



# Ordinary Meeting of Council

## AGENDA

14 February 2024

Commencing at 5.30pm

**Council Chambers  
257 Crawford Street, Queanbeyan**

**Despite the easing of COVID restrictions, it should be noted that there is a limited number of public gallery seats available in the Chambers. Presentations can be made in writing or via Zoom. A live stream of the meeting can be viewed at:**

**<http://webcast.qprc.nsw.gov.au/>**

### **Statement of Ethical Obligations**

The Mayor and Councillors are reminded that they remain bound by the Oath/Affirmation of Office made at the start of the council term to undertake their civic duties in the best interests of the people of Queanbeyan-Palerang Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act, to the best of their skill and judgement.

The Mayor and Councillors are also reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

**On-site Inspections - Nil**

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<b>1</b>	<b>OPENING</b>	
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<b>3</b>	<b>APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS</b>	
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**Confidential - Not for Publication**

**16 REPORTS FOR CLOSED SESSION**

16.1 Minutes of the Queanbeyan Sporting Gallery Meeting

*Item 16.1 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

16.2 Legal Update: July - December 2023

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

**17 CONCLUSION OF THE MEETING**

**LIST OF ATTACHMENTS**

**Open Attachments**

Item 7.1 Cost Shifting by State and Federal Governments

*Attachment 1 Morrison Low Report - LGNSW - Annual Cost Shifting (Under Separate Cover)*

*Attachment 2 Cost Shifting 2023 - How State Costs Eat Council Rates - Report Summary and Highlights (Under Separate Cover)*

Item 9.2 Road Naming DA.2021.1537

*Attachment 1 Ngambri Words Endorsed (Under Separate Cover)*

Item 9.4 Draft Investment Policy

*Attachment 1 Draft Investment Policy (Under Separate Cover)*

Item 10.1 Review of Local Infrastructure Contributions Practice Notes

*Attachment 1 Overview of Changes - Draft Local Infrastructure Practice Notes (Under Separate Cover)*

Item 10.2 Exhibition of Glenrock Drain Shared Path Designs

*Attachment 1 Glenrock Drain Design Drawings (Under Separate Cover)*

Item 11.1 First Nations Advisory Committee Minutes 17 October 2022 and 15 November 2023

*Attachment 1 First Nations Committee Meeting Minutes - 17 October 2022 (Under Separate Cover)*

*Attachment 2 First Nations Committee Meeting Draft Minutes - 15 November 2023 (Under Separate Cover)*

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

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**Closed Attachments**

Item 16.1 Minutes of the Queanbeyan Sporting Gallery Meeting

*Attachment 1 Queanbeyan Sporting Gallery draft meeting minutes held 22  
January 2024 (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 257 Crawford St, Queanbeyan on Wednesday, 24 January 2024 commencing at 5.30pm.

## ATTENDANCE

**Councillors:** Cr Winchester (Chairperson)  
Cr Biscotti – via Zoom  
Cr Burton  
Cr Grundy  
Cr Livermore  
Cr Macdonald  
Cr Preston  
Cr Taskovski  
Cr Willis  
Cr Wilson

**Staff:** R Ryan, General Manager  
P Hansen, Director Infrastructure Services  
J Richards, Director Community, Arts and Recreation  
K Monaghan, Director Corporate Services  
R Ormella, Director Development and Environment

**Also Present:** L Ison (Minute Secretary)

### 1. OPENING

The meeting commenced at 5.31pm.

### 2. ACKNOWLEDGEMENT OF COUNTRY

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

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

There were no apologies.

**4. CONFIRMATION OF MINUTES****4.1 Minutes of the Ordinary Meeting of Council held on 13 December 2023**

001/24

**RESOLVED (Winchester/Taskovski)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 13 December 2023 be confirmed.

The resolution was carried unanimously.

**5. DISCLOSURES OF INTERESTS**

002/24

**RESOLVED (Winchester/Livermore)**

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

The resolution was carried unanimously.

There were no Disclosures.

**6. ADJOURNMENT FOR PUBLIC FORUM**

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

003/24

**RESOLVED (Winchester/Preston)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.33pm and resumed at 6.04pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION AND NOTICES OF MOTIONS****8.1 Notice of Motion of Rescission - Jerrabomberra Pump Track Project**

004/24

**RESOLVED (Grundy/Biscotti)**

That Council rescind resolution number 436/23 from 25 October 2023.

The resolution was carried unanimously.

**8.2 Notice of Motion - Jerrabomberra Pump Track Project****MOVED (Grundy/Macdonald)**

That Council:

1. Adopt the Regional Sports Complex site as the location for the construction of the Jerrabomberra pump track.
2. Maintain the design of the pump track as planned for entry level/intermediate usage, being Stage 1.
3. Receive a report back on the delivering of a Stage 2 (reliant on future funding) about the capacity of the site and business case to upgrade the design and construction of the Pump Track to competition standard.

**AMENDMENT (Wilson/Preston)**

That Council:

1. Maintain the design and intent of the Jerrabomberra Pump Track as planned for entry level/intermediate usage.
2. Undertake further investigation and community consultation/engagement on all possible locations within Jerrabomberra, including for example, the Allan McGrath Reserve.
3. Report back to Council, as soon as possible, with an updated list of Jerrabomberra Pump Track project site possibilities, within Jerrabomberra, with a recommended site and delivery plan to go on public exhibition.

The amendment (of Crs Wilson and Preston) was put and carried.

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

Against: Crs Biscotti, Burton, Grundy and Macdonald

The amendment became the motion.

005/24

**RESOLVED (Wilson/Preston)**

That Council:

1. Maintain the design and intent of the Jerrabomberra Pump Track as planned for entry level/intermediate usage.
2. Undertake further investigation and community consultation/engagement on all possible locations within Jerrabomberra, including for example, the Allan McGrath Reserve.
3. Report back to Council, as soon as possible, with an updated list of Jerrabomberra Pump Track project site possibilities, within Jerrabomberra, with a recommended site and delivery plan to go on public exhibition.

The resolution was carried.

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

Against: Crs Burton, Grundy and Macdonald

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 Bungendore Structure Plan and Rezonings Update**

006/24

**RESOLVED (Preston/Wilson)**

That Council:

1. Commence the review of the Bungendore Structure Plan 2048 in 2025.
2. In regard to Bungendore East Planning Proposal, that it only commences the public exhibition phase upon:
  - a. receipt of approval for completion timeframe of the Gateway Determination; and
  - b. completion of the agency consultation stage; and
  - c. support by all agencies, including Department of Planning, Housing and Infrastructure (DPHI).
3. Place a hold on the Scoping Proposals for North Ashby, Elm Grove Stage 3 and Elm Grove Stage 4 until such time as DPHI have provided advice that the secure potable water supply has been successfully resolved.
4. Continues to progress the current rezoning Planning Proposal for Abbeyfield.
5. Refuses to accept or progress any other rezoning proposals for residential uses in Bungendore until formal advice has been received from DPHI that a secure potable water supply has been secured.

The resolution was carried unanimously.

**9.2 Aquatics Strategic Plan - Community Feedback**

007/24

**RESOLVED (Willis/Wilson)**

That Council note the community feedback and endorse the adoption of the Draft Aquatic Strategic Plan with suggested changes.

The resolution was carried unanimously.

Cr Biscotti left the meeting at 7.04pm.



**9.3 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope**

008/24

**RESOLVED (Willis/Taskovski)**

That Council:

1. Advise Googong Township Pty Ltd that Council will not be seeking an amendment to the Googong Urban Development Voluntary Local Planning Agreement (LPA) for the purposes of a scope change to the Googong Indoor Sport and Aquatic Centre.
2. Note that a children's splash deck is a preferable and safer alternative to a children's wading pool of the same size.

The resolution was carried unanimously.

**9.4 Local Road and Community Infrastructure Program - Phase 4 Projects**

009/24

**RESOLVED (Preston/Livermore)**

That Council endorse the expenditure of the Local Roads and Community Infrastructure Program Phase 4B funds of \$881,216 to complete projects detailed in this report.

The resolution was carried unanimously.

**9.5 Draft Cemeteries Strategy 2024-2029**

010/24

**RESOLVED (Willis/Macdonald)**

That this item of business be deferred and Councillors hold a workshop to further consider the Draft Cemeteries Strategy 2024 – 2029.

The resolution was carried unanimously.

**9.6 Expression of Interest for Regional Sports Complex Café / Bar Licence**

011/24

**RESOLVED (Wilson/Taskovski)**

That Council commence the procurement process seeking Expressions of Interest through VendorPanel for licensing of the Café and Bar in the Major Pavilion at the Regional Sports Complex.

The resolution was carried unanimously.

- 012/24                    **9.7      Naming Wright Park Amenities Building**  
**RESOLVED (Grundy/Livermore)**  
That Council:  
  1. Endorse the naming of the new Wright Park Amenities building the Bobby Warner Pavilion.
  2. Place the proposal on public exhibition for 21 days and if no objections are received, adopt the name and formalise with a public event and naming celebration.

The resolution was carried unanimously.

