



Ordinary Meeting of Council

AGENDA

25 October 2023

Commencing at 5.30pm

**Council Chambers
253 Crawford St, Queanbeyan**

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

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

Statement of Ethical Obligations

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

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

On-site Inspections - Nil

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Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

- 16.1 Proposal to Install EV Charging Infrastructure in the Lowe Street Carpark
Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and 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 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra
Attachment 1 Proposed Plans (Under Separate Cover)
Attachment 2 Section 4.15 Assessment (Under Separate Cover)
Attachment 3 Recommended draft conditions of consent (Under Separate Cover)
- Item 9.2 Jerrabomberra Pump Track Project
Attachment 1 Jerrabomberra Pump Track Engagement Report (Under Separate Cover)
Attachment 2 Review of Environmental Factors from Jerrabomberra Creek Park (Under Separate Cover)
Attachment 3 Wombat Mapping RSC (Under Separate Cover)
- Item 9.3 QPRC Annual Community Donations for Rates, Fees and Annual Charges
Attachment 1 2023-24 Rates and Annual Charges Donation Requests (Under Separate Cover)
Attachment 2 QPRC Donations Policy (Under Separate Cover)

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- Item 9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope
Attachment 1 NBRS Concept Plan consistent with LPA (Under Separate Cover)
Attachment 2 NBRS Concept Plan consistent with WWPP amendment (Under Separate Cover)
- Item 9.5 Annual Review of Climate Change Action Plan, Baseline and Targets
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- Item 9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan
Attachment 1 Draft Contaminated Land Policy (Under Separate Cover)
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Attachment 3 Standard Remediation Action Plan- Captains Flat - Private Lands (Under Separate Cover)
- Item 9.7 Sister City and Friendship City Policy
Attachment 1 Draft Friendship and Sister City Policy 2023 (Under Separate Cover)
- Item 9.8 Pesticide Use in Public Places Policy
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- Item 9.9 Audit, Risk and Improvement Committee Charter
Attachment 1 Audit, Risk and Improvement Committee Charter (Under Separate Cover)
- Item 9.10 Draft Financial Statements 30 June 2023
Attachment 1 Approval of Extension Request for lodgement of Financial Statements (Under Separate Cover)
Attachment 2 Draft Financial Statements 2022-23 (Under Separate Cover)
Attachment 3 Assurance of the Preparation of the Financial Statements (Under Separate Cover)
Attachment 4 ARIC Consideration of RFS Assets Nov 2022 (Under Separate Cover)
Attachment 5 ARIC Consideration of RFS Assets June 2023 (Under Separate Cover)
- Item 9.11 Investment Report - September 2023
Attachment 1 Investment Report Pack - September 2023 (Under Separate Cover)
- Item 10.3 Update on Design Review Panel for Queanbeyan
Attachment 1 SEPP 65 Schedule 1 Design Quality Principles (Under Separate Cover)
- Item 10.6 WHS Quarterly Report
Attachment 1 StateCover General Manager's Report 2022-23 (Under Separate Cover)
Attachment 2 WHS Audit Report (Under Separate Cover)
- Item 10.7 Local Emergency Management Committee Heatwave Plans
Attachment 1 Consequence Management Guide Heat Wave (Under Separate Cover)

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- Item 10.8 Resolution Action Sheet
- Attachment 1 Resolution Action Sheet - Outstanding Actions (Under Separate Cover)*
- Attachment 2 Resolution Action Sheet - Completed Actions (Under Separate Cover)*
- Item 11.1 Audit, Risk and Improvement Committee Minutes and Annual Report
- Attachment 1 ARIC Minutes 18 September 2023 (Under Separate Cover)*
- Attachment 2 ARIC Chair Annual Report 2023 (Under Separate Cover)*
- Item 11.2 Local Traffic Committee Meeting - 3 October 2023
- Attachment 1 Local Traffic Committee Meeting Minutes - 3 October 2023 (Under Separate Cover)*
- Attachment 2 LTC 37/2023 - Amended Traffic Control Devices Plan (Under Separate Cover)*

Closed Attachments

- Item 16.1 Proposal to Install EV Charging Infrastructure in the Lowe Street Carpark
- Attachment 1 NRMA Electric Highways Pty Ltd - Electric Vehicle Charging Infrastructure Scheme – Letter of Intent (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 253 Crawford St, Queanbeyan on Wednesday, 11 October 2023 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Biscotti
Cr Burton
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
G Cunningham, A/Director Infrastructure Services

