



Ordinary Meeting of Council

AGENDA

13 March 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

Queanbeyan-Palerang Regional Council advises that this meeting will be webcast to Council's website. Images and voices of those attending will be captured and published.

A recording of the meeting will be archived on the website.

To view webcasts or archived recordings, please go to webcast.qprc.nsw.gov.au

Webcasts of Council meetings cannot be reused or reproduced in any way and are subject to copyright under the *Copyright Act 1968*.

1	OPENING	
2	ACKNOWLEDGEMENT OF COUNTRY	
3	APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS	
4	CONFIRMATION OF MINUTES	
4.1	Minutes of the Ordinary Meeting of Council held on 28 February 2024	
5	DISCLOSURES OF INTERESTS	
6	ADJOURNMENT FOR PUBLIC FORUM	
7	MAYORAL MINUTE	
8	NOTICES OF MOTIONS OF RESCISSION	
9	REPORTS TO COUNCIL - ITEMS FOR DETERMINATION	
9.1	Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard...	2
9.2	Road Name Proposal - Mondarlie Road	12
9.3	Naming of QCCP and Public Spaces	16
9.4	Draft Cemeteries Strategy 2024	21
9.5	Mobile Food Vending Policy	23
9.6	Investing in Our Communities Program - Funding Opportunity	25
9.7	Jerrabomberra Pump Track.....	27
9.8	Local Roads and Community Infrastructure Program Phase 4	30
10	REPORTS TO COUNCIL - ITEMS FOR INFORMATION	
10.1	Questions with Notice - Foxlow Parklet Captains Flat.....	32
10.2	Questions with Notice - Fencing around Bungendore Park and Common	33
11	REPORTS OF COMMITTEES	
12	NOTICES OF MOTIONS	
12.1	Notice of Motion - Captains Flat Heritage	34
12.2	Notice of Motion - Funding for Heritage	35
12.3	Notice of Motion - Annual Reporting of Community Greenhouse Gas Emissions.....	37

13 REPORTS TO COUNCIL - DELEGATES REPORTS

14 QUESTIONS WITH NOTICE

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION 38

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

16.1 Tender Evaluation - Design of the Bungendore Pool

Item 16.1 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.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

- Item 9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard
- Attachment 1 Plans - DA.2023.0384 - 1076 Neringla Road NERINGLA (Under Separate Cover)*
- Attachment 2 Statement of Environmental Effects - CI 4.6 Variation Request - DA.2023.0384 - 1076 Neringla Road NERINGLA (Under Separate Cover)*
- Attachment 3 Effluent Disposal Report - DA.2023.0384 - 1076 Neringla Road NERINGLA (Under Separate Cover)*
- Attachment 4 Section 4.15 Matters for Consideration - DA.2023.0384 - Assessment Report (Under Separate Cover)*
- Attachment 5 Draft Conditions of Consent - DA.2023.0384 - 1076 Neringla Road NERINGLA (Under Separate Cover)*
- Item 9.2 Road Name Proposal - Mondarlie Road
- Attachment 1 Batemans Bay LALC endorsement (Under Separate Cover)*
- Item 9.4 Draft Cemeteries Strategy 2024
- Attachment 1 Cemeteries Strategy Draft March 2024 (Under Separate Cover)*
- Item 9.5 Mobile Food Vending Policy
- Attachment 1 Mobile Food Vending Policy (Under Separate Cover)*
- Item 9.6 Investing in Our Communities Program - Funding Opportunity
- Attachment 1 Funding Agreement - Letter of Offer (Under Separate Cover)*
- Item 9.7 Jerrabomberra Pump Track
- Attachment 1 Community Comments and Location Suggestions (Under Separate Cover)*
- Attachment 2 Jerrabomberra Pump Track Consultation Report (Under Separate Cover)*

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

BUSINESS PAPER AGENDA – 13 March 2024 Page iii

- Attachment 3 Email - Pump Track Site Submission (Under Separate Cover)*
- Attachment 4 Email - Pump Track Survey Submission (Under Separate Cover)*

Closed Attachments

- Item 16.1 Tender Evaluation - Design of the Bungendore Pool
- Attachment 1 Tender Evaluation Report - Bungendore Aquatic Centre Design (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom at the Braidwood Community Centre, 4 Park Lane, Braidwood on Wednesday, 28 February 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)

Cr Biscotti
Cr Burton
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Taskovski
Cr Willis
Cr Wilson

Staff:

R Ryan, General Manager
J Richards, Director Community, Arts and Recreation
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment
D Tooth, A/Director Infrastructure Services

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

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 14 February 2024**

062/24

RESOLVED (Winchester/Preston)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 14 February 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

063/24

RESOLVED (Winchester/Preston)

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.

Cr Taskovski declared a significant pecuniary interest in Item 9.3: Amendment to Jumping Creek Voluntary Planning Agreement 2021, stating he is employed by Ian McNamee & Partners. He proposed to leave the Chambers when the Item is considered.

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.

064/24

RESOLVED (Winchester/Macdonald)

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 5.46pm.

7. MAYORAL MINUTE

065/24

7.1 Retrospective Conflict of Interest Declaration**RESOLVED (Winchester)**

That the Mayoral Minute be noted.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

066/24

**9.1 Dunns Creek Road - Western Alignment Corridor
RESOLVED (Wilson/Taskovski)**

That Council:

1. Note the memorandum addressing the proposed corridor for the western alignment of the proposed Dunns Creek Road.
2. Acknowledge that the existing road corridor over Lot 1 DP 1269436 can now be relinquished.

The resolution was carried.

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

067/24

**9.2 Planning Proposal - Relocate Arterial Road Corridor Dunns
Creek Road Queanbeyan Palerang Regional LEP 2022
RESOLVED (Wilson/Taskovski)**

That Council:

1. Authorise staff to progress a planning proposal to relocate the current reserved corridor for Dunns Creek Road within the Tralee Urban Release Area.
2. Note that the progression of any planning proposal is to be in respect of the information obtained from Council commissioned studies on this matter, and to the extent that the alignment needs to be located within the Tralee Urban Release Area.

The resolution was carried.

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

Having declared a pecuniary interest in the following Item, Cr Taskovski left the Chambers at 6.13pm.

068/24

**9.3 Amendment to Jumping Creek Voluntary Planning Agreement
2021
RESOLVED (Wilson/Macdonald)**

That Council:

1. Authorise the General Manager to review and endorse, for public notification, a deed of variation to the Jumping Creek Voluntary Local Planning Agreement 2021 to clarify that the Agreement applies to Development Application DA.2022.1605 in addition to DA 109-2019.
2. Authorise the General Manager to execute the draft deed of amendment at the completion of the 28 day public notification period.

The resolution was carried

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

Against: Cr Willis

Cr Taskovski returned to the Chambers at 6.15pm.

9.4 Quarterly Budget Review Statement for the Quarter Ending 31 December 2023

069/24

RESOLVED (Willis/Wilson)

That Council:

1. Receive the December 2023 Quarterly Budget Review Statement.
2. Adopt the budget variations outlined in the report.
3. Note the opinion of the Responsible Accounting Officer in relation to Council's financial performance and projected year result is satisfactory.

The resolution was carried unanimously.

9.5 Investment Report - January 2024

070/24

RESOLVED (Willis/Preston)

That Council:

1. Receive the Investment Report for the month of January 2024.
2. Note the investment return for January 2024 was \$1,233,988.
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.

9.6 NSW Treasury Corp Loan Agreements Update

071/24

RESOLVED (Willis/Macdonald)

That Council authorise the Mayor and General Manager to sign and affix the common seal of amended loan contracts with NSW Treasury Corporation.

The resolution was carried unanimously.

9.7 Draft Compliance and Enforcement Policy

072/24

RESOLVED (Biscotti/Livermore)

That Council place the draft Compliance and Enforcement Policy on exhibition for 28 days.

The resolution was carried unanimously.

- 073/24 **9.8 Post-Exhibition Report - Data Breach Policy**
RESOLVED (Willis/Preston)
That Council adopt the Data Breach Policy.

The resolution was carried unanimously.
- 074/24 **9.9 Post-Exhibition Report - Agricultural Chemical Use in Public Places Policy**
RESOLVED (Preston/Livermore)
That Council adopt the Agricultural Chemical Use in Public Places Policy.

The resolution was carried unanimously.
- 10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**
- 075/24 **10.1 Feedback on Public Exhibition of 2022/23 Financial Statements**
RESOLVED (Preston/Wilson)
For Council information.

The resolution was carried unanimously.
- 076/24 **10.2 Councillor Workshops**
RESOLVED (Winchester/Preston)
That the report be received for information.

The resolution was carried unanimously.
- 11. REPORTS OF COMMITTEES**
- 077/24 **11.1 QPRC Environment and Sustainability Advisory Committee Minutes - October 2023 and December 2023**
RESOLVED (Willis/Winchester)
That Council note the minutes of the Environment and Sustainability Advisory Committee held on 16 October 2023 and 4 December 2023.

The resolution was carried unanimously.

078/24 **11.2 Local Traffic Committee Meeting - 6 February 2024**
RESOLVED (Livermore/Winchester)

That Council:

1. Note the minutes of Local Traffic Committee held on 6 February 2024.
2. Adopt recommendations LTC 2/2024 to LTC 9/2024 from the meeting held on 6 February 2024:

LTC 2/2024: Proposed Solution: Event supported. Under roads Act 1993 approve the temporary traffic control plan with minor amendments for the Queanbeyan Multicultural Festival.

LTC 3/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Queanbeyan Rodeo.

LTC 4/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Queanbeyan ANZAC Day event.

LTC 5/2024: Proposed Solution: Event not supported in current form. Resubmit at next LTC Meeting.

LTC 6/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Braidwood ANZAC Day event.

LTC 7/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Captains Flat ANZAC Day event.

LTC 8/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Majors Creek ANZAC Day event.

LTC 9/2024: Proposed Solution: Event supported. Under Roads Act 1993 approve the traffic control plan for Jerrabomberra ANZAC Day event.

The resolution was carried unanimously.

11.3 Bungendore Town Centre and Environs Advisory Committee Meeting Minutes

079/24

RESOLVED (Grundy/Wilson)

That Council notes:

1. The Minutes of Bungendore Town Centre and Environs Committee meetings held on 20 November 2023 and 18 December 2023.
2. Resolution 6.2: That Council prioritises upgrading the Bungendore Road Halfway Creek access bridge and approaches to the Molonglo Street/Gibraltar Street junction.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS**12.1 Notice of Motion - Mount Jerrabomberra Plan of Management**

080/24

RESOLVED (Willis/Wilson)

That Council receive a report on progress implementing the Mount Jerrabomberra Plan of Management following the 2023-2024 budget allocation to commence this work.