- 013/24                    **9.8      Application for a QPRC Cultural Grant - Queanbeyan Quilters**  
**RESOLVED (Willis/Preston)**  
That Council approve a Cultural Grant of \$3,000 to Queanbeyan Quilters Inc. towards the costs of staging a biennial quilting exhibition in Queanbeyan.  

The resolution was carried.

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

- 014/24                    **9.9      Local Government Small Commitments Program**  
**RESOLVED (Preston/Livermore)**  
That Council make a submission for \$47,250 under the Local Small Commitments Allocation for new Shade Sail installations at David Madew Regional Park, Jerrabomberra and Coolebah Park, Karabar.  

The resolution was carried unanimously.

- 015/24                    **9.10    Investment Report - November 2023**  
**RESOLVED (Willis/Wilson)**  
That Council:  
  1. Receive the Investment Report for the month of November 2023.
  2. Note the investment return for November 2023 was \$1,706,979.
  3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

**9.11 Investment Report - December 2023**

016/24

**RESOLVED (Willis/Winchester)**

That Council:

1. Receive the Investment Report for the month of December 2023.
2. Note the investment return for December 2023 was \$1,719,973.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

**10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION****10.1 Capital Projects Status**

017/24

**RESOLVED (Macdonald/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

**10.2 Summary of Road Renewal and Maintenance Activities - October to December 2023**

018/24

**RESOLVED (Wilson/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

**10.3 Regional Drought Resilience Planning Program - Round 2**

019/24

**RESOLVED (Willis/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

**10.4 Rates Structure Review**

020/24

**RESOLVED (Preston/Taskovski)**

That the report be received for information.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned at 7.32pm and resumed at 7.41pm.

- 021/24            **10.5    WHS Quarterly Report**  
**RESOLVED (Livermore/Burton)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 022/24            **10.6    Compliance Reporting**  
**RESOLVED (Burton/Grundy)**  
That the report on Compliance and Reporting Activities for the six-month period from 1 July 2023 – 31 December 2023 be noted.  
  
The resolution was carried unanimously.
- 023/24            **10.7    Responses to Questions on Notice - Community Climate Action Plan**  
**RESOLVED (Willis/Livermore)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 024/24            **10.8    Responses to Questions on Notice - Net Zero Emissions Project**  
**RESOLVED (Willis/Macdonald)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 025/24            **10.9    Responses to Questions on Notice – EDE Loan Repayments**  
**RESOLVED (Willis/Wilson)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 026/24            **10.10   Responses to Questions on Notice – Disaster Recovery Grant Funding**  
**RESOLVED (Willis/Macdonald)**  
That the report be received for information.  
  
The resolution was carried unanimously.
- 027/24            **10.11   Responses to Questions on Notice - Diwali Mela Festival**  
**RESOLVED (Grundy/Macdonald)**  
That the report be received for information.  
  
The resolution was carried unanimously.

- 028/24                   **10.12 Resolution Action Sheet**  
**RESOLVED (Macdonald/Preston)**  
That the report be received for information.  
  
The resolution was carried unanimously.

## **11. REPORTS OF COMMITTEES**

- 029/24                   **11.1 Local Traffic Committee Meeting Minutes - 16 January 2024**  
**RESOLVED (Livermore/Winchester)**  
That Council:  
  1. Note the minutes of Local Traffic Committee held on 16 January 2024.
  2. Adopt recommendations LTC 1/2024 from the meeting held on 16 January 2024:
    - a. LTC 1/2024 – Proposed Solution: Event supported in current form, changes required as per minutes.  
The resolution was carried unanimously.
- 030/24                   **11.2 Youth Committee Meeting 31 July 2023**  
**RESOLVED (Winchester/Livermore)**  
That Council note the minutes of 31 July 2023 and record of meeting notes of 18 December 2023 of the Youth Advisory Committee.  
  
The resolution was carried unanimously.
- 031/24                   **11.3 Access Committee Meeting 4 December 2023**  
**RESOLVED (Wilson/Livermore)**  
That Council:  
  1. Note the minutes of QPRC Access Committee (QAC) held on 4 December 2023.
  2. Endorse the following recommendation:  
  
QAC 05/23 That Council support the changes in wording to the QAC Terms of Reference.  
The resolution was carried unanimously.
- 032/24                   **11.4 Audit, Risk and Improvement Committee Minutes**  
**RESOLVED (Winchester/Taskovski)**  
That Council note the minutes of the Audit, Risk and Improvement Committee of 4 December 2023.  
  
The resolution was carried unanimously.

**12. NOTICES OF MOTIONS****Notice of Motion - Jerrabomberra Pump Track Project**

This item was moved to 8.2.

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

There were no Delegates Reports.

**14. QUESTIONS WITH NOTICE**

There were no Questions with Notice.

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

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

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

There were no presentations.

**16. REPORTS FOR CLOSED SESSION**

033/24

**RESOLVED (Winchester/Preston)**

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

**Item 16.1 Legal Advice DA.2023.0273 at 119 Wallace Street Braidwood**

*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 Scapefall Pty Limited v QPRC - Judgement NSWLEC 1434**

*Item 16.2 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Consideration of Tenders - Sprayed Bituminous Surfacing (Contract No: 2023-28)**

*Item 16.3 is confidential in accordance with s10(A) (di) (dii) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.4 Consideration of Tenders - Asphalt Surfacing (Contract No: 2023-31)**

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

**Item 16.5 Property Lease - 98 Monaro Street to Marathon Health (Headspace)**

*Item 16.5 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and 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 7.57pm to discuss the matters listed above.

**16.1 Legal Advice DA.2023.0273 at 119 Wallace Street Braidwood  
RESOLVED (Wilson/Taskovski)**

034/24

That the report be received for information.

The resolution was carried unanimously.

**16.2 Scapefall Pty Limited v QPRC - Judgement NSWLEC 1434  
RESOLVED (Winchester/Burton)**

035/24

That the report be received for information.

The resolution was carried unanimously.

**16.3 Consideration of Tenders - Sprayed Bituminous Surfacing (Contract No: 2023-28)**

036/24

**RESOLVED (Wilson/Macdonald)**

That Council:

1. Award the Sprayed Bituminous Surfacing contract No:2023-28 to Norman McMahon Patches Pty Ltd trading as Patches Asphalt in the amount of \$1,968,237 (GST exclusive) for bituminous spray seal resurfacing works scheduled till 30 June 2024.
2. Based on the satisfactory performance of the contractor as determined by staff, extend the contract a further two years (in one year increments) using the rise and fall condition of the contract to adjust pricing as detailed in the contract.

The resolution was carried unanimously.

**16.4 Consideration of Tenders - Asphalt Surfacing (Contract No: 2023-31)**

037/24

**RESOLVED (Wilson/Macdonald)**

That Council:

1. Award the Asphalt Works contract No:2023-31 to Twin City Asphalt Pty Ltd for amount of \$1,294,627 (GST exclusive) for asphalt surfacing works scheduled till 30 June 2024.
2. Note that the contract is for a two year period ending 30 June 2025 using the rise and fall provisions in the contract for the second year works.

The resolution was carried unanimously.

**16.5 Property Lease - 98 Monaro Street to Marathon Health (Headspace)**

038/24

**RESOLVED (Wilson/Livermore)**

That Council endorse the continuation of the current lease at 98 Monaro Street, Queanbeyan to Marathon Health Ltd on a month by month basis.

The resolution was carried unanimously.

039/24

**RESOLVED (Wilson/Livermore)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.53pm.

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



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

**17. CONCLUSION OF THE MEETING**

The time being 8.55pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER  
MAYOR  
CHAIRPERSON**

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

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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.**

**7.1 Cost Shifting by State and Federal Governments (Ref: ; Author: Winchester/Winchester)**

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**File Reference:** 52.5.2-04 & 43.7.3-03

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**Recommendation**

**That Council:**

- 1. Receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.**
  - 2. Write to the NSW Minister for Local Government to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding and supporting the review into NSW Local Government Financial Sustainability.**
  - 3. Make a submission to the Draft Terms of Reference to IPART.**
- 

**Summary**

The latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

The attached cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW, show for the 2021/2022 financial year an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report (2017/2018) and represents lost services, lost opportunity and lost amenity for all our residents and businesses. On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

The announcement by the Minister for Local Government of a review into NSW Local Government financial sustainability is welcomed; [www.olg.nsw.gov.au/media-releases/nsw-government-announces-review-into-funding-model-of-councils-to-address-financial-sustainability-concerns](http://www.olg.nsw.gov.au/media-releases/nsw-government-announces-review-into-funding-model-of-councils-to-address-financial-sustainability-concerns).

Draft Terms of Reference from the NSW Government to the Independent Pricing and Regulatory Tribunal (IPART) are now on the tribunal's website. Feedback on the draft Terms of Reference closes on 15 March 2024.

Residents can provide feedback by completing a short survey or making a submission on the <https://www.ipart.nsw.gov.au/documents/terms-reference/draft-terms-reference-nsw-council-financial-model-review-january-2024>

It is important to councils and communities that the NSW Government address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding. The current model of councils having to undertake its own Special Rate Variation process to correct the increasing costs against the rate peg is not sustainable.



The Country Mayors Association (CMA) of NSW is producing a detailed report on financial sustainability on behalf of its members, which will help to inform the review.