Also Present: W Blakey (Clerk of the Meeting)
C Flint (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

412/23

RESOLVED (Winchester/Macdonald)

It was noted that Cr Grundy requested a leave of absence for this meeting which was approved at the 13 September 2023 Ordinary meeting.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES**4.1 Minutes of the Ordinary Meeting of Council held on 27 September 2023**

413/23

RESOLVED (Winchester/Taskovski)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 27 September 2023 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

414/23

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 Willis declared a less than significant non-pecuniary interest in Item 16.1: Compulsory Acquisition of 16m² of 29 Ellendon Street Bungendore, stating the owner of the property is known to her as a former work colleague. Cr Willis proposed to leave the Chambers when the matter is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

At this stage of the proceedings, the time being 5.34pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

415/23

RESOLVED (Winchester/Taskovski)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

ADJOURNMENT:

The meeting adjourned for the Public Forum at 5.35pm, as there were no speakers, Council returned to open session.

SUPPLEMENTARY REPORT**7. MAYORAL MINUTE****7.1 Councillor Resignation**

416/23

RESOLVED (From the Chair)

That Council:

1. Acknowledge and accept the resignation of Cr Webster as a Councillor of Queanbeyan-Palerang Regional Council.
2. Make application to the Minister for Local Government that the Councillor vacancy is not filled, as is within 18 months before the next ordinary election.

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**9.1 Development Application - DA.2021.1610 - 43A Henderson Road Queanbeyan - Construction of Shed for Community Purposes****MOVED (Wilson/Taskovski)**

That:

1. Council grant conditional consent for the construction of a shed for community purposes on Part Lot 2 DP 1002170, Lot 79 Sec B DP 910710, No 43A Henderson Road Queanbeyan.
2. The request to waive contributions levied under Section 64 of Local Government Act 1993 for DA.2021.1610 for the construction of a shed for community purposes be approved for the following reasons:
 - a. Canberra Monaro N Scale Group Inc is a not-for profit organisation which provides valuable social activities for its direct and indirect members,
 - b. The development is likely to contribute positively to the local community by way of providing a valuable community space within a predominantly residential area,
 - c. The development is likely to generate a valuable amount of social activity and will indirectly benefit the heritage values of the site and the nearby sheds.

Cr Willis forshadowed a CONTRARY motion:

That:

1. Council grant conditional consent for the construction of a shed for community purposes on Part Lot 2 DP 1002170, Lot 79 Sec B DP 910710, No 43A Henderson Road Queanbeyan.
2. The request to waive contributions levied under Section 64 of the Local Government Act 1993 for DA.2021.1610 for the construction of a shed for community purposes be declined.

The motion (of Crs Wilson and Taskovski) was PUT.

417/23

RESOLVED (Wilson/Taskovski)

That:

1. Council grant conditional consent for the construction of a shed for community purposes on Part Lot 2 DP 1002170, Lot 79 Sec B DP 910710, No 43A Henderson Road Queanbeyan.
2. The request to waive contributions levied under Section 64 of Local Government Act 1993 for DA.2021.1610 for the construction of a shed for community purposes be approved for the following reasons:
 - a. Canberra Monaro N Scale Group Inc is a not-for profit organisation which provides valuable social activities for its direct and indirect members,
 - b. The development is likely to contribute positively to the local community by way of providing a valuable community space within a predominantly residential area,
 - c. The development is likely to generate a valuable amount of social activity and will indirectly benefit the heritage values of the site and the nearby sheds.

The motion was carried.

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

Against: Crs Biscotti, Burton, Macdonald and Willis

9.2 2022-23 4th Quarter Budget Review and Budget Revotes

418/23

RESOLVED (Willis/Wilson)

That Council:

1. Receive and note the June 2023 Quarterly Budget Review Statement.
2. Carry forward the 2022-23 unspent budgets for capital works detailed in the June Quarterly Budget Review Statement into the 2023-24 Budget.
3. Note the Cash and Investments position and confirm the June 2023 Internal Reserves balances.

The resolution was carried unanimously.

9.3 Councillor Representatives on Australia Day Committees

419/23

RESOLVED (Winchester/Preston)

That Council appoint two Councillor representatives to the Australia Day Organising Committee and one Councillor representative to the Australia Day Awards Committee.

The resolution was carried unanimously.

Crs Grundy and Macdonald were appointed to the Australia Day Organising Committee.

Cr Macdonald was appointed to the Australia Day Awards Committee.