The resolution was carried unanimously.

12.2 Notice of Motion - Budget Items

081/24

RESOLVED (Willis/Wilson)

That Council consider allocating funding in the 2024-2025 Operational Plan for the following purposes:

- a. Providing additional bicycle parking in city and town centres.
- b. Installing shade cloth for the Queanbeyan outdoor swimming pool.
- c. Reviewing the concept plan for the proposed Agnes Avenue Park in Queanbeyan, and revising cost estimates to complete the project.

The resolution was carried unanimously.

12.3 Notice of Motion - Improved Vehicle Wildlife Road Collision Mitigation Measures

082/24

RESOLVED (Grundy/Macdonald)

That Council:

1. Receive a report on the options available for, and the costs of, improved vehicle-wildlife road collision mitigation measures on rural high traffic roads, such as Macs Reef Road Bywong. This should include acoustic, and visual measures, including but not limited to active signage as well as improved roadside vegetation containment practises.

2. Consider operational funding in the 2024-2025 financial year for the installation of such measures.

The resolution was carried unanimously.

083/24

12.4 Notice of Motion - Wamboin Welcome Wall

RESOLVED (Macdonald/Burton)

That Council:

1. Notes:
 - a. the fantastic job that the community did in repairing the stone Wamboin sign on the corner of Norton Road and Sutton Road, and
 - b. that the repair project was entirely undertaken by the community.
2. Hold a workshop to discuss options for lighting at the intersection to enhance safety and visual aspects including:
 - a. technology options, with a preference for solar;
 - b. cost estimates, and
 - c. funding options.

The resolution was carried unanimously.

084/24

12.5 Notice of Motion - Clean Up Australia Day

RESOLVED (Macdonald/Burton)

That Council:

1. Notes:
 - a. the annual Clean Up Australia Day event will be held on 3 March 2024 and this activity provides people right across Australia the opportunity to make a positive impact to their local area, and
 - b. that the Wamboin Community Association held Clean Up Australia Day events for 27 years but this has ceased in recent years following advice from Council.
2. Refers the matter to the Local Traffic Committee for consideration with a view as to how to mitigate risk sufficiently to enable this activity to be undertaken including along roadsides in non-urban areas.
3. Develops options to enable all members of our community to get involved in Clean Up Australia Day appropriate to their local area.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates' Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

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

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

085/24

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 Appointment of Heritage Advisor

Item 16.1 is confidential in accordance with s10(A) (a) (di) (dii) 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 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.

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.18pm to discuss the matters listed above.

- 086/24 **16.1 Appointment of Heritage Advisor**
RESOLVED (Biscotti/Grundy)
- That Council:
1. Appoint Philip Leeson Architects and Associates as the QPRC Heritage Advisor for the period 2024-2026.
 2. In the event that Philip Leeson Architects and Associates decline, appoint Can Ercan.

The resolution was carried unanimously.

- 087/24 **RESOLVED (Winchester/Macdonald)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 7.34pm.

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 7.34pm, the Mayor announced that the Agenda for the meeting had now been completed.

CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla -
Construction of a Dwelling House and Variation to Minimum Lot Size
Standard (Ref: ; Author: Ormella/Ravi)

File Reference: DA.2023.0384

Recommendation

That:

1. Consent be granted to a variation to Clause 4.2A (3) (a) of the Queanbeyan-Palerang Regional Local Environmental Plan 2022 to allow for the construction of a dwelling house for the following reasons:
 - a. The proposed development is for rural residential purposes which is likely to support the long-term rural use of the land;
 - b. At 39.07ha, the subject site is of a rural character with no discernible difference to the minimum lot size of 40 Ha;
 - c. The proposed development achieves the objectives of relevant development standards and the variation is unlikely to result in any adverse environmental impacts;
 - d. Sufficient environmental and planning ground exists to justify the variation.
 2. Development application DA.2023.0384 for construction of a dwelling house and variation to minimum lot size under clause 4.2A(3)(a), for Lot 3 DP 755906, being part of 1076 Neringla Road Neringla, be granted conditional consent.
-

Summary

Reason for Referral to Council

This application has been referred to Council because a variation to a development standard is sought under the provisions of Clause 4.6 - Exception to Development Standards – to vary the minimum lot size requirement as prescribed under Clause 4.2A (3)(a) for the erection of a dwelling.

Proposal: Construction of a dwelling house and variation to minimum lot size standard under Clause 4.2A (3)(a)

Applicant/Owner: Peter Raynolds C / Upside Planning

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

Subject Property:	The application is lodged over Lot 3 DP755906. This is part of a larger rural holding known as 1076 Neringla Road which contains the following lots: Lot A DP 375470, Lot C DP 375470, Lot B DP 375471, Lot D DP 375471, Lot 1 DP 755906, Lot 3 DP 755906 , Lot 4 DP 755906, Lot 5 DP 755906, Lot 6 DP 755906, Lot 7 DP 755906, Lot 19 DP 755906, Lot 26 DP 755906, Lot 27 DP 755906, Lot 28 DP 755906, Lot 42 DP 755906, Lot 43 DP 755906, Lot 46 DP 755906, Lot 72 DP 755906, Lot 73 DP 755906, Lot 95 DP 755906, Lot 101 DP 755906, Lot 105 DP 755906, Lot 113 DP 755906, Lot 114 DP 755906, Lot 115 DP 755906, Lot 116 DP 755906, Lot 117 DP 755906, Lot 118 DP 755906, Lot 119 DP 755906, Lot 150 DP 755906, Lot 187 DP 755906, Lot 192 DP 755906, Lot 204 DP 755906, Lot 205 DP 755906, Lot 1 DP 125546, Lot 1 DP 115916, Lot 2 DP 115916, Lot 3 DP 115916, Lot 4 DP 115916, Lot D DP 370470, Lot B DP 375472, No. 1076 Neringla Road NERINGLA
Location of Development	Lot 3 DP 755906
Zoning and Permissibility:	RU1 Primary Production under Queanbeyan Palerang Regional Local Environmental Plan 2022
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Minimum Lot Size
Disclosure of Political Donations and Gifts:	Applicant declared no donations or gifts to any Councillor or staff have been made

Background

The applicant has elected to seek consent for this proposal under *Clause 4.6 Exceptions to Development Standards*, which includes a request to vary the minimum lot size standard as stipulated in Clause 4.2A (3)(a).

Proposed Development

The application seeks development consent for the construction of a dwelling house and associated site works.

The specific elements of the proposal are:

- Single storey rural residential dwelling with three bedrooms and an office, which can double up as a bedroom, living, kitchen, laundry and associated utility rooms with a cumulative area of 157 sqm,
- Attached carport,
- Installation of an effluent system
- Installation of a solid fuel heater.

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

Subject Property

The subject site is legally described as Lot 3 DP 755906. With 38 other parcels of land, the site is commonly known as 1076 Neringla Road Neringla.

The land holding is located on the eastern side of Neringla Road and has a cumulative area of 870 Ha. The dwelling is proposed to be constructed on **Lot 3 DP 755906** which has an area of 39.07 Ha.

Lot 3 DP 755906 is currently a vacant lot and there are no developmental records for any of the lots that form 1076 Neringla Road Neringla.

Vehicular access is provided to the site via a proposed driveway from Neringla Road.

Existing development within the locality consists of primarily large rural lots with sparse buildings in the surrounding locality.