**7.1 Cost Shifting by State and Federal Governments (Ref: ; Author:  
Winchester/Winchester) (Continued)**

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Data analysis of 87 CMA member councils' financials showed that operating expenses are far higher per capita, yet low rate bases mean our smaller councils rely on up to 80 percent of their revenue coming from grants. Grant income is often variable and project funding is subject to cost escalations at little to no notice.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br> | Morrison Low Report - LGNSW - Annual Cost Shifting ( <i>Under Separate Cover</i> )                                     |
| Attachment 2<br> | Cost Shifting 2023 - How State Costs Eat Council Rates - Report Summary and Highlights ( <i>Under Separate Cover</i> ) |

**9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms  
(Ref: ; Author: Ormella/Hogg)**

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**File Reference:** 26.1.3-05

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**Recommendation**

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

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**Summary**

The purpose of this report is to advise Council that the NSW Department of Planning, Housing and Infrastructure are proposing reforms to support increased diverse and well-located housing across NSW. The report seeks to update Council on the implication of the proposal for the Local Government Area and recommends preparing a submission on the matters detailed below. The reforms are on public exhibition until 23 February 2024.

**Report**

The NSW government is proposing housing reforms to encourage the delivery of housing through increasing density and housing typology in NSW. These reforms, proposed changes, Frequently Asked Questions, Fact Sheets and information is on public exhibition on NSW Planning website:

<https://www.planning.nsw.gov.au/policy-and-legislation/housing/diverse-and-well-located-homes>

Submissions close on 23 February 2024.

The proposed reforms aim to increase the development of more low and mid-rise housing, identified as being 1-2 storey and 3-6 storeys, respectively. The reforms identify dual occupancies, multi-dwelling houses and manor houses as low-rise housing, while mid-rise housing includes residential flat buildings and shop-top housing.

The proposed reforms seek to increase housing capacity and diversity of housing stock across NSW generally, however, the majority of the reforms specifically target the Six Cities and in particular those areas identified as being “well located”.

Queanbeyan-Palerang is not included in the Six Cities.

Well-located areas are identified as being within a specified distance from either rail station or a commercial centre with ‘wide range of frequently needed goods and services,’ such as land zoned E1 Local Centre or MU1 Mixed Use and are referred to throughout this report as ‘station and town centre precincts’.

The reforms are broadly discussed below according to whether they apply to specific areas or are applied across the whole of the state.

**9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms  
(Ref: ; Author: Ormella/Hogg)**

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The specific reforms target areas within the Six Cities and within 'station and town precincts'. The Six Cities area includes the following:

- Lower Hunter and Greater Newcastle City
- Central Coast City
- Illawarra-Shoalhaven City
- Western Parkland City
- Central River City
- Eastern Harbour City

The list below summaries the proposed reforms for land uses permitted within the station and town centre precincts of the Six Cities area and include non-refusal standards.

- Dual occupancies – non-refusal standards to be applied wherever dual occupancies are permitted within the Greater Sydney area.
- Manor houses, multi dwelling houses (terraces), and multi dwelling, residential flat buildings to be made permissible with consent in the R2 Low Density Residential zone within 'station and town centre precincts' of the Six Cities area and non-refusal standards will apply.
- Residential flat buildings (RFB) to be made permissible with consent in the R3 Medium Density Residential within 'station and town centre precincts' of the Six Cities area and non-refusal standards will apply.
- Shop-top housing – no change to the permissibility, however the same non-refusal standard will apply as per RFB's.

Notwithstanding the above, the rail stations and surrounds of Queanbeyan and Bungendore, are not identified as station and town centre precincts.

General reforms will be applicable to the whole of NSW, including Queanbeyan-Palerang. The key change is to permit with consent, dual occupancies in all R2 Low Density Residential zones across NSW. This will have no impact for Queanbeyan-Palerang as the Queanbeyan-Palerang Local Environmental Plan 2022 (QPRLEP 2022) currently permits with consent dual occupancies in the R2 Low Density Residential zone. What is not clear is the proposed minimum land area required for a dual occupancy. Currently Council's QPR LEP 2022 sets minimum land areas for dual occupancies ranging from 600m<sup>2</sup> to 3000m<sup>2</sup> in the urban areas.

The general reforms also propose to allow the Torrens Title subdivision of terraces and dual occupancies, subject to the development meeting prescribed provisions. The prescribed provisions are not stipulated in the material accompanying the reforms nor is it clear whether these subdivision reforms will apply across the state or only in prescribed zones or areas. This is a matter to raise in any submission on the reforms.

The Apartment Design Guide, which sits under the State Environmental Planning Policy (Housing) and applies to NSW will be amended under the proposed reforms. These amendments affect all proposals for Residential Flat Buildings, not just the expanded permissibility within the R3 Medium Density Residential zone of the Six Cities. In Queanbeyan-Palerang Residential Flat Buildings are permitted in the R4 High Density Residential zone, which is primarily situated in Queanbeyan. Amendments will include changes to setbacks, communal space privacy and landscape criteria for both residential flat buildings and shop-top housing. The landscape provisions include a prescribed minimum

### 9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms (Ref: ; Author: Ormella/Hogg)

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number of trees to be planted and a minimum tree canopy cover for each low and mid-rise housing type. These requirements expand upon the current landscape provisions in the Apartment Design Guide with specific tree canopy cover requirements for each development category. However, it is not clear if the percentage of tree cover or tree planting rates will be possible on the lot sizes where the development is permitted.

Both the Queanbeyan Development Control Plan (DCP) and the Palerang DCP include objectives and controls for residential dwelling types, such as setback and minimum landscape widths which protect local character while supporting development opportunities. A submission to the reforms will discuss the proposed mandated design controls for both low and mid-rise housing, noting that the State Environmental Planning Policy (SEPP) proposed design and landscape controls will override council's DCPs, which are guides only.

Heritage considerations will continue to apply to the extent that they are not inconsistent with the provisions for both mid-rise (residential flat buildings and shop top housing) and low-rise housing (multi-dwelling and manor houses only). How this will be applied is unclear and will be raised in the submission, which will note that the historic large lot sizes contribute to the character of Heritage Conservation Areas.

The proposed landscape provisions prescribe tree canopy cover and tree-planting rates, however these rates can be challenging on development sites and trees may not be retained in the long term. Tree planting requirements and tree canopy cover may be better achieved in the public realm, along urban footpaths, verges, pedestrian routes and within carparking areas as detailed in the Queanbeyan-Palerang Urban Forest Cooling Strategy.

#### **Risk/Policy/Legislation Considerations**

The Standard Instrument—Principal Local Environmental Plan prescribes the standard form and content of local environmental plans including objectives and land-uses for each of the zones. One of the mandated objectives for the R2 Low Density Residential zone is:

*“To provide for the housing needs of the community within a low-density residential environment.”*

Allowing different forms of housing (multi dwelling housing and manor housing) in the R2 Low Density Residential zone conflicts with the objectives of the zone and could be argued to create a sub-zone. The housing reforms are needed to enable different forms of housing that lead to more efficient use of existing urban land. The submission will raise this issue and potential impact on the clarity of the R2 zone objectives and intent, while explaining the hierarchy of density that has been used in the four residential zones in the QPR LEP 2022 as outlined below.

Zone R2 Low Density Residential	permits dwelling houses, dual occupancies and secondary dwellings, boarding houses and seniors housing
Zone R3 Medium Density Residential	dwelling houses, dual occupancies and secondary dwellings, boarding houses, <b>Multi dwelling housing</b> ; Secondary dwellings; Seniors housing; <b>Serviced apartments; Shop top housing</b>

## 9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms (Ref: ; Author: Ormella/Hogg)

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Zone R4 High Density Residential dwelling houses, dual occupancies and secondary dwellings, boarding houses, Multi dwelling housing; Secondary dwellings; Seniors housing; Serviced apartments; Shop top housing and **Residential Flat Buildings**

The reforms will have an impact on Council's existing land use policies namely the QPR LEP 2022 by potentially allowing Torrens Title subdivision of multi dwelling and dual occupancy development where it is currently not permitted.

The full extent of the impact on Council's DCPs is unclear due to the lack of detail in the reform material about the criteria for the subdivision and protection of character of areas. The reforms raise the need to be able to identify areas within the existing urban footprint that are capable and appropriate for increased housing density and zoning them appropriately. These matters will be included in any submission lodged on the reforms along with the need to protect local character.

### **Financial, Budget and Resource Implications**

Resource implications involve the use of staff time in reviewing the Explanation of Intended Effects and associated Fact Sheet and will also be used to prepare the submission.

The reforms also have the potential to impact revenue through development contributions. The EIE, assumes that all councils have resources and plans that are up to date for their infill areas in relation to infrastructure capacity and upgrading. Effective, available and affordable infrastructure is required before additional density is added to urban area. These aspects will be included in any submission prepared for the reforms.

### **Links to QPRC/Regional Strategic Plans**

The relevant regional plan is the draft South-East and Tablelands Regional Plan 2041. The reforms are intended to increase diversity of housing, particularly in the vicinity of rail transport hubs and centres with good services and facilities. The proposed reforms support the objectives of the draft South-East and Tablelands Regional Plan 2041 including objective 17 - Plan for a supply of housing in appropriate locations.

