boundary adjustments. The two councils were merged with no change in boundaries.

Queanbeyan-Palerang Regional Council is struggling financially. More than five years on, the promised savings from the merger have failed to materialise. The methodology by which the claimed savings were predicted by the NSW Government remains a closely guarded secret.

In 2020-21 and projected for 2021-22, QPRC is running a substantial deficit. Council is considering numerous ways to address these deficits in the future, including Special Rate Variations of a variety of different forms (“Environmental Levy” and “Infrastructure Levy”), increases in rates attributed to population increase (but still to be paid by existing ratepayers), dividends from the water and sewer funds, and cuts to services. Ratepayers will look in vain for any genuine consideration of their ability to pay increased rates and charges.

**12.1 Poll on Election Day (Ref: ; Author: Marshall/Marshall) (Continued)**

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In May 2016, then Premier Mike Baird is quoted as saying: *“But I’m pretty clear, I think having smaller head offices and more money that goes towards childcare, parks, sporting facilities, frontline services, I think that’s a great thing for the state.”*

<https://www.nsw.gov.au/media-releases/nineteen-new-councils-created-nsw-today>

QPRC is still waiting for its share of the \$2 billion in savings over 20 years, or \$100 million per year across 19 new councils.

A poll held at the same time as a council election is not binding. It simply gives the elected council an indication of the sentiment of voters. The newly elected council will need to decide what, if any, action to take if the voters favour demerger – take no action, proceed towards a demerger, or proceed towards boundary adjustments. The way a council election is run would not allow it to even be treated as a plebiscite of each former council area, as voters from the former Palerang can vote in the former Queanbeyan, and their votes cannot be traced back to Palerang. And vice versa (though less likely, as Queanbeyan is a population centre for the region). The newly elected council will also need to decide what to do if it appears that the majority of voters in each of the two former council areas vote differently, i.e. one for demerger one for status quo.

No doubt some people will claim that a council election is a referendum on a particular issue, as voters can vote for candidates who favour one policy position or another. Such a claim would be simultaneously naïve, facile and disingenuous. All candidates offer multi-faceted policy positions, and few voters can or do vote on a single issue.

**Attachments**

Nil

13.1 Delegates Report (Ref: ; Author: Tegart/Ison)

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File reference: 52.3.1

**Summary**

Delegates Reports are submitted by Councillors to report on key points of meetings, events and functions which they have attended during the past month, either as a Council delegate or as a nominee of the Mayor.

Attendances at meetings by Councillors as delegates and representatives on Council committees, organisational committees, statutory committees, locality committees and advisory committees will be published in the QPRC Annual Report as per Resolution No. 322/18 of 26 September 2018.

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**Recommendation**

**That the report be received for information.**

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<b>Cr Pete Harrison</b>		
<b>No</b>	<b>Meeting/Function/Event Attended</b>	<b>Summary of Key Points</b>
1	South East Australian Transport Strategy (SEATS), 19-20 August 2021	See attached Cr Harrison's Delegate's report and listed attachments.

**Attachments**

- Attachment 1  Cr Harrison's SEATS Delegates report (*Under Separate Cover*)
- Attachment 2  SEATS Attachment 1 - TfNSW Report - August 2021 (*Under Separate Cover*)
- Attachment 3  SEATS Attachment 2 - ESC Report - August 2021 (*Under Separate Cover*)
- Attachment 4  SEATS Attachment 3 - Evie Networks - August 2021 (*Under Separate Cover*)



14.1 Responses to Councillors' Questions (Ref: ; Author: Tegart/Flint)

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File reference: 25 August 2021 Reports

**Report**

This report provides responses to Councillors' written Questions on Notice as per the Code of Meeting Practice 2019. Some questions that were not closed prior to the new Code have been retained in the table.

The questions are deleted from the rolling table once they have been answered in full and reported to Council.

Any responses that contain personal or other identifying information of any kind will be circulated separately in the confidential attachments.

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**Recommendation**

**That the report be received for information.**

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**Attachments**

Attachment 1 Responses to Councillors Questions (*Under Separate Cover*)



Attachment 2 Responses to Councillors Questions with Confidential Information (*Under Separate Cover*) - **CONFIDENTIAL**

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

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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 Review of Representation - Issue Order on Property Owners**

*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.*

**Item 16.2 Request for Concession on Development Application Fees - Repair to Heritage Building**

*Item 16.2 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Hardship Request - Deferral of Developer Contributions - Two Applications**

*Item 16.3 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.4 Request for Rental Rebate**

*Item 16.4 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.5 Rent Relief - Queanbeyan Riverside Caravan Park**

*Item 16.5 is confidential in accordance with s10(A) (b) (di) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer; 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.*

**Item 16.6 Undetected Leak Application - Greenleigh**

*Item 16.6 is confidential in accordance with s10(A) (b) of the Local Government Act 1993 because it contains discussion in relation to the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*



**Item 16.7 Complaint about Signage re Clarke Gang**

*Item 16.7 is confidential in accordance with s10(A) (a) (g) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors); AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*