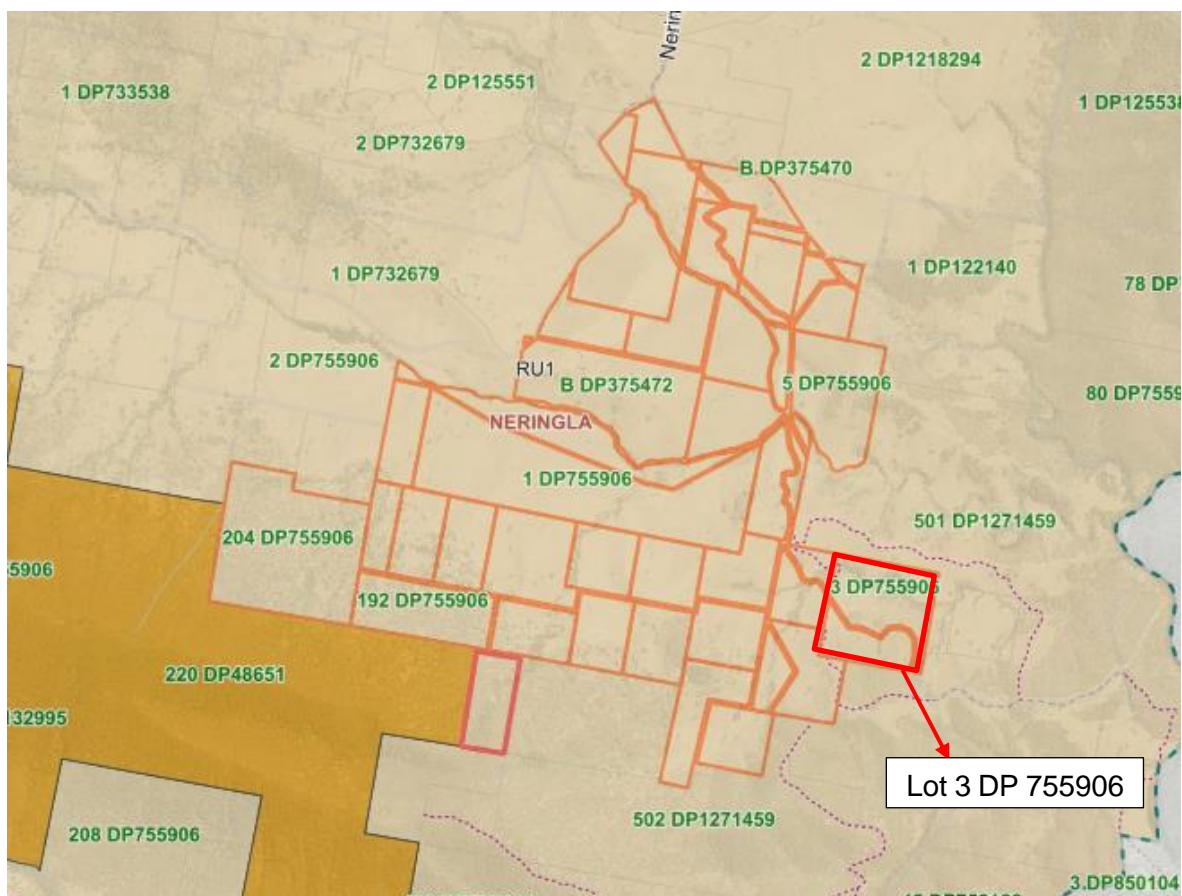


Figure 1: Locality plan

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

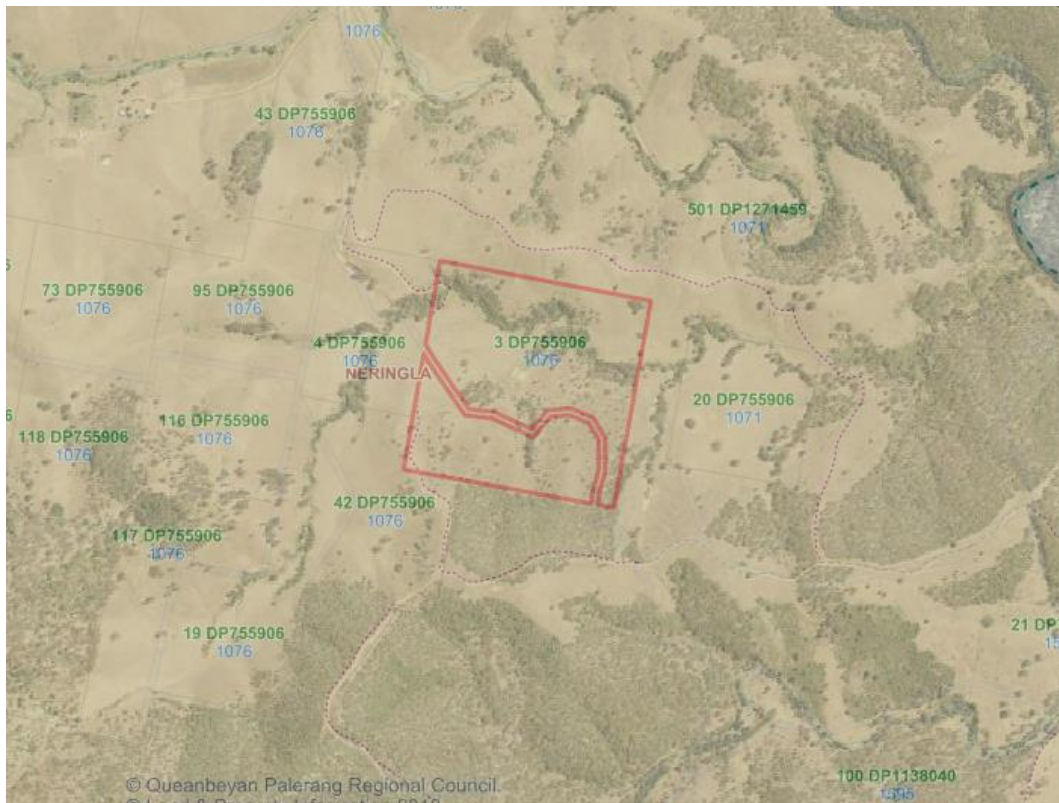


Figure 2: Lot 3 DP 755906, location of proposed development

Planning Requirements

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

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

1. State Environmental Planning Policy (Resilience and Hazards) 2021
2. State Environmental Planning Policy (Biodiversity and Conservation) 2021
3. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
4. Queanbeyan Palerang Regional Local Environmental Plan 2022
5. Palerang Development Control Plan 2015

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

(a) Compliance with LEP

The subject site is Zoned RU1 Primary Production zone under Queanbeyan-Palerang Regional Local Environmental Plan 2022.

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

Development for the purposes of a dwelling such as is proposed is permissible within the zone with consent and is defined as follows:

***dwelling** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.*

The objectives of this zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area*
- *To minimise the fragmentation and alienation of resource lands*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones*
- *To minimise the impact of any development on the natural environment*
- *To ensure that development does not unreasonably increase the demand for public services or facilities*

The proposed dwelling is consistent with the relevant objectives of the zone. The proposed development complies with the relevant provisions of the Queanbeyan Palerang Regional Local Environmental Plan 2022 as outlined in the attached Section 4.15 Table Matters for Consideration – Assessment Report, with the exception of *Clause 4.2A Erection of dwelling houses on land in certain rural, residential and environmental protection zones.*

Clause 4.2A (3) of the QPRLEP 2022 provides requirements for the erection of dwellings on rural land as follows:

(3) Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land—

- (a) is a lot with at least the minimum lot size shown on the Lot Size Map, or*
- (b) is a lot created in accordance with clauses 4.1, 4.1AA, 4.1A, 4.1D, 4.1E, 7.24, 7.25 or 7.26, or*
- (c) is a lot created before the day on which this Plan commenced and on which the erection of a dwelling house was permissible immediately before that day, or*
- (d) is a lot resulting from a subdivision for which development consent, or equivalent, was granted before the day on which this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that day, or*
- (e) is an existing holding, or*
- (f) would have been a lot or a holding specified in paragraphs (a)–(e) had it not been affected by—*
 - (i) a minor realignment of boundaries that did not create an additional lot, or*
 - (ii) a subdivision creating or widening a public road or public reserve, or for another public purpose, or*
 - (iii) a consolidation with an adjoining public road or public reserve, or for another public purpose.*

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

(4) Development consent may be granted for the erection of a dwelling house on land to which this clause applies if—

- (a) there is a lawfully erected dwelling house on the land, and
- (b) the dwelling house to be erected is intended only to replace the existing dwelling house.

(5) In this clause—

existing holding means the following land, whether or not there has been a change in the ownership of the holding since the relevant date, and includes other adjoining land acquired by the owner since the relevant date—

- (a) land that was a holding on the relevant date,
- (b) land that is a holding at the time a development application is lodged.

holding means all adjoining land, even if separated by a road or railway, held by the same person.

relevant date means, for land specified in the table to this definition, the date specified opposite.

- (a) in relation to land to which Cooma-Monaro Local Environmental Plan 1999—(Rural) applied immediately before the commencement of this Plan—3 March 1997, or
- (b) in relation to land to which Goulburn Mulwaree Local Environmental Plan 2009 or Mulwaree Local Environmental Plan 1995 applied immediately before the commencement of this Plan—15 May 1970, or
- (c) in relation to land to which Gunning Local Environmental Plan 1997 applied immediately before the commencement of this Plan—15 July 1966, or
- (d) in relation to land to which Tallaganda Local Environmental Plan 1991 applied immediately before the commencement of this Plan—14 June 1974, or
- (e) in relation to land to which Yarrowlumla Local Environmental Plan 2002 applied immediately before the commencement of this Plan—13 October 1995.

Dwelling Entitlement Outcome

The subject lot (Lot 3 DP 755906), with an area of 39.07 Ha, is considered to be an original portion of land that was created prior to the establishment of any planning instruments.

Pursuant to Clause 4.2A (3)(a), the lot (39.07 Ha) does not meet the minimum lot size (40 Ha) and by virtue of being an original portion, it does not satisfy Clause 4.2A (3)(b), (c) & (d).

With regards to subclause 4.2A(3)(e), at the relevant date, in relation to land to which Tallaganda Local Environmental Plan 1991 applied immediately before the commencement of this Plan—14 June 1974, the subject lot (Lot 3 DP 755906) was held as part of an existing holding that comprised of several other lots. Hence Lot 3 DP 755906 **cannot** be considered as a separate holding at the relevant date.

The holding in its entirety has a dwelling entitlement and Lot 3 DP 755906 does **not** have a dwelling entitlement concession on its own, pursuant to subclause 4.2A(3)(e).

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

Since **Lot 3 DP 755906** does not satisfy any of the subclauses under 4.2A (3) of QPRLEP 2022, it does **not** have automatic dwelling entitlement.

Impact of the proposed development on the dwelling entitlement of the holding

As per the definition provided under clause 4.2A (3), **holding** means *all adjoining land, even if separated by a road or railway, held by the same person.*

Lot 3 DP 755906 (subject site) directly adjoins Lot 4 DP 755906 and Lot 42 DP 755906 which are also part of the holding and therefore, a dwelling entitlement on the subject lot would also involve these 2 lots; furthermore, Lot 4 DP 755906 and Lot 42 DP 755906 also include the adjoining lots (Lot 95 DP 755906 and Lot 116 DP 755906) that are listed as part of the holding.

It should be noted that Lot 501 DP 1271459 located on the east side of Lot 3 DP 755906 was not held as part of the holding at the relevant date.



Figure 3: Lot and DP

The potential impacts of this development on Lot 3 DP 755906 are as follows:

- a) Approval of a dwelling on the subject lot (Lot 3 DP 755906) under a variation to minimum lot requirement, would **not** create or remove a dwelling entitlement to the adjoining lots (Lot 4 DP 755096 and Lot 42 DP 755906) as they **do not individually** have a dwelling entitlement.
- b) The other lots within the holding will have a dwelling entitlement only if they meet the minimum lot requirement of 40 Ha.

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

Variation request pursuant to Clause 4.6 of QPRLEP 2022

As the subject site does not satisfy the criteria as prescribed under Clause 4.2A (3), the applicant has submitted a written request to vary the minimum lot size control (Clause 4.2A (3)(a)), pursuant to *Clause 4.6 Exceptions to development standards* to allow for the construction of a dwelling house on Lot 3 DP 755906. An assessment of the potential impacts of the variation and justification for the non-compliance have been carried out.

The proposed development fails to comply with the minimum lot size lot size development standard permitted under Clause 4.2A (3)(a) of the QPRLEP 2022, requiring 40Ha. The subject site is 39.07Ha and the actual shortfall being 0.93Ha (2.32%).

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

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

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

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

- The site was originally 40 Ha when it was first created, however, about 6000m² of land was resumed by Crown for Crown Road and this reduced the size of the lot and the road was never formed.
- The use of this clause would require only a minor variation of 2.32% from the minimum lot size requirement of 40Ha.
- The variation is modest and almost immaterial and would be in the public interest to allow for this variation.

Clause 4.6(4) of the QPRLEP 2022 states the following:

“Development consent must not be granted for a development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:*
 - (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3)*

The applicant’s written request to justify the contravention of the minimum lot size standard for the erection of dwelling adequately addresses the matters required to be demonstrated in subclause 4.6(3), specifically, that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The written request is considered to provide sufficient substantive information on the environmental planning grounds relating to history of the subject site and the proposed use of the dwelling which will likely support the rural use of land.