The reforms are broadly supported by the Queanbeyan-Palerang Community Strategic Plan which includes strategic objective 3.2 to provide zoned and serviced land that supports affordability and choice to liveability with strategies that encourage diversity of housing stock.

### **Conclusion**

The diverse and well-located housing reforms proposed by the Department of Planning, Housing and Infrastructure consider options for increasing diversity in housing supply both across NSW as a whole and within specific areas within the Six Cities. The proposed reform relating to permissibility of dual occupancies R2 Low Density Residential zone does not affect QPRC as dual occupancies are currently permitted with consent in the R2 Low Density Residential zone under QPR LEP 2022.

However, the reforms include changes that may either, set a precedent for the future planning in regional NSW, such as the application of heritage controls, or will impact on regional areas as a result of amendments to the Apartment Design Guide through the SEPP(Housing) together with the ability to subdivide dual occupancy and multi dwelling housing developments.



**9.1 NSW Planning and Environment Diverse and Well-Located Housing Reforms  
(Ref: ; Author: Ormella/Hogg)**

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The submission will include the following matters:

- Confirming that the increasing density in the R2 Low Density Residential zone to include terraces will not apply to QPRC.
- Clarification regarding the provisions to allow Torrens Title subdivision for dual occupancies and application of these to regional areas.
- Proposed amendments to the Apartment Design Guide and the relationship to existing DCP controls, noting that the SEPP and Apartment Design Guide override local guidelines.
- Proposed landscaping provisions and how they may or may not be achieved on dual occupancies and terrace developments.
- Impact on heritage.
- Impact on tree coverage and workability of landscaping controls proposed.
- Additional pressure on councils to review contributions plans to enable the housing growth.

The consultation period for the reforms closes on Friday 23 February 2024.

**Attachments**

Nil

9.2 Road Naming DA.2021.1537 (Ref: ; Author: Ormella/Lamont)

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File Reference: 26.4.1-4

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**Recommendation**

**That Council:**

- 1. Endorse the replacement road name Dyara Walk as one of the three proposed names for DA.2021.1537 condition #26.**
  - 2. Advertise the proposed road name for public comment for 28 days.**
  - 3. Publish a notice in the NSW Government Gazette for the road name Dyara Walk if no objections received.**
- 

**Summary**

The proposed road name Burugun Walk was approved in principle by Council at the 13 December 2023 meeting (**Resolution 526/23**). After further assessment by the NSW Geographical Names Board (GNB) this name was rejected due to a similar sounding road name in use in a neighbouring locality.

This report now satisfies the GNB criteria and recommend the new proposed road name Dyara Walk.

**Background**

Council considered a report on 13 December 2023 for the naming of roads at Tralee that were created under Development Consent DA.2021.1537 for subdivision of land located off Elkhorn Road, Tralee. After further assessment undertaken by the GNB one of these road names, Burugun Walk was rejected due to similar sounding road name in use.

**Report**

Council had worked in conjunction with the developer to name two walkways and one laneway created as part of a Tralee 47-lot subdivision, public reserve and public access as required under Condition #26 of the development consent DA.2021.1537. The proposed names: Tirriwirri Lane, Burugun Walk and Galu Way were approved by Council at the 13 December 2023 meeting.

After closer and further assessment by the GNB this name, Burugun Walk was rejected due to a similar sounding road name in use in a neighbouring locality.

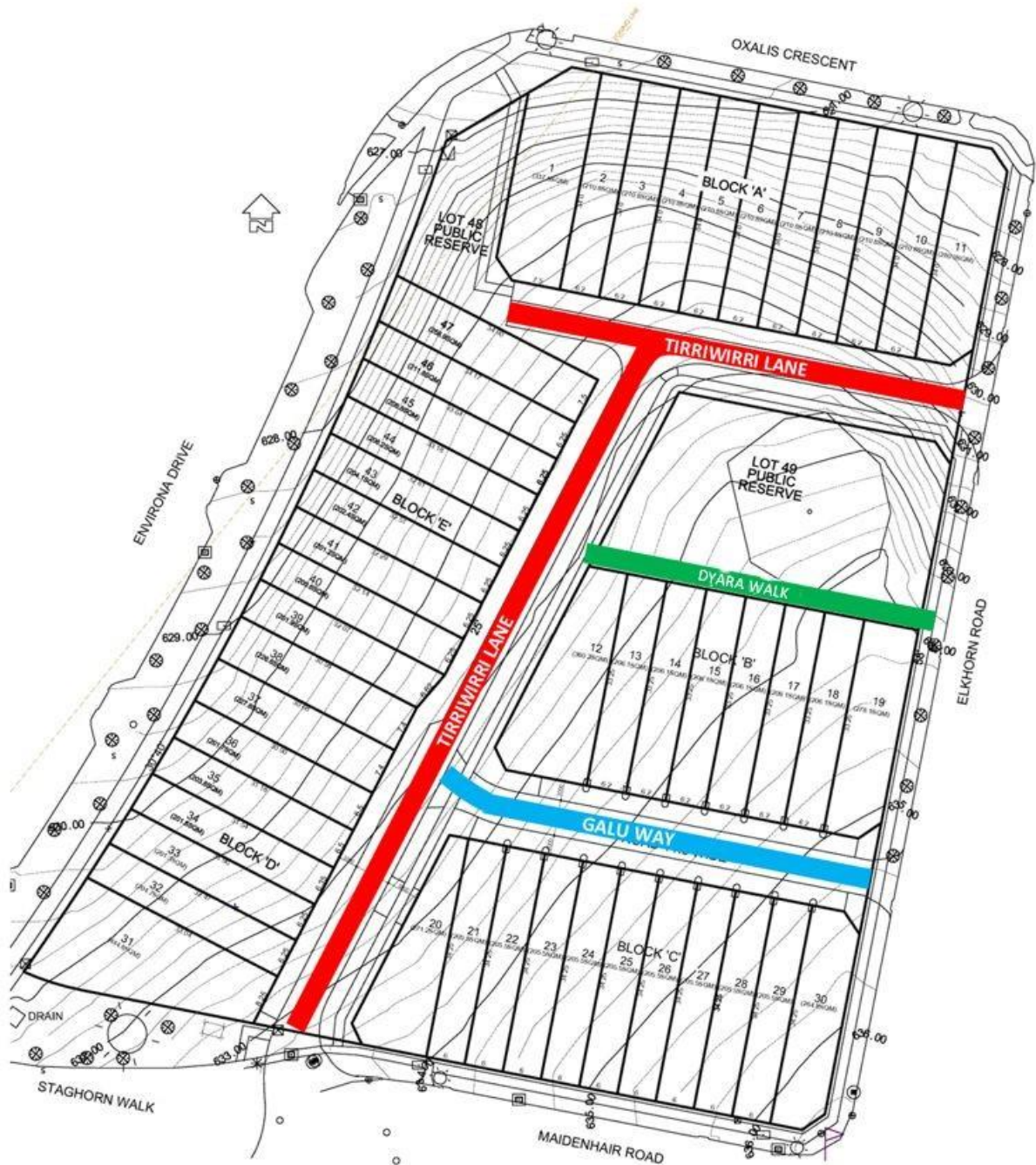
A new name Dyara Walk, is proposed for the road name in this development. Please see updated map below where Dyara Walk location is shown in green.

Dyara Walk is a Ngambri word for Bower Bird.

Any road name must be supported by information on the origin of the name and relevant background. The research for this road name has been undertaken by Council staff and the

9.2 Road Naming DA.2021.1537 (Ref: ; Author: Ormella/Lamont) (Continued)

developer. The origin of this road name is indigenous and has endorsement from Ngambri Local Aboriginal Lands Council (Refer to Attachment 1)



**9.2 Road Naming DA.2021.1537 (Ref: ; Author: Ormella/Lamont) (Continued)**

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**Risk/Policy/Legislation Considerations**

The road name Dyara Walk has been assessed under the following policies:

The QPRC Road Names Policy clause 6.3.2:

Property developers must ensure at least 1 new road name or 10% of the total number of new road names in each proposal (whichever is the greater) incorporate First Nations peoples' language or names. Evidence of consultation and endorsement from the Local Aboriginal Land Council must be provided when submitting a new road name proposal to Council.

The NSW Address Policy and User Manual.

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

The name Dyara Walk meets the requirements for both these policies.

**Financial, Budget and Resource Implications**

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

**Links to QPRC/Regional Strategic Plans**

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

**Conclusion**

A 47-lot subdivision off Elkhorn Road Tralee was approved under DA.2021.1537. This subdivision has two walkways and one laneway which required naming. The following names were endorsed at the 13 December 2023 meeting: Tirriwirri Lane, Burugun Walk and Galu Way. After further assessment by the GNB this name, Burugun Walk was rejected due to a similar sounding road name in use in a neighbouring locality. The proposed road name Dyara Walk has been assessed as suitable under the relevant policies and will replace Burugun Walk.

It is recommended that Council endorse Dyara Walk, advertise for public comment, and subject to no objections received, publish the notice of the name in the NSW government Gazette.