9.4 Register of Declarations of Pecuniary Interests and Other Matters - Councillors and Designated Persons

420/23

RESOLVED (Biscotti/Taskovski)

That in accordance with s440AAB of the Local Government Act 1993, the register of annual returns of disclosures of pecuniary interest and other matters by councillors and designated staff for the period ending 30 June 2023, be tabled.

The resolution was carried unanimously.

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION**10.1 Land-Use Planning Projects / Activities - Status Report**

421/23

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.2 Draft Braidwood Community Plan

422/23

RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

10.3 Bungendore High School Update

423/23

RESOLVED (Macdonald/Winchester)

That the report be received for information.

The resolution was carried unanimously.

10.4 Councillor Workshops

424/23

RESOLVED (Preston/Burton)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES**11.1 Bungendore Town Centre and Environs
Advisory Committee Meeting Minutes - 17 July 2023**

425/23

RESOLVED (Willis/Livermore)

That Council note the minutes of Bungendore Town Centre and Environs Committee meeting held on 17 July 2023.

The resolution was carried unanimously.

12. NOTICES OF MOTIONS

There were no Notices of Motions.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE

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

426/23

RESOLVED (Winchester/Macdonald)

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 Compulsory Acquisition of 16m² of 29 Ellendon Street Bungendore

Item 16.1 is confidential in accordance with s10(A) (e) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.2 Braidwood Heritage Centre - Tender Award

Item 16.2 is confidential in accordance with s10(A) (c) (di) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 16.3 QCCP Lease Agreements

Item 16.3 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.

Item 16.4 Tender Number 2021-22: Queanbeyan Pool - Upgrade to Change Rooms

Item 16.4 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and 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 6.02pm to discuss the matters listed above.

Having declared an interest in the following item, Cr Willis left the Chambers at 6.03pm.

16.1 Compulsory Acquisition of 16m² of 29 Ellendon Street Bungendore

427/23

RESOLVED (Preston/Wilson)

That Council authorise:

1. The acquisition of the land as outlined in the report for the purpose of providing pedestrian access to the soon to be built Council building in Bungendore.
2. The making of an application to the Minister for Local Government and the making an application to the Governor for the compulsory acquisition of part Lot 2 DP 1286006 Bungendore, Parish of Wamboin, County of Murray.

The resolution was carried unanimously.

Cr Willis returned the Chambers at 6.04pm.

16.2 Braidwood Heritage Centre - Tender Award

428/23

RESOLVED (Willis/Biscotti)

That Contingent on the modified scope being accepted by the grant funding body that Council:

1. Accept the negotiated price from Greenwich Built Pty Ltd ABN 94621 674 815 of \$2,360,037 (ex GST) following Direct Negotiation for works with the available budget.
2. Commence a staged construction certificate to allow construction to commence.

The resolution was carried unanimously.

16.3 QCCP Lease Agreements

429/23

RESOLVED (Biscotti/Wilson)

That Council authorise the General Manager to execute the Agreement for Lease with Property NSW for Levels 4 and 5 including Annexure A.

The resolution was carried unanimously.

16.4 Tender Number 2021-22: Queanbeyan Pool - Upgrade to Change Rooms

430/23

RESOLVED (Wilson/Biscotti)

That Council award RFT 2021-22: Queanbeyan Pool – Upgrade to Change Rooms to Rice Constructions Group Pty Ltd for \$424,545.45.

The resolution was carried unanimously.

431/23

RESOLVED (Winchester/Macdonald)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 6.28pm.

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 6.30pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra (Ref: ; Author: Ryan/Ormella)

File Reference: DA.2023.0326

Recommendation

That development application DA.2023.0326 for construction of light industrial and commercial building, parking for 44 cars, solar infrastructure, and associated works on Lot 7 DP 1288362, No.19 Wolseley Place Jerrabomberra be granted conditional consent.

Summary***Reason for Referral to Council***

This application has been referred to Council because it exceeds \$5 million in value.

Proposal:	Construction of light industrial and commercial building, parking for 44 cars, solar infrastructure, and associated works.
Applicant/Owner:	Chris Daly / Poplars Developments Pty Limited
Subject Property:	Lot 7 DP 1288362, 19 Wolseley Place Jerrabomberra NSW 2619
Zoning and Permissibility:	B7 - Business Park under Queanbeyan Local Environmental Plan 2012
Public Submissions:	Nil
Issues Discussed:	Planning Requirements Permissibility South Jerrabomberra DCP Provisions
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made

Background***Proposed Development***

The development application is for the construction of light industrial and commercial building, parking for 44 cars, solar infrastructure, and associated works. at 19 Wolseley Place Jerrabomberra (the Poplars Innovation Business Park). The subject development is the proposed research and development facility for Samsara which is expanding the science and technology research associated with plastics. Refer to attachment 1, which identifies the areas which were amended in the life of the application.