- (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)

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

- The proposal is for a dwelling which is likely to support the long term rural use of the land.
- A minor variation of 2.32% is unlikely to result in any adverse material impacts.
- The subject site is of a rural character because of its shape, size and terrain.
- The proposal is unlikely to result in any adverse impacts on environmental and historical values and unlikely to result in any detrimental impacts on any scenic views and rural landscape.

The site is Zoned RU1 Primary Production under QPRLEP 2022 wherein development for the purposes of a dwelling is permissible with consent. The proposal is generally consistent with the objectives of the Zone in that:

- It provides for the long-term economic sustainability of land
- It provides a valuable support to the rural use of land.
- It does not unreasonably increase the demand on public services

(b) the concurrence of the Secretary has been obtained.”

Council may assume the concurrence of the Director-General under the Planning Circular PS 20-002, issued on 05 May 2020, as the variation contravenes a numerical standard by no greater than 10%.

In conclusion, the applicant's written request to justify the contravention of the minimum lot size standard for erection of dwellings, pursuant to Clause 4.2A (3)(a) of QPRLEP 2022 is considered to be well founded in that, the applicant has **satisfactorily** demonstrated that compliance with the standard is unnecessary or unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

(b) Compliance with DCP

The proposed development is consistent with the Palerang Development Control Plan 2015. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration*.

(a) Other Comments Development Engineer's Comments

Councils Development Engineer does not object to the proposed development subject to recommended conditions of consent. The proposed development is likely to be provided with relevant essential services as part of the consent.

(b) Environmental Health Comments

Councils Health Officer reviewed the on-site waste management report and offered no objections to the proposal subject to recommended conditions of consent.

Financial Implications

Nil

Engagement

The proposal did not require a notification under Councils Community Engagement and Participation Plan and as such no submissions were received.

9.1 Development Application - DA.2023.0384 - 1076 Neringla Road Neringla - Construction of a Dwelling House and Variation to Minimum Lot Size Standard (Ref: ; Author: Ormella/Ravi) (Continued)






Conclusion

The submitted proposal for the construction of a dwelling requiring variation to the minimum lot size under Clause 4.2A (3)(a) on Lot 3 DP 755906, part of 1076 Neringla Road Neringla is a Local Development and is supported by a Statement of Environmental Effects. The proposal was not required to be notified to adjoining owner/occupiers and as such zero (0) submissions were received.

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

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

Attachments

- | | |
|---|--|
| Attachment 1
 | Plans - DA.2023.0384 - 1076 Neringla Road NERINGLA (<i>Under Separate Cover</i>) |
| Attachment 2
 | Statement of Environmental Effects - CI 4.6 Variation Request - DA.2023.0384 - 1076 Neringla Road NERINGLA (<i>Under Separate Cover</i>) |
| Attachment 3
 | Effluent Disposal Report - DA.2023.0384 - 1076 Neringla Road NERINGLA (<i>Under Separate Cover</i>) |
| Attachment 4
 | Section 4.15 Matters for Consideration - DA.2023.0384 - Assessment Report (<i>Under Separate Cover</i>) |
| Attachment 5
 | Draft Conditions of Consent - DA.2023.0384 - 1076 Neringla Road NERINGLA (<i>Under Separate Cover</i>) |

9.2 Road Name Proposal - Mondarlie Road (Author: Ormella/Knight)

File Reference: 26.4.1-4 Road Naming

Recommendation

That Council:

- 1. Adopt in principle the name 'Mondarlie Road' as the proposed road name for a portion of road in Bombay, as shown in Figure 1.**
 - 2. Advertise the proposed road name for public comment for 28 days.**
 - 3. Publish a notice in the NSW Government Gazette if no objections are received.**
-

Summary

This report is to consider a request from a resident of Bombay to assign the name 'Mondarlie Road' to a portion of the road known as Butmaroo Firetrail and a connecting unnamed council road in Bombay. The name meets the requirements of the *QPRC Road Names Policy* and the NSW Geographical Names Board's *NSW Address Policy*. The Batemans Bay Local Aboriginal Land Council has endorsed the name (refer to Attachment 1). As such, Council's endorsement of the proposed road name 'Mondarlie' is recommended.

Background

Council received a request from a resident of Bombay to assign the name 'Mondarlie Road' to a portion of the road known as Butmaroo Firetrail and a connecting unnamed council road in Bombay. The extent of the road to be named originates at the intersection of Butmaroo Firetrail and Little Bombay Road and heads west for approximately 250 metres. It then heads northwest for approximately 1170 metres where it intersects with an unnamed council road and continues north for approximately 750 metres. The road terminates at the southeastern corner boundary of Lot 2 DP573146. The full extent of the road to be named is identified in red in *Figure 1*.



Figure 1

9.2 Road Name Proposal - Mondarlie Road (Author: Ormella/Knight) (Continued)

Report

Council received a request from a resident of Bombay to assign the name 'Mondarlie Road' to a portion of the road known as Butmaroo Firetrail and a connecting unnamed council road to better enable the accurate and timely delivery of emergency services and wayfinding to the five properties that are accessed from this road.

This proposal requires renaming approximately 1.4 km of the road known as Butmaroo Firetrail (solid red line *Figure 2*) and assigning the proposed name to a 750 m long section of connecting unnamed council road (dashed red line *Figure 2*).

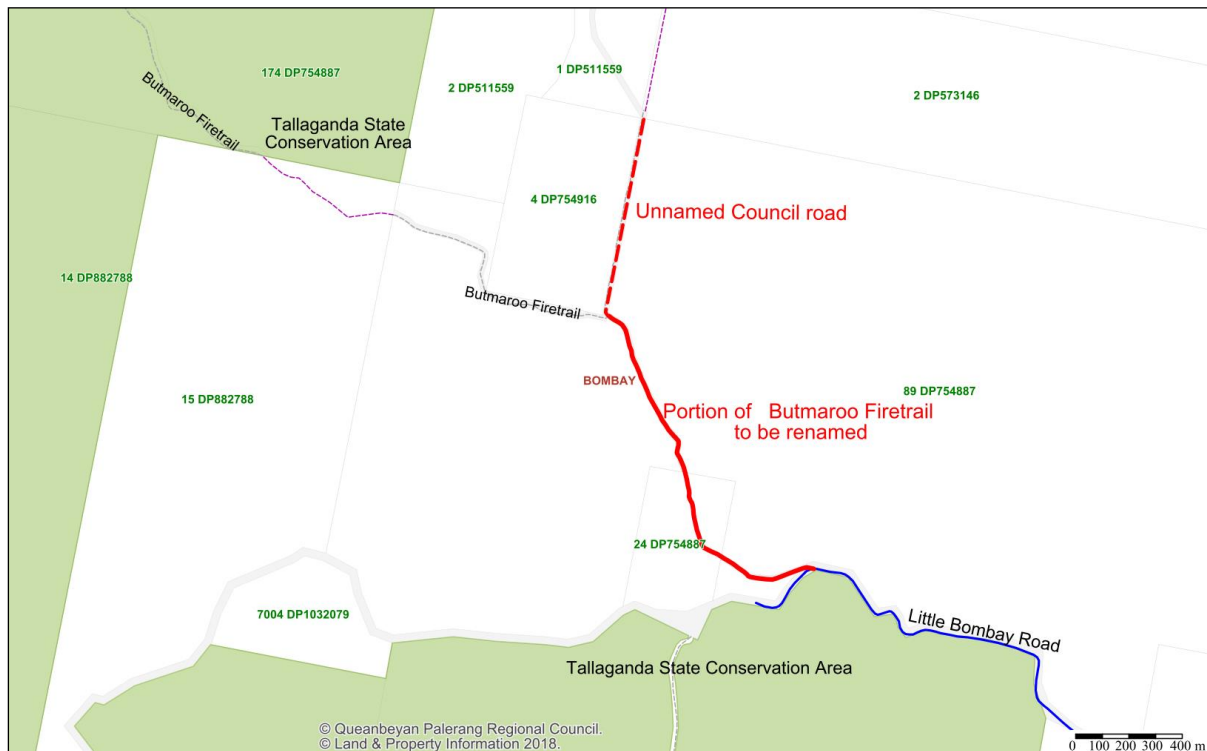


Figure 2

Staff worked closely with affected residents, the Batemans Bay Local Aboriginal Land Council, and the NSW Geographical Names Board to ensure the proposed name 'Mondarlie' is a unique and historically relevant road name for use in the locality of Bombay. Additionally, staff sought feedback from QPRC's First Nations Advisory Committee and no comment or feedback has been received.

The following research has been supplied to support the name.

Mondarlie (c.1872-1941), a Yuin Aboriginal man born around 1872, left an indelible mark on history through his extraordinary life of service and sacrifice. Known by various names, including Jack Bawn, Jack Alick, Jack Ahoy, Jack Ah Hie, John Bond and his Indigenous name "Mondarlie", his legacy as one of Australia's first known Aboriginal soldiers is a testament to his resilience and dedication.

Jack's roots trace back to the upper Shoalhaven area, south of Braidwood. His mother, Ellen de Mestre was born from a brief relationship between a young Frenchman Etienne de Mestre and Sarah Lamb, a young aboriginal woman. His father, Jacky Alick (also known as John Bond), served as an esteemed NSW police tracker at Majors Creek. Jacky Alick and Ellen de Mestre had five sons, two of whom followed in their father's footsteps as police trackers, including Jack Alick Bond.

9.2 Road Name Proposal - Mondarlie Road (Author: Ormella/Knight) (Continued)

Little is known about Jack's childhood, but it is believed that he acquired tribal knowledge and bush skills from his grandfather, John Bond, an elderly police tracker. Jack, alongside his brother Joseph, ventured into the workforce at an early age, initially as farm laborers and later as police trackers. Their contributions to the local cricket team in the 1880s showcased their value within the community. In 1899, Jack Alick travelled to Sydney, securing a place with the First Australian Horse after competitive enlistment. His training culminated in his participation in the Boer War in South Africa (1900-1901), making him one of Australia's first Aboriginal soldiers to undertake overseas service.

Following his return from South Africa, Jack Alick Bond's homecoming was celebrated. In 1901, he received the Queen's South Africa medal from the Duke of Cornwall and York (and the future King George V of England). Jack Alick's achievements and homecoming were also published in the Braidwood District newspaper. Undeterred by his experiences, Jack enlisted for a second tour of duty in South Africa in 1902 with the First Australian Commonwealth Horse. Despite completing two tours of duty, Jack Alick Bond volunteered to enlist in World War I, showcasing his unwavering commitment to service. It is unclear if his application was fully processed as his WWI records do not indicate that he was allocated to a unit or rejected for service.