**Attachments**

Attachment 1      Ngambri Words Endorsed (*Under Separate Cover*)



**9.3 Naming of QCCP (Ref: ; Author: Ryan/Richards)**

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File Reference: 51.6.4

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**Recommendation**

**That Council:**

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

**Summary**

Council has relocated staff to the QCCP and will be fully operational with the underground car park and all public areas, open and handed over by the end of February/early March 2024. The first Council meeting was held in the new building on 25 January 2024.

A small working group of Councillors and staff have been progressing the naming of the building, committee rooms and public spaces. Council agreement to the principles for naming of the building and public spaces, as recommended by the QCCP Naming Working Group is now sought.

**Background**

In June 2023, the QCCP Naming Working Group met and agreed that the naming of the building is an opportunity to acknowledge and pay respect to our first nations history, with the name in Ngambri and/or Ngunnawal language or after an Aboriginal Elder. This could mean, for example, a name in language for a meeting place or the name of a forefather/mother of Queanbeyan or the Queanbeyan Region.

Council invited suggestions for names from both the Ngambri Local Aboriginal Lands Council (LALC) and the Winanggaay Ngunnawal Language Group. These names have been referred to the First Nations Advisory Committee who are meeting on 21 February, for their recommendations and preferences for Council consideration.

**Report**

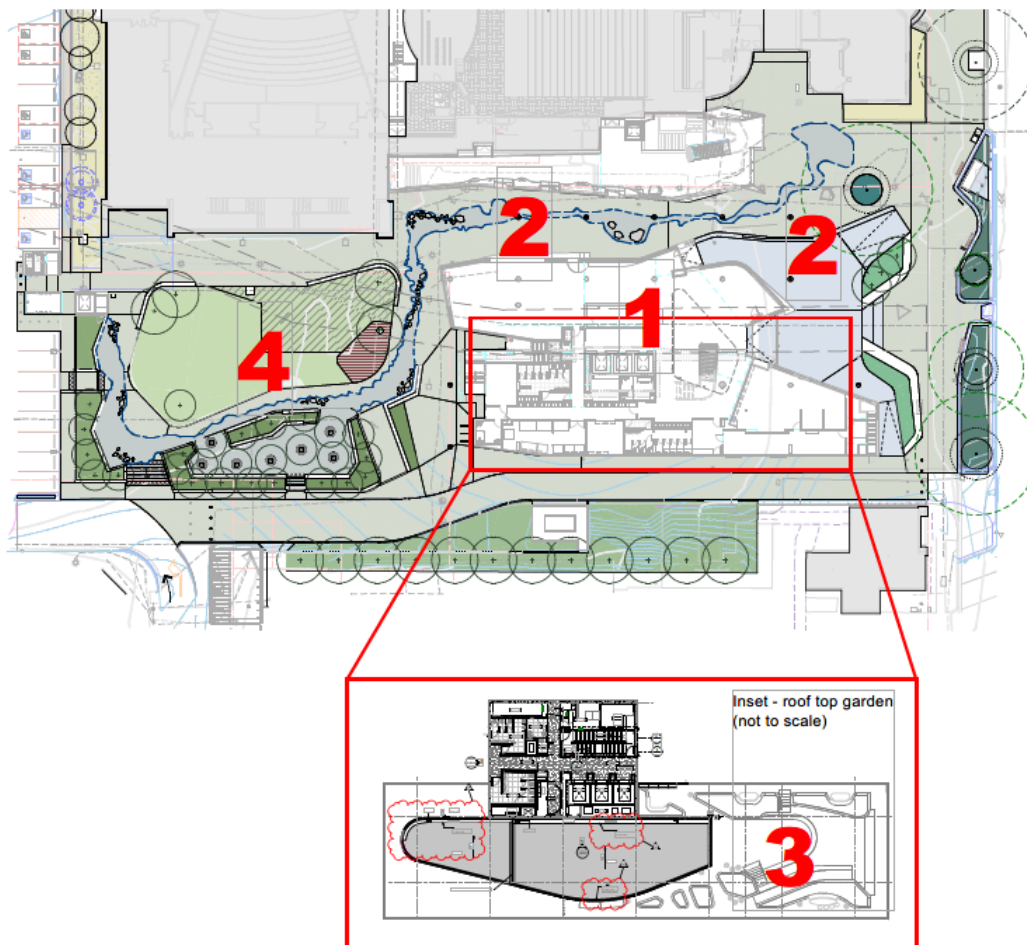
The naming of a public building with the significance and stature that is home to Queanbeyan-Palerang Regional Council administration, Council Chambers and offices; is an important decision for Council.

As shown in the plan below, names are sought for the following areas:

- The Building
- Forecourt and Q Link
- Rooftop Gardens
- Public Domain and Park

There have been four name suggestions received from both Ngambri and Ngunnawal representatives. Council is seeking the First Nations Advisory Committee's recommendations and preferences for three names each from both Ngambri and Ngunnawal.

9.3 Naming of QCCP (Ref: ; Author: Ryan/Richards) (Continued)



A number of committee and staff meeting rooms have already been allocated names based on old parish maps and villages in the local government area. Queanbeyan Library and Council Chambers on the Mezzanine Level will remain as they are as this reflects their purpose and function.

On the Mezzanine Level, there is a Councillor Work Room/Office, and three public Meeting Rooms of various sizes, named the Captains Flat, Bungendore, Nerriga and Braidwood rooms. The Braidwood Room has the functionality to be divided into two or three rooms. There is a Children’s Reading Space in the Library named the Nook and a program wet/art room called the Gathering.

There are nine Staff Meeting Rooms on Level 1 and eight Staff Meeting Rooms on Level 2 which have been allocated names (shown below) from old Parish Maps.

Level 1 Staff Meeting Rooms	Level 2 Staff Meeting Rooms
Yarrowlumla	Currawang
Tinderry	Tarago
Urila	Farrington
Rossi	Corang
Snowball	Budawang
Tallaganda	Boro
Manar	Berlang
Mulloon	Neringla
Jinden	

**9.3 Naming of QCCP (Ref: ; Author: Ryan/Richards) (Continued)**

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**Risk/Policy/Legislation Considerations**

Council can name its buildings as it determines. Given the public interest in this particular asset the naming is an important decision to make. If a name is not selected there is a risk the building will be called the QCCP, which is the acronym for the Queanbeyan Cultural and Civic Precinct. The building is only part of the QCCP.

Naming a building needs to reflect the location, the environment, size and type and retain its heritage. If a name is not given, the community will often provide an informal nickname.

**Financial, Budget and Resource Implications**

Signage is included in the QCCP budget and is of minimal expense.

**Links to QPRC/Regional Strategic Plans**

QPRC Community Strategic Plan (2022)

Mission Statement:

- We acknowledge the Traditional Custodians and respect their continuing relationship to the lands on which we live.
- We value the heritage, cultural diversity and country lifestyle of our vibrant towns, villages and rural districts.
- Our people have a strong sense of pride, and we support the inclusiveness of our diverse communities.

Strategic Pillar Capability

5. Contemporary civic leadership and governance that is open, transparent and accountable.

Stakeholder and Community Engagement Policy Framework (2022)

**Conclusion**

This paper is for Council consideration to formally endorse the principle that Council will acknowledge our first nations heritage by naming the building and public areas as noted in the report, in Ngambri and/or Ngunnawal language, or named after a chosen Elder.

At the 28 February meeting, Council will select four of the six names recommended from First Nations Advisory Committee and place them on Public Exhibition for 28 days. Following the exhibition period, a further report will be presented to the 10 April Council meeting to review community feedback and approve the names, as recommended by First Nations Advisory Committee.

We will then be in a position to plan for an Official Opening in May.

**Attachments**

Nil

9.4 Draft Investment Policy (Ref: ; Author: Monaghan/Sligar)

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File Reference: 43.1.1-09

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**Recommendation**

**That Council:**

- 1. Place the revisions to the draft Investment Policy on public exhibition for 28 days.**
  - 2. Adopt the Investment Policy if there are no objections.**
- 

**Summary**

The Investment policy was last adopted on 9 September 2022 and is due for review.

The policy review recommends changes to the Credit Quality Limits to allow some limited exposure to unrated and lower credit rated Authorised Deposit taking Institutions (ADIs). ADIs are banks, building societies and credit unions authorised to conduct banking business in Australia.

Whilst this change will expose Council's portfolio to unrated deposits, these investments remain limited to cash deposits (such as term deposits) with ADIs and are protected by the regulatory provisions of the Banking Act 1959 and regulated by APRA.

The revision will allow for more portfolio diversification (within the limits set by the Minister for Local Government), have the potential for higher interest returns, deliver Council's investment strategy and support QPRC's commitment to achieving a sustainable local region.

**Background**

The Office of Local Government Investment Policy Guidelines require the annual review of Council's Investment Policy, which was last adopted on 9 September 2022.

This review was conducted by Council staff in consultation with Council's investment advisor, Laminar Capital. Council staff considered the policies of other Council's, compliance with NSW Treasury Corporation's (TCorp's) investment framework, and the delivery of Council's strategic objectives.

**Report**

The review of the Investment Policy has not resulted in significant changes to the current adopted policy.



## 9.4 Draft Investment Policy (Ref: ; Author: Monaghan/Sligar) (Continued)

A summary of proposed changes to the current adopted policy is listed in the table below:

Current Policy	Proposed Draft Policy
4. Definitions	Format changed to a table
6.1 Authority for delegation	Changed reference from CEO to GM
6.3 Ethics and conflicts of interest	Changed reference from CEO to GM
6.6 Sustainable investing	Renumbered to 6.7
	Additional points 6.7.3 and 6.7.4
6.7 Risk management guidelines	Renumbered to 6.6
6.8 Investment advisor	6.8.3 has been reworded to reference the appropriate procurement process is to be followed when securing independent financial advisory services
6.10 Credit Quantity limits	See next table Additional point 6.10.4 to allow for grandfathering of current investments
6.11 Investments held under a previous investment policy	Removed, too restrictive by referencing specific investments. Replaced with point 6.10.4
6.13 Reporting	Renumbered to 6.11
	Attachment – copy of Ministerial Investment Order

### Proposed changes to Credit Quality Limits

Current Policy

Long Term Debt Rating (Column A)		Portfolio Limit (Column B)	Counterparty Limit (Column C)	Maximum Tenor (Column D)
S & P	Moody's			
AAA	Aaa	100%	100%	Not applicable
AA+ to AA-	Aa1 to Aa3	100%	100%	5 years
A+ to A	A1 to A2	100%	100%	5 years (Eligible FRNs) 3 years (Other Investments)
A-	A3	40%	20%	3 years
BBB+	Baa1	35%	10%	3 years
BBB	Baa2	35%	5%	12 months
BBB- and below	Baa3 and below	0%	0%	-
TCorp		20%	20%	Not applicable

## 9.4 Draft Investment Policy (Ref: ; Author: Monaghan/Sligar) (Continued)

## Proposed Changes

Column A		Column B	Column C	Column D
Long-Term Debt Rating		Portfolio Limit	Counterparty Limit	Maximum Tenor
S & P	Moody's			
AAA	Aaa	100%	100%	Not applicable
AA+ to AA-	Aa1 to Aa3	100%	40%	5 years
A+ to A-	A1 to A3	60%	35%	5 years
BBB+ to BBB-	Baa1 to Baa3	35%	15%	5 years
Unrated		10%	5%	12 months
TCorp		20%	20%	Not applicable

**Risk/Policy/Legislation Considerations**

Council is required to have a current Investment Policy that complies with the following:

- Section 625 of the Local Government Act 1993
- Clause 16 of the Local Government (General) Regulation 2021
- Ministerial Investment Order (See attachment)
- The Trustee Amendment (Discretionary Investments) Act (1997) – Section 14
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Investment Policy Guidelines
- Office of Local Government Circulars

The Investment Policy will continue to be reviewed annually, with the attached policy next due for review in December 2024.

Compliance with NSW Treasury Corporation's (TCorp's) balanced investment framework is a requirement of Council's loan agreement of June 2021.

The proposed relaxation of the credit quality limits exposes Council to a higher credit risk (Investment Policy reference 6.6.1) as more funds can be placed in institutions/entities with lower credit worthiness as assessed by the rating agencies.

While acknowledging the increase in credit risk, the changes will increase the investment portfolio's diversification, allowing QPRC to take advantage of the potential higher interest rates that may be on offer and increase Council's holdings in non-fossil fuel lending ADIs.

The majority of Australian ADIs which are considered 'green' fall into the BBB+ to BBB- rating categories. By allowing greater access to these categories, it provides additional flexibility for QPRC to support the greener ADIs.

According to QPRC's investment advisor, Laminar Capital, this investment policy is now closer aligned with many other NSW and Australia-wide local councils from a policy perspective.

**Financial, Budget and Resource Implications**

The recommended changes within the policy remove previous tight limitations and have the potential to increase QPRC's investment return.

**9.4 Draft Investment Policy (Ref: ; Author: Monaghan/Sligar) (Continued)**

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**Links to QPRC/Regional Strategic Plans**

This policy continues to support the delivery of Council's Community Strategic Plan to achieve a sustainable local region. Council preferences investment securities and financial institutions that take responsibility for their economic, environmental, social, and governance impacts.

**Conclusion**

The Investment Policy:

- has been reviewed by Council staff in conjunction with Council's investment advisor, Laminar Capital.
- complies with Legislation, Regulations, and Ministerial Orders.
- was structured to align with NSW Treasury Corporation's balanced investment framework, and to the majority of NSW and Australia-wide local council policies.
- continues to allow Council staff to invest Council's surplus available funds in short-term and long-term authorised investments.
- provides greater flexibility for QPRC to support greener ADIs.
- increases QPRC's credit risk while enabling further portfolio diversity.

**Attachments**

Attachment 1      Draft Investment Policy (*Under Separate Cover*)



9.5 Licence Agreement - Bungendore Tennis Club (Ref: ; Author: Flint/Turland)

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File Reference: 23.1.1-20

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**Recommendation**

That:

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

**Summary**

QPRC is undertaking the long-term and organisation-wide process of formalising previously informal arrangements over Council land and codifying these agreements in writing. The intention is to increase transparency and use of public assets, as well as improve levels of oversight and management.

The most recent agreement Council is looking to formalise is the licence agreement with the Bungendore Park Tennis Club over the Courts in Bungendore Park.

**Background**

Although the Bungendore Park Tennis Club was incorporated in 1994, tennis has been played in Bungendore on public land since the early 1900s.

**Report**

The Bungendore Park Tennis Club uses an area within Bungendore Park to operate their courts and clubhouse under a longstanding informal arrangement with Council. QPRC is now looking enter into a formalised licence agreement with the Bungendore Park Tennis Club. Execution of a formal licence agreement with Council will also assist the Club in the pursuit of grant funding to upgrade the facilities.

**Risk/Policy/Legislation Considerations**

The area is Council-managed Crown Land and is managed under the Crown Land Management Act 2016 and Crown Land Management Regulations 2018.

There is currently no Plan of Management in place over the Reserve. This prevents Council from entering into a new licence agreement over the Reserve for a period longer than 12 months without the consent of the relevant Minister.

**9.5 Licence Agreement - Bungendore Tennis Club (Ref: ; Author: Flint/Turland)  
(Continued)**

The proposal is to enter into a 12-month agreement with Council. Staff will seek these permissions whilst simultaneously working towards the adoption of a Plan of Management.

**Financial, Budget and Resource Implications**

As a community organisation and a centre for public recreation, the intention is to charge Bungendore Park Tennis Club the statutory minimum rent under the Crown Land Management Act. This is determined at \$587 per annum.

**Conclusion**

QPRC is not seeking to enter into any arrangements or obligations under this agreement. Rather, this is formalisation of an existing informal agreement.

It is recommended that Council endorse the proposed license agreement.

**Attachments**

Nil

9.6 Access Agreement - Monaro Panthers Riverside Oval (Ref: ; Author:  
Flint/Turland)

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File Reference: 52.4.1-139

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**Recommendation**

**That Council endorse renewal of the Access Agreement with the Monaro Panthers Football Club to allow the use of Riverside Oval and its facilities for a further 3-year period.**

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**Summary**

The Monaro Panthers Football Club (MPFC) have approached Queanbeyan Palerang Regional Council (QPRC) and requested to renew an existing access agreement to use the field and facilities at Riverside Oval, Queanbeyan.

**Background**

On 22 July 2020, Council resolved to allocate Riverside Oval to the Monaro Panthers Football Club, and work with the Club to continue to improve facilities (**Resolution 122/20**).

**Report**

The access agreement between MPFC and QPRC allows the Football Club use of the oval and facilities in exchange for a fee paid to Council. It also sets out terms and conditions for use, maintenance and upkeep of the facilities.

The proposal is to extend the term of the access agreement for an additional 3 years.

Access and use of the field is non-exclusive, other than at pre-booked times. Mowing, maintenance and upkeep of the facilities still remain the responsibility of QPRC as the owner. QPRC also hires the venue out for corporate training and meetings when the facility is not being used by the Club.

These costs are recouped by Council through oval hire fees, as well as the fees payable under access agreements such as one.

**Risk/Policy/Legislation Considerations**

MPFC are required to maintain their own insurance and indemnify QPRC against loss.

**Financial, Budget and Resource Implications**

The proposed fee under the Access Agreement is \$587 per annum. This is consistent with the statutory minimum for licence agreements over Council Managed Crown Land. The oval is not Crown Land, so this requirement does not formally apply. Charging the Crown Lands rate keeps the fee consistent with other, similar Council agreements.

The fee payable under this Access Agreement is in addition to hire fees for the oval charged each season by Council and set out on the QPRC website.

9.6 Access Agreement - Monaro Panthers Riverside Oval (Ref: ; Author:  
Flint/Turland) (Continued)

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**Conclusion**

It is recommended that Council extend the Access Agreement with MPFC for a further three years.

**Attachments**

Nil

10.1 Review of Local Infrastructure Contributions Practice Notes (Ref: ; Author: Ormella/Carswell)

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File Reference: 26.1.3-05

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**Recommendation**

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

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**Report**

The Department of Planning, Housing and Industry (DPHI) has recently placed on exhibition a number of draft documents relating to local infrastructure contributions plans with consultation closing on Friday 23 February 2024.