In the late 1930s, he returned to Sydney and lived as an aged pensioner on the La Perouse Aboriginal mission. Tragically, he lost his life in a tram accident on ANZAC Parade, Sydney, on November 4, 1941. For 70 years, his grave remained unmarked until its rediscovery in 2014. In 2021, a public ceremony dedicated a new memorial grave on his gravesite in Sydney, honouring Jack Alick Bond's life and military service. Additionally, a plaque in his local bush cemetery at Gundillion was placed on November 4, 2021, recognising his service in the local area where he lived and enlisted.

Jack Alick Bond's life is a poignant reminder of the resilience, sacrifice, and contributions of Aboriginal Australians in the nation's military history. His story serves as an inspiration and a testament to the importance of acknowledging and honouring the diverse individuals who have shaped Australia's past.

Sources:

Recognising a Warrior, The extraordinary life, family and military service of an Aboriginal Man Jack Alick Bond (c.1872 – 1941) by Peter Baker.

Biamanga and Gullaga by Egloff, Peterson and Wesson (2005)

Risk/Policy/Legislation Considerations

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

QPRC Road Names Policy clause 6.1.2

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

QPRC Road Names Policy clause 6.2.1(b)

Community members with connections to the local government area and property developers are encouraged to submit proposed road names to Council in accordance with NSW Government guidelines as set out by the GNB for inclusion in the Register of Proposed Road Names. Criteria for proposed road names can include (but is not limited to) the following:

9.2 Road Name Proposal - Mondarlie Road (Author: Ormella/Knight) (Continued)

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

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

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 'Mondarlie Road' meets the requirements for each of these policies. Should the name be endorsed by Council as recommended, the name would then be advertised for public comment as per the policy. If no submissions or objections are received during the advertising period, the name can be notified in the NSW Government Gazette.

Financial, Budget and Resource Implications

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

Assigning the proposed name 'Mondarlie Road' to this road extent will require staff to issue new street addresses to the 5 properties being accessed off this road. This readdressing project will improve the geographical accuracy of the properties' street addresses as they are all currently addressed off Little Bombay Road.

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

Links to QPRC/Regional Strategic Plans

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

Conclusion

Council has received a request from a resident of Bombay to assign the name 'Mondarlie Road' to a portion of the road known as Butmaroo Firetrail and a connecting unnamed council road in Bombay to better enable the accurate and timely delivery of emergency services and wayfinding.

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

It is recommended that Council endorse 'Mondarlie Road', advertise for public comment and subject to no objections being received, publish the notice of the name in the NSW Government Gazette.

Attachments

Attachment 1 Batemans Bay LALC endorsement (*Under Separate Cover*)



File Reference: 51.6.4

Recommendation

That Council:

- 1. Endorse the following Ngambri and Ngunnawal names as follows:**
 - **The Building to be named The Nellie Hamilton Centre**
 - **The forecourt area and walkway along the Bicentennial Hall and QLink to be named The Malunggang Walk**
 - **The Rooftop Gardens on Level 3 to be named Djara Gardens**
 - **The Public Domain and Park at the rear of the building to be named Onyong Park**
 - 2. Place these proposed names on Public Exhibition for 28 days and receive a report at the end of this community engagement to consider submissions.**
-

Summary

At the 14 February Meeting, Council agreed that naming QCCP building is an opportunity to acknowledge and pay respect to our First Nations history, in Ngambri and/or Ngunnawal Language (**Resolution No 046/24**).

A list of four names provided from each group were presented to the QPRC First Nations Advisory Committee meeting held on 21 February 2024.

A Council decision is sought to select its preferred names and place them on public exhibition for public comment.

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.

The following principles were agreed to guide the naming of the Building and public spaces;

- Easy to say
- Means something
- Ngambri / Ngunnawal Language meaning for Centre / Place / Home
- Deceased forefather / mother of Queanbeyan or the Queanbeyan Region

The suffixes to be considered included:

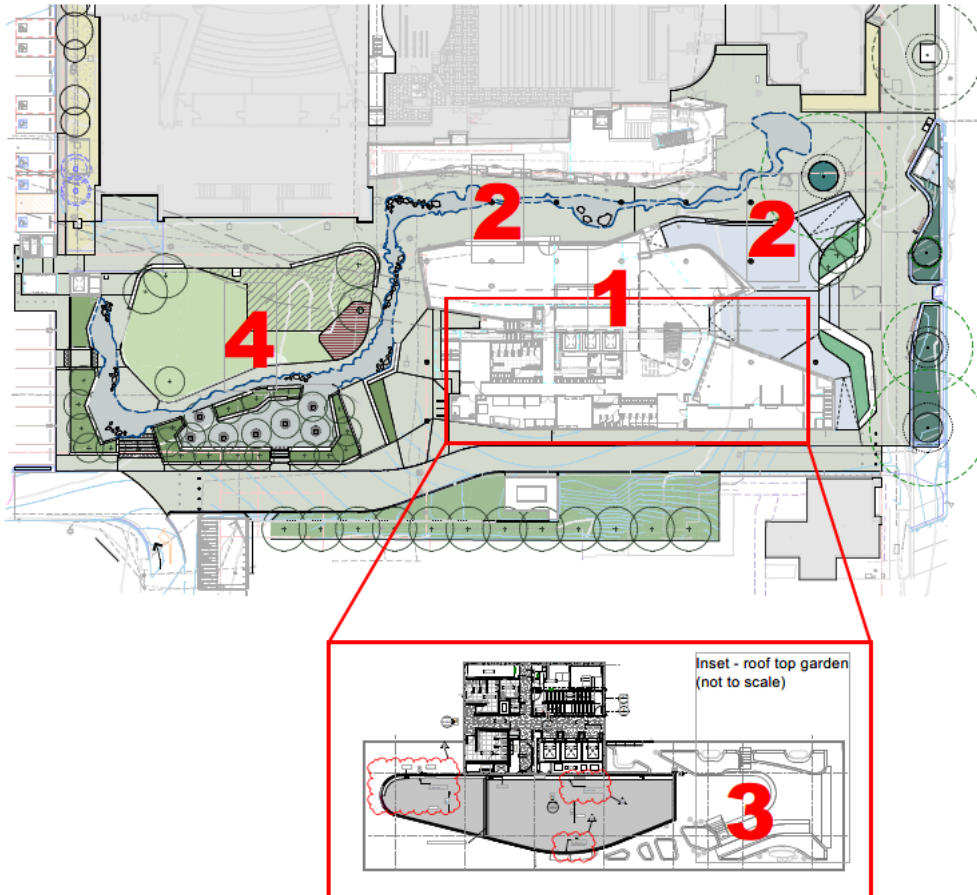
- House, Square, Centre and Place for the building
- Walk for the Forecourt area and QLink
- Gardens for the Rooftop Gardens and
- Park or Domain for the Public Domain

Council invited suggestions for names from both the Ngambri and Ngunnawal groups. These suggestions were referred to the First Nations Advisory Committee on 21 February, for their recommendations to be provided 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.

The following plan shows the areas that have been proposed for First Nations acknowledgement.



Four name suggestions (shown below) were received from both Ngambri and Ngunnawal representatives. Council referred these to the First Nations Advisory Committee (FNAC) for their comments and recommendations.

Area	Name Suggestions
The Building	<ol style="list-style-type: none"> 1. Onyong 2. Malunggang
Forecourt and Q Link	<ol style="list-style-type: none"> 3. Nellie Hamilton 4. Bundiny
Rooftop Gardens	<ol style="list-style-type: none"> 5. Henry 'Black Harry' Williams 6. Djara
Public Domain and Park	<ol style="list-style-type: none"> 7. Dr Matilda House-Williams 8. Narragunnawali

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

The background of the names are:

1. Onyong

Onyong (Allianoyonyiga) also known as Jindoomung, was a prominent warrior, cleverman and leader, born circa 1798 at Allianoyonyiga Creek at Weereewaa (Lake George) and died in 1852. Local Europeans referred to him as 'Onyong' as they were unable to pronounce his full name. Accounts from the time agree that he was a leader amongst the local community.

2. Malunggang

Malunggang is the Ngunnawal word for platypus. Gumbiyan (Queanbeyan) was more than a picturesque landscape; it was a source of life, a lifeline for the community. The Malunggang (platypus), with its sleek and mysterious appearance, symbolized the health and vitality of the Gumbiyan Nganga (Queanbeyan River). Its presence indicated the purity of the water, and the Ngunnawal people believed that the platypus was a guardian, ensuring that the waters remained clean and pristine.

The Ngunnawal community has a deep connection with Malunggang. They see it not only as a provider of life but also as a sanctuary for hunting and gathering. The crystal-clear waters teemed with an abundance of aquatic life, offering sustenance and nourishment for the people. The lush surroundings provided a rich tapestry of resources, from plants to animals, supporting the community's physical and spiritual well-being.

3. Nellie Hamilton

Nellie Hamilton was born in the Queanbeyan/Canberra region circa 1838 and died 1 January 1897 in Queanbeyan Hospital. Nellie was a prominent resident of the Queanbeyan district.

4. Bundiny

Ngunnawal word for braided together to form strength.

5. Henry 'Black Harry' Williams

Henry was born in the Namadgi district, c 1837 and passed away in 1921. He was orphaned quite young but was brought up under the guidance of Onyong/Jindoomung and Noolup (Jemmy the Rover), his 'tribal' fathers and elders. At that time, local 'European' children on the surrounding stations were his playmates. Henry is one of the last known surviving Elder who maintained his connection to his ancestral country until his death at the age of 84 in 1921.

6. Djara

Ngunnawal word for stars which evokes the canopy above, mirroring the vibrant community under protection of QPRC. Djara represents our ancestors keeping watch over all on dwarura.

7. Dr Matilda House-Williams

Dr Matilda House-Williams, Ngambri-Kamberri/Wiradyuri Elder who has dedicated her life to the pursuit of social justice for Indigenous people. In 2006, Dr House was named Canberra Citizen of the Year. On the eve of the National Apology to the Stolen Generations in February 2008, she became the first person to perform the Welcome to Country at the 42nd opening of Federal Parliament.

Her contribution to her community was recognised by the ANU with the conferral of the Degree of Doctor of the University in 2017. Aunty Matilda provided the Welcome to

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

Country at the opening of the 43rd, 44th and 47th Parliament of Australia. She was awarded the NAIDOC Senior Female Elder of the Year 2023.

8. Narragunnawali

Ngunnawal word meaning alive, wellbeing and coming together.

The First Nations Advisory Committee discussed these suggestions at their meeting held on 21 February 2024 recommended the following names.

Area	FNAC Recommendation
The Building	Mulunggang
Forecourt and Q Link	Narragunnawali
Rooftop Gardens	Djara Nellie Hamilton
Public Domain and Park	Aunty Louise Brown

The First Nations Advisory Committee agreed that Council should determine whether 'building', 'place' or another term would be used, but referred to the Rooftop Gardens as 'Gardens'.

The Committee noted these names should not be used again by QPRC for naming purposes and that only deceased people be honoured in naming.

The Naming Working Group agreed that the building should acknowledge a significant Elder and other public spaces be in language or named after another Elder. Given the forecourt and QLink walk has paving that depicts the Queanbeyan River, it was deemed appropriate that the in language word for platypus be used for this space. As the rooftop gardens on level 3 of the building are an open-air space, it was deemed that the in language word for stars is appropriate.

The Council Working Group have proposed the following names be endorsed by Council for public exhibition.

Area	Working Group Recommendations
The Building	The Nellie Hamilton Centre
Forecourt and Q Link	The Mulunggang Walk
Rooftop Gardens	Djara Gardens
Public Domain and Park	Onyong Park

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 one 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.

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

Given this land is contested, there may be a part of our local First Nations groups who will feel disenfranchised by the naming convention recommended for public exhibition. The desire by Council to acknowledge and pay respect to our First Nations History however should be paramount.

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

Council consideration to formally endorse names that will acknowledge our First Nations heritage by naming the building and public areas as noted in the report is sought, in language, or named after a chosen Elder.

The Council Working Group have reviewed the names provided and considered the recommendations from the First Nations Advisory Committee.

The Council Working Group have proposed the following names be endorsed by Council for public exhibition.

- The Building to be named The Nellie Hamilton Centre
- The forecourt area and walkway along the Bicentennial Hall and QLink to be named The Mulunnggang Walk
- The Rooftop Gardens on Level 3 to be named, Djara Gardens
- The Public Domain and Park at the rear of the building to be named Onyong Park

Council will place these proposed names on Public Exhibition for 28 days.

Following the exhibition period, a further report will be presented to the 24 April Council meeting to review community feedback and approve the names.

We will then be in a position to plan for an Official Opening in June or July.

Attachments

Nil

9.4 Draft Cemeteries Strategy 2024 (Ref: ; Author: Ryan/Richards)

File Reference: Cemetery 12.2

Recommendation

That Council endorse the draft QPRC Cemeteries Strategic Plan and place it on public exhibition for 28 days for community feedback and comment.

Summary

Queanbeyan-Palerang Regional Council is responsible for 13 cemeteries across the local government area (LGA). This is the first time a Cemeteries Strategic Plan has been developed. It provides a clear approach for the next five years. Council is being asked to endorse the strategy for public exhibition and comment.

Background

QPRC operates 13 cemeteries across the region and typically carries out around 200 new burials and inters approximately 50 cremated remains each year. Two of our cemeteries are historic and although they have limited interments, they have important cultural and historical value.

The context for cemetery operations is changing. Cemetery processes and functions are bound by the NSW Cemeteries and Crematoria Regulation (2022). These updated regulations will impose a range of new administrative requirements that will be increasingly enforced over the next year.

The Queanbeyan General (Lawn) Cemetery is nearing capacity and Braidwood Cemetery will need to be reviewed in terms of capacity over the next few years. Council is also currently working through the processes to provide a new cemetery (Memorial Park in Googong).

It is timely therefore, to develop a broad strategy to provide a consistent and planned approach for cemeteries across Queanbeyan-Palerang.

Report

Cemeteries are an essential social and cultural service and Council's practices must respect the emotional impact that death and dying has in the community. This means accessibility, affordability and the physical management of cemeteries must reflect community need. It also means that our cemeteries must continue to change to ensure we have functional, attractive, and welcoming places for interment.

QPRC cemeteries provides services for a broad range of community members including those with diverse interment practices prescribed by religion and/or culture and those who are seeking environmentally sensitive and modern options.

Across New South Wales, cemeteries are facing important strategic issues including availability of suitable land, affordability, perpetual maintenance and acceptance of new practices that are common internationally such as renewable vs permanent tenure.

9.4 Draft Cemeteries Strategy 2024 (Ref: ; Author: Ryan/Richards) (Continued)

This strategy provides the necessary broad actions to develop operational efficiency along with providing sensitive and affordable options for the community. It also responds to the changing legislative environment.

At a Councillor workshop on 28 November 2023, an overview and introduction of the Cemetery Strategy was provided, along with an update on current status of the Memorial Park project.

Risk/Policy/Legislation Considerations

Cemeteries operate under the NSW legislation – Cemeteries and Crematoria Regulation 2022

Financial, Budget and Resource Implications

QPRC cemetery operations are generally funded from user payments, and this is likely to remain the case for the foreseeable future. However, older cemeteries across Sydney and New South Wales generally are increasingly struggling with cemetery maintenance and the new regulations include compulsory provision for perpetual maintenance.

Links to QPRC/Regional Strategic Plans

Cemeteries and Crematoria NSW Strategic Plan 2022 to 2025

Strategic goals

- Operators are financially sustainable and their income and liabilities are well managed.
- Regulatory activities drive best practice.
- Interment service prices are simple, transparent and comparable.
- Issues and trends impacting consumers are identified and shared.
- Religious, cultural, Aboriginal and interest group needs are clearly understood.
- Information on cemetery capacity and demand effectively informs planning decisions.
- Sustainable practices and policies enable effective use of cemetery land.
- Operators take opportunities to manage environmental heritage and open spaces values.

QPRC Strategic Plan

Strategic Objective 1.2

- Our health, wellbeing and resilience is supported by strong partnerships and access to services.

Conclusion

This strategy will provide the focus for cemetery processes and operations across QPRC over the next five years.

Attachments

Attachment 1 Cemeteries Strategy Draft March 2024 (*Under Separate Cover*)



9.5 Mobile Food Vending Policy (Ref: ; Author: Ormella/Flint)

File Reference: 52.5.4

Recommendation

That Council endorse the adoption of the current Mobile Food Vending Policy.

Summary

The Mobile Food Vending Policy was last adopted in November 2021. The Policy was created in response to the COVID-19 epidemic where many food vendors moved to a mobile trading platform rather than relying on fixed food premises. During this period, Council saw a steep increase in enquiries and applications for Section 68 Activity approvals (under the Local Government Act 1993) that would allow a person to sell food products from public land on a day-to-day basis.

This Policy is being referred to Council for routine adoption. There are no proposed changes to the Policy as it currently stands.

Background

Under the Local Government Act 1993, anyone can apply to Council for a Section 68 Mobile Food Vending Approval historically referred to as a Hawker/Peddler approval. As there is a degree of liability involved for all parties, Council staff determined that a formalised process and conditions of approval must be developed to help manage the growing number of enquiries. Each approval must be renewed on an annual basis and provide Council with updated public insurance, vehicle registration, and detailed description of the business operations.

Current approvals are not limited to any one space but rather allow a mobile food van to trade anywhere in the LGA within the bounds of the Mobile Food Vending Policy. Such restrictions include but are not limited to trading during daylight hours, restrictions on trading on main thoroughfare roads or roads with a speed limit of 50km/hr or more, no trading in front of residential dwellings, and trading a minimum of 100m from a similar fixed food business.

Report

This Policy provides Council staff with a straight forward and transparent process that allows quick assessment of any applications and ongoing enforcement of non-compliances with an approval. Council staff measure compliance with the approval based on public feedback. The conditions of the approval are worded such that Council can rescind an approval immediately and prevent further trading in QPRC until any identified issues are suitably rectified. These issues are raised by the public and Council staff assess the validity of the issues before any action is taken.

The Policy only extends to any mobile food vans operating on public land. Council is aware that there are many mobile food vans that operate on private land, however these operations are not subject to this Policy, rather the State Environmental Planning Policy (Exempt and Complying Development Code) provisions.

At the time of writing this report, Council has five active approvals under this Policy.

9.5 Mobile Food Vending Policy (Ref: ; Author: Ormella/Flint) (Continued)

Risk/Policy/Legislation Considerations

This Policy has been developed in accordance with the following pieces of legislation:

- Local Government Act 1993, specifically Section 68
- Food Act 2003
- Roads Act 1993
- Road Transport (Vehicle Registration) Regulation 2017

Upon receiving an application under this Policy, staff require proof of full vehicle registration and adequate insurances (Motor Vehicle and Public Liability) as specified in the Policy. Any active approval for a mobile food vending operation is re-considered and an inspection takes place every 12 months by Council Compliance Officers.

Financial, Budget and Resource Implications

Approvals under this Policy are issued by Council's Environmental Health team as part of their regular activities. Given the fact that Mobile Food Vending is permitted as exempt development on private land, Council processes very few of these applications. 5 approvals under this Policy were granted in 2023. The associated application fee covers Council's assessment costs.

Links to QPRC/Regional Strategic Plans

Community Strategic Plan – Output 5.2 - Council is an open, accessible and responsive organisation.

Conclusion

Council is asked to adopt the Mobile Food Vending Policy as it currently exists. The Policy has been in effect since November 2021 and provides a clear, well-defined process for mobile food vending operators in public places within the Queanbeyan-Palerang local government area.

Attachments

Attachment 1 Mobile Food Vending Policy (*Under Separate Cover*)



9.6 Investing in Our Communities Program - Funding Opportunity (Ref: ; Author: Richards/Sibbick)

File Reference: 2326932

Recommendation

That Council:

- 1. Endorse the signed funding agreement from the Federal Government's Investing in Our Communities Program for the Bungendore Sports Hub Stage 2 Project for \$2 million.**
 - 2. Amend the 2023/24 to include \$1,000,000 grant funds for capital expenditure and project management for approved works.**
 - 3. Amend the 2024/25 to include \$1,000,000 grant funds for capital expenditure and project management for approved works.**
-

Summary

Queanbeyan-Palerang Regional Council was invited by the Department of Infrastructure, Transport, Regional Development, Communications, and the Arts (the Department) to submit a funding application under the Investing in Our Communities Fund. The funding is part of 2022 Federal election commitments towards the Bungendore Sports Hub.

The submission was returned to the Department in October 2023 and Council has now received formal confirmation that the funding of \$2 million has been approved and the Funding Agreement executed by the General Manager. The funding announcement was made by the Hon Kristy McBain MP on site at the Bungendore Sports Hub on 6 March 2024.