These draft documents are made up of:

- Five revised practice notes which are the:
  - Infrastructure Contributions System practice note
  - Administering Contributions practice note
  - Section 7.11 contributions practice note
  - Section 7.12 levies practice note
  - Planning Agreement practice note

Each of these revised practice notes have been divided into chapters or modules with some being relevant to more than one revised practice notes (Attachment 1).

An overview of these reforms can be found at found at:


<https://www.planningportal.nsw.gov.au/draftplans/exhibition/draft-local-infrastructure-contributions-practice-notes>

The purpose of these revised practice notes is to provide guidance to IPART and to assist local councils in understanding the role of IPART in the review of contributions plans.

The consultation reinforces the policy and statutory limitations of local infrastructure contribution plans.

Staff will be making a submission on the revised practice notes and considering how these can also assist with work underway, that will be the subject of a future report to Council.

**Attachments**

Attachment 1  Overview of Changes - Draft Local Infrastructure Practice Notes (*Under Separate Cover*)



10.2 Exhibition of Glenrock Drain Shared Path Designs (Ref: ; Author: Tooth/de Jongh)

File Reference: 104718-01

**Recommendation**

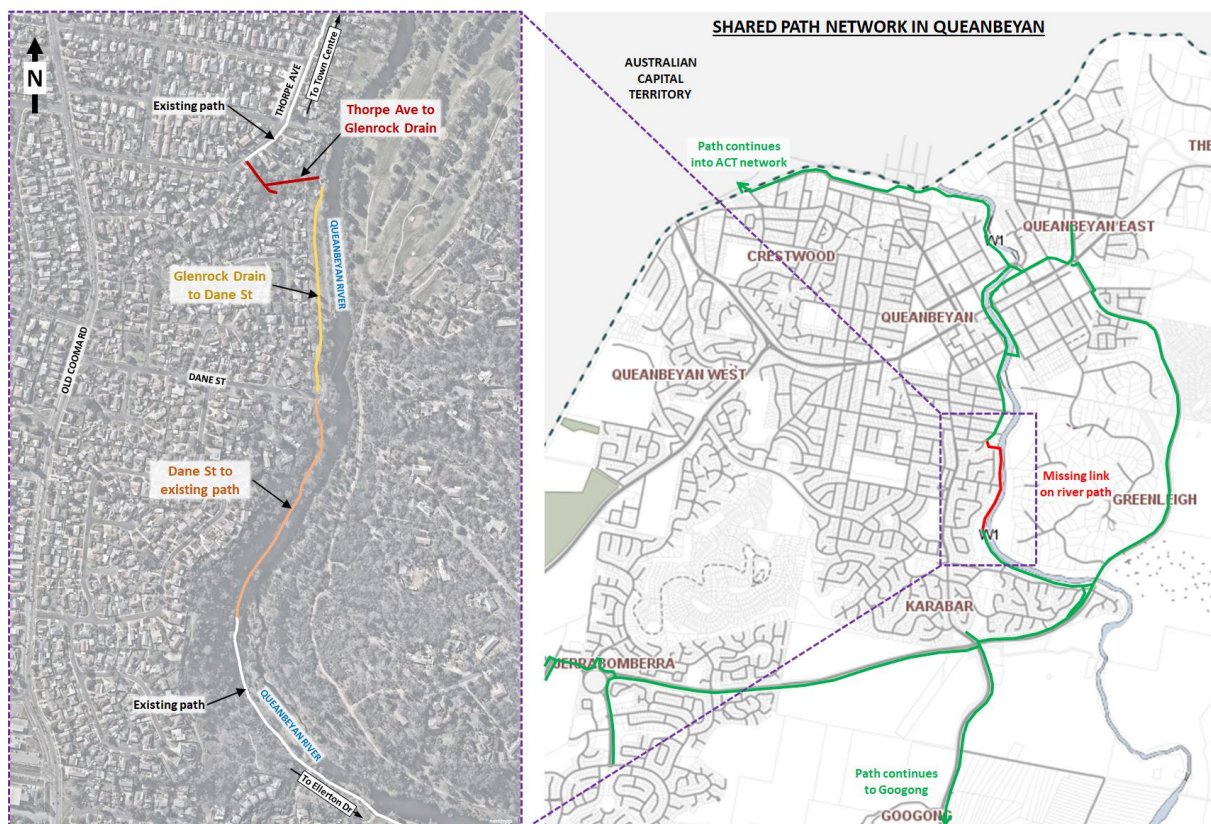
**That the report be received for information.**

**Report**

Council received funding through the NSW Government's Get NSW Active Program 2022/23 for design of a missing link in the Queanbeyan River Path network. The path would provide a link between the Queanbeyan River foreshore at Glenrock drain and Thorpe Avenue, with a connection to Woodger Parade.

Council has applied for additional funding from the Get NSW Active Program 2024/25 for construction of the path from Glenrock Drain to Thorpe Avenue. Funding from this program would cover the entire cost of the project, except for Council's internal costs to manage the works.

Council also submitted funding applications for the remaining sections of path to be constructed along the Queanbeyan River from Glenrock Drain south to the existing path on the Queanbeyan River (with connections to Dane Street).



The path forms part of the Queanbeyan River Path, which is a proposed shared path (designated S1) in the Queanbeyan Bicycle and Pedestrian Facilities Plan. The path is ranked as High priority.

**10.2 Exhibition of Glenrock Drain Shared Path Designs (Ref: ; Author: Tooth/de Jongh) (Continued)**

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[https://www.qprc.nsw.gov.au/files/assets/public/resources-amp-documents/plans-and-strategies/queanbeyan\\_pamp\\_bike\\_plan.pdf](https://www.qprc.nsw.gov.au/files/assets/public/resources-amp-documents/plans-and-strategies/queanbeyan_pamp_bike_plan.pdf)

With designs recently completed for the section of Queanbeyan River path between Glenrock Drain and Thorpe Avenue, designs are being placed on public exhibition for 28 days to receive community feedback prior to construction. Community consultation is an important step to ensure that the best possible design outcomes can be achieved to meet community needs. Property owners around this area will be hand delivered a newsletter and project update seeking their feedback.

Following extensive consultation with property owners on the Queanbeyan River by the former Queanbeyan City Council (QCC) over several decades, a shared path connection between Glenrock Drain and Thorpe Avenue is being pursued rather than a continuation of the path along the river foreshore between Glenrock Drain and Kathleen Street (**Resolution 274/15**).

**Attachments**

Attachment 1      Glenrock Drain Design Drawings (*Under Separate Cover*)



10.3 Half Yearly Progress Report - Aquatic Fee Changes (Ref: ; Author: Richards/Duncan)

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File Reference: 4.2

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**Recommendation**

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

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**Report**

At its meeting of 28 June 2023, Council adopted the 2023/24 Fees and Charges. This included a one-year trial period of special conditions for QPRC pools and aquatic centres. The trial includes:

- Free entry for all primary school aged children
- Making student, senior and concession entry the same
- a cost recovery KPI for swimming pools to be 50% (accumulatively for all pools)

These changes indicated a likely \$15K reduction in operational income.

Approximately 86,903 visits were recorded for the Braidwood, Bungendore, Captains Flat and Queanbeyan pools in total, between July and December 2023. Our counters installed at each venue show a 2% increase on the corresponding time period in 2022. This includes the Braidwood pool opening one month later due to improvement works.

Venues also are also tracking well against KPI's

- Output 4.2.1 QPRC Aquatics Queanbeyan Operation. Patronage of the of the venue increasing annually – 78,000 patrons per year (1,500 per week)
  - Currently 79,693 for the six-month period
- Output 4.2.3 Regional Swimming Pools. Patronage of venue increasing annually - 13,500 patrons per year (750 per week)
  - Currently 7,210 for the six-month period

There has been approximately an \$8,000 reduction in operational income for the half year. However, kiosk purchases have increased by 20% from \$62,765 (2022) to \$78,439 for the same period in 2023.

Sixteen birthday party packages were booked in the first half of 2022. Birthday parties are for two hours duration for 10 children @ \$260. No birthday party packages were sold in the first half of 2023, and this is most likely due to the free entry trial. As most parties are for primary school aged children, parents were financially better positioned paying casual entry for parents with free entry for accompanying children.

Cost recovery for all pools is currently 58%, which is above the current KPI.

An annual assessment will be provided to Council prior the setting of the 2024/25 Operational Plan. Overall, the changes so far have been positive and welcomed by the community.

**Attachments**

Nil

10.4 Permitted Free Usage at Community Centres (Author: Richards/Duncan)

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File Reference: 1.3

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**Recommendation**

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

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**Report**

In 2023/2024 a new category of funding (Category H) was made available for a trial of one year, to encourage the increased use and accessibility of Council-owned community spaces. This category is for regular community users of AXIS Youth Centre; Jerrabomberra, Letchworth and Googong Community Centres and other community centres as the need arises. Conditions apply, including that applicants accept they may be 'bumped' from a regular booking if a paid booking is received up to two weeks prior. It was expected that this would result in a reduction in operational income.

Other changes in the availability of Council premises also occurred including:

- the removal of Bungendore Community Centre as a rentable premises; and
- the Old Braidwood Library being managed by the Braidwood Youth and Performing Arts Association as a no cost hire eligible community group for a trial period of 12 months from 1 July 2023.