Background

Following the invitation to apply for funding, an application was submitted to the Department in October 2023 for \$2 million to complete the current stage of the Bungendore Sports Hub (BSH). This scope of works will complete Stage 1 and will enable the local sporting community to take ownership and establish their home base at the Sports Hub. A major part of the funding will include the construction of the netball facilities and amenities, that will make better use of the new netball courts.

Report

The Investing in Our Communities Program (liOC) delivers on the Government's 2022 election commitment to provide important community and social infrastructure projects. It is a one-off, closed, non-competitive grant, with the BSH project identified to receive \$2 million in funding, subject to meeting the programs selection criteria.

The liOC program will be run over five financial years, from 2022-23 to 2026-27 and has been designed to enhance community infrastructure; encourage community cohesion; and have a positive impact on economic activity. The provision of this funding is dependent on the preparation and execution of a Funding Agreement, signed by both Council and the Australian Government which has been executed.

The detailed scope of works for the \$2 million expenditure is detailed in the attached funding agreement and includes:

- Construction of netball facilities
- Upgrades to playing fields

9.6 Investing in Our Communities Program - Funding Opportunity (Ref: ; Author: Richards/Sibbick) (Continued)

- Upgrades to the Pavillion buildings
- Upgrades to carpark and access to playing fields
- Preparation of Men's Shed site

Finalising stage 1 of the BSH project will see more local children and adults participating in local sports and provide a suitable facility to host regional carnivals for a variety of sports.

Risk/Policy/Legislation Considerations

The relevant policies for this funding and the project include:

- QPRC Sustainable Procurement and Contracts Policy
- NSW Government Procurement Policy Framework
- Local Government Act 1993

Financial, Budget and Resource Implications

The approved funding will support construction activities as identified in the grant application and includes contingencies of \$200K. Project management will be funded from general revenue.

Income	\$	\$
Grant	2,000,000	
Total Income		2,000,000
Expenditure	\$	\$
Contractors and supply	1,720,000	
Contingency	200,000	
Project management (internal in kind)	80,000	
Total Expenditure		2,000,000

Links to QPRC/Regional Strategic Plans

The project is consistent with the Bungendore Structure Plan 2018-2048 and its identified need for Council to provide adequate services for a population projected to grow significantly over the next 30 years. The plan recognises that there are currently insufficient sporting facilities in Bungendore and that the lack of facilities is limiting recreational opportunities for residents.

The project also aligns well with the QPRC Community Strategic Plan: Towards 2042 and with Council's strategic objectives. The project aligns with 1. Community 'A safe, harmonious, happy, and healthy community leading fulfilled lives, and Strategic Objective 1.3 'Our public and community places are inviting, accessible, encourage participation and are well-maintained.

Conclusion

This funding will ensure the completion of works required to provide the local community with a fit for purpose multi sports facility. The General Manager has executed the Funding Agreement, in accordance with Council's delegated authority.

Attachments

Attachment 1 Funding Agreement - Letter of Offer (*Under Separate Cover*)



9.7 Jerrabomberra Pump Track (Author: Richards/Sibbick)

File Reference: 2271502 and 2271918

Recommendation

That Council:

- 1. Review two short listed sites for the Jerrabomberra Pump Track being David Madew Oval and Stockyard Reserve in terms of suitability for location and design.**
 - 2. Consult with current user groups and stakeholders related to the sites.**
 - 3. Provide a further report to Council on the site and design of the track with a preferred site to proceed to final design preparation.**
-

Summary

At the 24 January 2024 meeting, Council resolved (**Resolution 005/24**) to:

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.

This report is result of further community consultation on all possible locations to site the pump track within Jerrabomberra.

Background

The originally proposed site for the pump track at Jerrabomberra Creek Park on Waterfall Drive sparked considerable community comment. As a result, Council resolved to review the site for the track providing an opportunity for the Jerrabomberra community to suggest potential alternative sites.

Community workshops were held on February 14, 15 and 17 with a total of 69 people participating. Following the workshops, a digital survey and a mapping tool were opened on Your Voice. Online engagement included 445 visiting the page, 212 people downloading the document. The mapping tool had 105 visitors with 39 contributors who 'dropped pins' in their preferred locations. The survey had 144 visitors with 38 people completing the survey. Two additional responses were received by email (both are attached).

Report

Both the workshops and the online survey asked participants to provide what they considered to be essential and desirable criteria for the pump track. Predictably there were several conflicting views on this matter.

In addition to essential criteria for the community, Council also identified essential criteria that the site be Council owned land with no impact on inground infrastructure and/or significant trees/ environmental reserves.

A full report on the community engagement and online consultation is attached.

9.7 Jerrabomberra Pump Track (Author: Richards/Sibbick) (Continued)

Suggested locations

Over the period of consultation 14 potential sites were suggestions. These were:

- Dixon Playground
- The Block
- David Madew Oval
- Coral Drive
- Acacia Playground
- Stockyard Reserve
- Allan McGrath Oval – East
- Allan McGrath Oval – North
- Allan McGrath Oval – West
- Jerrabomberra Creek Park – North
- Jerrabomberra Creek Park – South
- Halloran Oval
- Jerrabomberra Park
- North-East of Jerrabomberra Creek Bridge on Environa Drive

Possible locations

Council's essential criteria rules out 'The Block' (space at end of Coachwood Avenue) and northeast of Jerrabomberra Creek Bridge on Environa Drive as these are not owned by Council. Whilst it could be possible to negotiate and acquire land that is not currently Council owned, this would be likely to extend the project beyond the allowed grant time frame and budget.

Council's essential criteria that underground infrastructure (water, sewer, stormwater) and significant trees or environmental reserves will not be impacted rules out Dixon Playground/Esmond Avenue and Coral Drive (near Tennis and Basketball courts), Acacia Drive Playground, Allan McGrath Reserve – North, and Halloran Drive Oval.

The contractor has now suggested that Allan McGrath oval will not be suitable since there is insufficient space to support a cricket pitch/ground and a pump track with safety for users. Similarly, whilst the Jerrabomberra Creek Park options have not been ruled out on Council criteria, both fail to meet too many essential criteria, including the top two.

The two remaining sites are David Madew Oval and Jerrabomberra Park/Stockyard Reserve.

If David Madew Oval is chosen as the site, consultation will be required with sporting clubs, particularly the Monaro Panthers and Jerrabomberra Touch. During the soccer season, David Madew Oval is used four nights a week and on Saturdays. The pump track could be seen as complementary for siblings of participants in soccer, however parking is already limited at these times. David Madew Oval was assessed with a caveat for the top-ranked criteria of being as far from residents as possible, because there are residents nearby, however there are smaller numbers of residents than the other locations.

If Jerrabomberra Park/Stockyard Reserve is chosen as the site, consideration should be given to the availability of parking which is limited at the nearby shops and community centre, the site's proximity to the busy Bicentennial Drive as well as the availability of toilets. There is also stormwater infrastructure that will influence the design.

9.7 Jerrabomberra Pump Track (Author: Richards/Sibbick) (Continued)

Risk/Policy/Legislation Considerations

Although pump tracks similar to the one proposed for Jerrabomberra require minimal maintenance, a range of QPRC policies are relevant to the construction and care of this asset.

- Asset Management Strategy
- Parks and Recreation Asset Management Plan
- Community Satisfaction and Wellbeing Survey
- Community Engagement and Participation Plan
- Asset Capitalisation Policy
- Asset Management Policy
- Environmental Controls on Construction Sites Policy
- Playground Management Policy
- Signs by Remote Supervision Policy
- Sustainable Procurement and Contracts Policy

Financial, Budget and Resource Implications

As previously reported, the project is grant funded from the Regional Youth Investment Program Round 1 with a budget of \$418,235. To meet funding requirements, the project completion timeframe is 31 December 2024.

The project budget includes the design and construction of a new pump track and installation of park / picnic furniture, such as seating, barbecue, water refill station and shade structure. The project will be managed by Urban Landscapes staff. The budget allocated for the pump track is \$300,000 with the balance of \$118,235 to be applied to furniture, landscaping and project contingencies.

Links to QPRC/Regional Strategic Plans





Relevant strategic plans include:

- Parks and Recreation Asset Management Plan
- Community Satisfaction and Wellbeing Survey
- Community Engagement and Participation Plan
- Disability Inclusion Action Plan
- Community Strategic Plan
- Operational Plan 2022-23

Conclusion

Extensive consultation has provided two potential sites for the Jerrabomberra Pump track. These sites will now be further evaluated for suitability and design. This process will include direct consultation with stakeholders including current users.

Attachments

- | | |
|--|--|
| Attachment 1 | Community Comments and Location Suggestions (<i>Under Separate Cover</i>) |
|  Attachment 2 | Jerrabomberra Pump Track Consultation Report (<i>Under Separate Cover</i>) |
|  Attachment 3 | Email - Pump Track Site Submission (<i>Under Separate Cover</i>) |
|  Attachment 4 | Email - Pump Track Survey Submission (<i>Under Separate Cover</i>) |
|  | |

9.8 Local Roads and Community Infrastructure Program Phase 4 (Ref: ; Author: Richards/Monaghan)

File Reference: 43.6.4-07

Recommendation

That Council allocate \$1,527,709 Local Roads and Community Infrastructure Phase 4 to the road stabilisation works in the 2023/24 Operational Budget.

Summary

Work has been completed on two projects that were to have been funded through the Local Roads and Community Infrastructure (LRCI) program. The Bungendore Sports Hub and Braidwood Pool project were to receive \$1,527,709 in total, however the projects are no longer eligible for funding, leaving the General Fund with the project cost.

Council has \$1,560,000 road stabilisation budget in the current financial year for work that has not commenced and that is currently funded by the General Fund. The road stabilisation works are eligible for LRCI program funding. Council is able to nominate the road stabilisation projects for the \$1,527,709 LRCI funding in order that all of these priority projects are fully budgeted and there is a nil impact on the General Fund budget.

Background

At the Council meeting on 13 July 2022, Council endorsed Local Roads and Community Infrastructure (LRCI) funding of \$1,100,000 to be allocated to works to be undertaken as part of the Bungendore Sports Hub project.

At the Council meeting on 22 March 2023, Council endorsed LRCI funding of \$427,709 to be allocated to works undertaken as part of the Braidwood Pool project.

Between the time of the initial Council resolutions and the completion of the projects, staff have discovered that through administrative error, the project nomination forms were not lodged with the funding body, and the projects are now not eligible for funding.

The process that led to the error has been investigated and gaps in the grant administration process have been reviewed and operational changes are being implemented to centralise the review and monitoring of all Council grants.

Risk/Policy/Legislation Considerations

Council receives \$98M in grants and contributions, annually. Gaps in Council's grant administration and governance processes will be reported to the Audit Risk and Improvement Committee to monitor improvements.