Both income and expenditure increased from 2022/23 to 2023/24 between July and December. This is tracking well against KPI's

- Output 1.3.1 Community Centres. Income Return vs Expenditure >15% (Currently 192.31%).
- More accurate reporting of other expenses, such as cleaning need to be attributed to this area rather than the general community services budget. This will provide better tracking evidence in the full year report.

There was a reduction in hirers but still tracking well against KPI's:

- Output 1.3.1 Community Centres. Number of unique hirers per annum >= 200 (Currently 163).

There was a reduction in the number of bookings but we are still tracking well against KPI's:

- Output 1.3.1 Community Centres. Total bookings for community centres per annum – 2,000 (Currently 1,590).

Of the 1,590, 104 bookings were for 12 eligible hirers, processed under the permitted free usage at Community Centres. This would equate to approximately \$10,000 in facility hire/rental relief. This should not be seen as lost income as the hirers would be unlikely to have booked the facilities if fees were charged. As an alternate, they may have applied to Council for Category B Funding or simply meet in the park.

The feedback has been positive from those who have used this scheme, citing that use of the venue has allowed their community groups to grow.

**Attachments**

Nil

10.5 Recruitment Senior Staff Position (Ref: ; Author: Ryan/Tozer)

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File Reference: 41.1

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**Recommendation**

**For Council information.**

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**Report**

Council has four senior staff positions; the Directors who make up the executive team of Council. Council endorsed the structure in October 2022, and Directors have been implementing individual department/unit level workplace change proposals following staff consultation, Workplace Consultative Committee engagement and General Manager approval to implement efficiencies, accountabilities and address resource challenges.

The General Manager has approved by agreement, a request from the Director Infrastructure Services, Phil Hansen to transition to his retirement from QPRC this year.

A recruitment process is necessary to ensure the demands of the organisation are met, and the replacement appointed for commencement in early July, after Mr Hansen's last day at work on 5 July 2024.

The recruitment process will be undertaken in accordance with the Office of Local Government's 'Guidelines on the Recruitment of Senior Council Executives'.

The General Manager has sought expressions of interest from local government recruitment agencies. Proposals will be assessed and the most suitable agency engaged to facilitate the recruitment process.

A selection panel will comprise of the General Manager, two QPRC Directors and an independent Engineering/Project Management specialist member likely from another Council. Once the appointment has been made, Council will receive a report on the outcome of the recruitment process, as per section 337 of the Local Government Act 1993 (the Act) which requires the General Manager to consult Council prior to the appointment of senior staff.

Resources are allocated by Council's adoption of the Operational Plan and Delivery Program. As per section 338 of the Act, the employment of senior staff position would be under the current arrangements of a Standard Contract of Employment with a five-year contract.

The recruitment process is expected to cost in the vicinity of \$30K. A budget adjustment will be made as part of the second quarter budget review process.

We will plan an appropriate farewell and acknowledgement to Mr Hansen for staff and Councillors to attend before he leaves.

**Attachments**

Nil

10.6 Question on Notice - Captains Flat Station Masters Cottage (Ref: ; Author: Ryan/Flint)

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File Reference: 14 February 2024 Council Reports

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**Recommendation**

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

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**Report**

The following question was submitted by Cr Willis on 4 February 2024 and a response from staff is below:

**The Captains Flat Station Master's Cottage is listed as a local heritage item on the QPRC Local Environmental Plan 2022. Transport for NSW is proposing to demolish the cottage as part of its response to lead contamination of the site. Who is the consent authority for approving demolition and removing the heritage listing of the cottage?**

Council staff spoke with Transport for NSW regarding these questions. The key issue is whether the demolition requires consent. There are various pathways open to Transport for NSW to explore for their proposal.

Transport for NSW confirmed they are currently looking at the approvals process. They appreciate that some development requires Council consent and are working through all relevant pathways.

Further, Transport for NSW will consult with Council as required under section 2.11 of the Policy (link below). That section requires the preparation of a heritage impact statement, notice to Council of the intended works and that they are to take into consideration any response from Council on the proposed scope of works.

<https://legislation.nsw.gov.au/view/html/inforce/2023-11-10/epi-2021-0732#sec.2.11>

In relation to the second part of the question, should the heritage listing be redundant it is anticipated that any change to the Queanbeyan-Palerang Local Environmental Plan will occur through an administrative amendment. This is the typical process Council's Land Use Planning team engage when amendments to the Plan are required.

**Attachments**

Nil

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

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File Reference: 14 February 2024 reports

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**Recommendation**

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

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Councillor workshop items are published in the Agenda of the next Council meeting. During the period 24 January to 13 February 2024, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
30/01/2024	1. Captains Flat Station Master's Cottage	Vanessa Wilson, Joanne McLoughlin and Lisa Cahill from Transport for NSW
	2. QPRC Reconciliation Action Plan	N/A
31/01/2024	1. QCCP and Public Spaces Naming Project	N/A
	2. Sponsorship Council Facilities/Events	N/A
06/02/2024	1. Proposed changes to R2 zoned land controls	N/A
	2. Enforcement Action on Development Sites	N/A
07/02/2024	1. Regional Sports Complex	N/A
	2. Dunns Creek Road/VBC Planning Proposal	N/A

**Attachments**

Nil

11.1 First Nations Advisory Committee Minutes 17 October 2022 and 15 November 2023 (Ref: ; Author: Richards/Groves)

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File Reference: 2.4.2

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**Recommendation**

**That Council:**

1. Note the minutes of the First Nations Advisory Committee held on 17 October 2022 and 15 November 2023.

2. Endorse the following recommendations:

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

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

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**Summary**

The First Nations Advisory Committee minutes are submitted for meetings held on 17 October 2022 and 15 November 2023, for Council endorsement.


Given the nature of the Committee, a discussion around providing Acknowledgement / Welcome to Country at the start of the meeting was regarded as unnecessary.


The current Reconciliation Action Plan (2020 – 21) was not on the website and has now been updated.

Given the issues around meeting quorum, community members have requested membership, which it is hoped will resolve meeting quorum issues.

Due to the quorum not being met for a year after many attempts to generate interest, previous members were asked if they still want to be on the Committee. If no response was received within 21 days, it is assumed the interest is not forthcoming and members have been removed.

**Attachments**

Attachment 1  First Nations Committee Meeting Minutes - 17 October 2022 (*Under Separate Cover*)

Attachment 2  First Nations Committee Meeting Draft Minutes - 15 November 2023 (*Under Separate Cover*)



12.1 Notice of Motion - Greenways (Author: Willis/Willis)

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File Reference: 23.1.6 / 14 February 2024 motions

**Notice**

Councillor Katrina Willis will move the following motion:

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**Motion**

**That Council:**

**1. Notes:**

- a. **The value of the Greenways in Queanbeyan Palerang Local Government Area (LGA) and their importance to people and conserving local biodiversity, and**
- b. **Threats to the Greenways posed by residential development and inadequate allocation of resources for repair and maintenance.**

**2. Holds a workshop to discuss:**

- a. **The current pressures on Greenways, including approval for motorised vehicles to use Greenways to access residential dwellings;**
  - b. **Options for Council to address these pressures to safeguard the existing Greenways network, and**
  - c. **Opportunities to extend the Greenways network in other rural residential areas of the LGA.**
- 

**Comment from Cr Willis in support of this Notice of Motion**

QPRC's network of Greenways can be traced to 1985 when the former Yarrowlumla Shire Council responded to local interest in horse riding trails in the Geary's Gap area (now Bywong). In 1988, that council adopted 'Access to the Countryside' in its strategy for rural residential development.

The Greenways network in Bywong and Wamboin was established on unused Crown Land road reserves and travelling stock routes. The network now comprises around 30 km which are valued by horse riders, walkers and mountain bike riders for their recreational benefits and environmental attributes.

Increase in land development for rural residential living has raised challenges for protecting and extending the Greenways network, while funding for maintenance, repair and upgrade remains scarce particularly given the run of recent wet years which has resulted in erosion and land slippage.

Members of the Greenways section 355 committee are currently preparing a Master Plan and Strategy to guide the management of the Greenways network, in consultation with Wamboin and Bywong residents.

This provides an ideal opportunity for Council to consider how it can best support the Greenways network.

**12.1 Notice of Motion - Greenways (Author: Willis/Willis) (Continued)**

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**Staff Comment**

Council has received a Draft Bywong/Wamboin Greenways Master Plan prepared by the s355 Greenways Committee. It is being reviewed by the Development and Planning section to provide considered and specific advice on regulations, potential management solutions and extensions to the network; and heritage or historical issues related to Greenways in general.

It is intended when finalised that this Master Plan is presented to and endorsed by Council.

A workshop will be valuable to discuss the plan in detail along with future arrangements for the Bywong/Wamboin greenways network. This could be organised at the end of March 2024, based on committee members availability.

**Attachments**

Nil

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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 Minutes of the Queanbeyan Sporting Gallery Meeting**

*Item 16.1 is confidential in accordance with s10(A) (a) of the Local Government Act 1993 because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.2 Legal Update: July - December 2023**

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