Financial, Budget and Resource Implications

There is no impact on Council's budget and all projects remain fully budgeted.

9.8 Local Roads and Community Infrastructure Program Phase 4 (Ref: ; Author: Richards/Monaghan) (Continued)

Links to QPRC/Regional Strategic Plans

Council has been working on various stages of the larger Bungendore Sports Hub over a number of years and has successfully sourced various grants to complete these stages of the project. This project is consistent with the Bungendore Structure Plan 2018-2048 and its identified need for Council to provide adequate services for a population projected to grow significantly over the next 30 years. Currently there are insufficient sporting facilities in Bungendore and the lack of facilities is limiting recreational opportunities for residents.

Similarly, Council has been undertaking upgrade works to the Braidwood Pool over a number of years and various funding sources have been used to complete these works. This project will allow increased patronage of the pool by providing solar heating, enhance inclusiveness by providing enclosed and accessible change rooms and modernise the facility with a fit for purpose kiosk.

Conclusion

The project nomination required to be lodged to secure the LRCI funding allocation against Council's nominated projects was missed in error. Council is able to nominate different projects in order that there is no budget impact, however changes are being put in place to correct Council's grant administration process.

Attachments

Nil

10.1 Questions with Notice - Foxlow Parklet Captains Flat (Ref: ; Author: Ryan/Flint)

File Reference: 13 March 2024 Reports

Recommendation

That the report be received for information.

Report

On 5 March 2024, Councillor Katrina Willis submitted a number of Questions with Notice and staff have provided the below responses:

- 1. According to the Captains Flat Lead Management Taskforce website, QPRC was to receive \$400,000 from Crown Lands to pay for the cost to remediate Foxlow Parklet in Captains Flat. Has Council received these funds? If not, when does it expect to receive these funds?**

The funds have been provided to Council and are currently held in our reserve. The work is pending the opening of a cell at the former Captains Flat mine, which may not open until 2025. The only alternate option to waiting is for Council to transport the 20 semi-trailer loads of contaminated soil to a facility in Queensland. Council Staff are exploring the option of stockpiling the contaminated material on the mine site prior to opening of the waste cell.

- 2. Given that no work has commenced on the site to remediate the land, has Council been able to negotiate an extension of the \$100,000 grant funding received to purchase and install playground equipment for Foxlow Park? If not, has Council been required to return the grants funds?**

Playground equipment which is currently being stored by the supplier. Whilst the supplier has been accommodating during the delay, it is anticipated there will be an increase in cost of installation. This has been relayed to the funding body.

- 3. Has Council received advice from the NSW Government about when the containment cell at the mine site will be ready to receive contaminated soil removed from public lands identified in various lead abatement plans for Captains Flat?**

No firm date has been given for the opening of the waste cell. While it was scheduled for March 2024, recent advice received indicates it may now be in early to mid-2025.

Attachments

Nil

10.2 Questions with Notice - Fencing around Bungendore Park and Common (Ref: ; Author: Ryan/Ormella)

File Reference: 13 March 2024 Council Reports

Recommendation

That the report be received for information.

Report

On 6 March 2024, Councillor Katrina Willis submitted the following Questions with Notice and staff provide the below responses:

1. **Noting that the prior development consent for Bungendore High School was overturned by the Land and Environment Court (*Save Bungendore Park Inc v Minister for Education and Early Learning* [2023] NSWLEC 140), and that a new development application is required, what is the legal basis relied upon by the NSW Department of Education for not seeking development consent to erect fencing, signage and demountable buildings on Bungendore Park and Bungendore Common? In particular:**
 - **If the Department is relying on a SEPP, which SEPP and which specific provisions apply?**
 - **Is Council satisfied that the Department is acting in accordance with the SEPP (if applicable) and all other planning laws? How has it reached that conclusion?**
 - **Noting that Bungendore Park and Turallo Creek Reserve (including the areas excised by the Department of Education) are zoned RE1 and the closed section of Majara Street is R2, is development for the purpose of education permitted on those sites, whether pursuant to a SEPP or otherwise?**

2. **If Council is not satisfied that the existing development undertaken by Department of Education does not require development consent, what action does Council propose to take in relation to that development?**

Schools Infrastructure NSW have informed Council and others, that the fencing and associated development is permissible under the State Environmental Planning Policy (Transport and Infrastructure) 2021. Council will not be taking any action in relation to this development at the proposed Bungendore Highschool site.

It is recommended that any person or organisation who believe otherwise, should refer this matter to the Minister Education and Early Learning.

Attachments

Nil

12.1 Notice of Motion - Captains Flat Heritage (Ref: ; Author: Willis/Willis)

File Reference: 13 March 2024 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Mayor Winchester write to the relevant NSW Government Minister/s requesting that, prior to the demolition of any heritage-listed item in Captains Flat, a Conservation Management Plan or similar document is developed for the Captains Flat mine site and associated railway infrastructure.

Comment from Cr Willis in support of this Notice of Motion

Councillors will be aware of the lead contamination issue in Captains Flat.

Recently, Transport for NSW announced their intention to demolish the former Stationmaster's Cottage. The cottage is heritage-listed in the QPRC Local Environmental Plan. The railway precinct, or "Captains Flat Railway Station Group", has previously been listed on a Section 170 Heritage Register (see Palerang Council Business Paper 1 July 2010). Its current s170 listing status is unknown.

There is concern in the community that each item will be considered individually, and that the cumulative effect of demolishing numerous items will not be assessed.

The railway precinct contains numerous items of individual and collective merit:

- Railway station
- Stationmaster's cottage
- Goods shed
- Railway platform
- Turntable
- Crane / gantry
- Ore loader and scales (ore loader illegally demolished in 2010 and partially rebuilt) as well as various items on the mine site itself.

Taking decisions about the future of each item individually, without reference to the other items and their collective heritage value, risks irreparable damage to Captains Flat's heritage. It is understood that two different NSW government departments may also be making decisions independently of each other, without cooperation and collaboration – Legacy Mines unit of the Department of Regional NSW, and Transport for NSW.

This Motion recommends that the lead agencies cooperate to develop a plan for the rail and mine heritage of Captains Flat, prior to taking any irreversible actions.

Staff Comment

A letter can be prepared with this representation.

Attachments

Nil

12.2 Notice of Motion - Funding for Heritage (Ref: ; Author: Willis/Willis)

File Reference: 13 March 2024 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That:

1. Council write to Heritage NSW and the NSW Minister for Environment and Heritage, the Hon Penny Sharpe MLC, requesting that the NSW Government allocate sufficient funding to restore the level of heritage advice previously available to Council prior to the 2019 funding cut.
 2. Council identify own-source Council funding to match any increase in NSW Government funding for heritage advice for inclusion in the 2024-25 Operational Plan.
 3. In the event that additional funds are made available during the 2024-2026 term of the next Heritage Adviser, allocate those funds to the provision of additional heritage services.
-

Comment from Cr Willis in support of this Notice of Motion

The list of local and / or state listed heritage items on the Queanbeyan-Palerang Comprehensive Local Environmental Plan 2022 runs to 35 pages. These items include: Aboriginal archaeological sites; historic cemeteries and war memorials; homesteads and barns; old mine sites, former mills and brickworks; railway stations, sheds and goods yards; bakeries, banks, post offices and hotels; churches and convents; parks and fountains, gardens and town Commons; horse water troughs, showgrounds, stables and racecourses; rock outcrops, museums, school houses and Schools of Art; modest cottages and stately homes.

In addition to the individually listed heritage items, there are numerous buildings in the Heritage Conservation Area of Queanbeyan, along with the entire town of Braidwood and its setting, listed for State significance as an intact example of a Georgian period town plan and its surrounding landscape.

Council's Community Strategic Plan recognises the value our community places on heritage and the importance of protecting and conserving heritage values, items and landscapes.

Up until the 2016 NSW government-initiated merger of Palerang and Queanbeyan councils, each council received a funding contribution from the NSW Government toward provision of professional heritage advice. Councils are required to match these funds.

These services support council to undertake its statutory functions including providing advice for owners of heritage-listed properties and properties in the Heritage Conservation Area.

In 2019, without explanation, the NSW Government reduced funding to QPRC for provision of these services.

Inadequate funding can lead to delays in timely provision of heritage advice. This can have an economic cost.

12.2 Notice of Motion - Funding for Heritage (Ref: ; Author: Willis/Willis) (Continued)

It is, therefore, critical that as a minimum, the NSW Government restores funding to reinstate the level of heritage advice previously available to QPRC.

Staff Comment

The Council's Local Strategic Planning Statement includes undertaking a formal Heritage Study for the LGA every 10 years. Officers are planning to include this strategic planning work in the service statement for 2024/25.

Council staff support the motion to seek additional support from the State Government for the strategic planning work as well as the operational heritage advice program.

Attachments

Nil

12.3 Notice of Motion - Annual Reporting of Community Greenhouse Gas Emissions (Ref: ; Author: Willis/Willis)

File Reference: 13 March 2024 motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council:

- 1. Publicly report greenhouse gas emissions data for the QPRC Community Action Plan as soon as practical after Local Government Area (LGA) emissions data becomes available on the Snapshotclimate website each year. The reporting is to include:
 - a. Emissions data for the preceding financial year.**
 - b. Historical LGA emissions data back to 2018-19, when Snapshotclimate LGA emissions data begins.**
 - c. Progress towards the 2030 emissions reduction target (adopted in 2021) using the council's 2018-19 target baseline.**
 - d. Breakdown of the major sectorial contributors to the LGA's emissions.****
 - 2. Allocate resources in the annual operational plan for this work which should be feasible to undertake in-house.**
-

Comment from Cr Willis in support of this Notice of Motion

Community greenhouse gas emissions account for the overwhelming majority of emissions in Queanbeyan-Palerang Local Government Area. Yet there has been no regular reporting of these emissions since Council adopted the community climate change action plan in 2019, noting the target was revised in 2021 following new NSW Government target updates.

Without regular reporting, it is difficult to track progress towards achieving the targets in the community climate action plan and to adjust policy and actions in response.

Council resolved in October 2023 (439/23) to report annually on its own greenhouse gas emissions.

This motion seeks to provide for the benefit of the public and council an annual report on community emissions, drawing on data that is readily available online at no cost to Council.

Staff Comment

Snapshot data provides emission at state and local government levels. This information can be incorporated into the annual report which also monitors the organisations performance.

Attachments

Nil

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 Tender Evaluation - Design of the Bungendore Pool

Item 16.1 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.