The specific proposed development includes:

- Warehouse / Workshop 1,747m²
- Office 940m²
- Car parking for 44 cars including two (2) parking bays for disabled persons
- Roof top solar array
- Perimeter landscaping

9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra (Ref: ; Author: Ryan/Ormella) (Continued)

Subject Property

The site consists of Lot 7 with an area of 13,373m², or approximately 1.3 hectares (proposal located within newly approved Lot 9 (DA.2023.0168) which is yet to be registered, being 7,282sqm in area) and is zoned B7 Business Park under the provisions of the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QRLEP 2022) forming part of the approved Poplars Stage 1 Innovation Business Park.



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 full assessment of this development proposal covering all matters under section 4.15 are in the attached assessment report.

9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra (Ref: ; Author: Ryan/Ormella) (Continued)

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

1. State Environmental Planning Policy (Biodiversity & Conservation) 2021
2. State Environmental Planning Policy (Resilience and Hazards) 2021
3. State Environmental Planning Policy (Transport and Infrastructure) 2021
4. Queanbeyan Palerang Local Environmental Plan 2022 (QPLEP).
5. South Jerrabomberra Development Control Plan Part 11 Business Park and Employment Land Controls (DCP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments. Attached to this report is a full assessment of the development application addressing all material planning considerations for the Council's consideration.

(a) Compliance with LEP

The subject site is Zoned B7 - Business Park (Deferred - land use table QPRLEP 2022 December 1, 2022, applies), CA - Complex Area zone under Queanbeyan-Palerang Regional Local Environmental Plan 2022.

Development for the purposes of the construction of light industrial and commercial building such as is proposed is permissible within the B7 - Business Park.

The following definitions are relevant for the proposal.

commercial premises means any of the following:

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

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

Having regard for the objectives of the subject zone, it is considered that the proposed development generally complies with the provisions of the QPLEP.

(b) Other Matters

South Jerrabomberra Development Control Plan

This plan provides for the orderly and sequential development of South Jerrabomberra by establishing a Staging Plan and the broad structure of each area of land within the context of the Master Plan. Development is to be generally in accordance with the Master Plan, Staging Plan, and relevant Neighbourhood Structure Plan.

9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra (Ref: ; Author: Ryan/Ormella) (Continued)

Master Plan

The Master Plan identifies five key development areas of South Jerrabomberra, which include: Poplars, Environa, North Tralee, South Tralee, and the area of land further south of South Tralee. The subject site to which this development relates is Poplars.

Desired Future Character - Poplars

- The desired future character of the Poplars will be a mix of office, light industrial, small scale retail, business and community uses that serve the needs of the people who live or work in the locality in a high quality urban designed setting.
- The Poplars Neighbourhood Centre precinct is an area of approximately 7 ha located north of Tomsitt Drive. It generally supports business, office and retail premises but does not include uses like bulky goods. This precinct has a high-quality urban design that is vibrant and attractive.
- The Business Park precinct is an area of approximately 30ha located south of Tomsitt Drive primarily used to accommodate a business park, environmental conservation, and private recreation. It will support a diverse range of business, office and light industrial uses in a high-quality built form and landscaped setting showcased through best practice site planning and urban design provisions with staff and customers in mind. Development should limit any impacts on surrounding neighbourhoods. Buildings are to be designed to respect the topography and landscape features.

The proposal comprises a light industrial and high technology use. The building, at its zenith is 9.8m in height, well below the maximum allowable height of 12m. The graduated design has considered the topography and landscape features of the site and will blend into the landscape and not be visually dominant in the landscape. To this end the building is being set into the hillside behind the site due to the >4m cutting of the site to the rear. This will greatly reduce the visual dominance of the building. The design includes slopes and architectural treatments such as metal shingles that will break up the massing and bring a visual striking design to the park.

Neighbourhood Structure Plan

The proposal does not create any inconsistency with the Neighbourhood Structure Plan contained within Appendix 3 of the South Jerrabomberra Development Control Plan. The proposal is light industrial and not residential. The proposal will bring employment into the area and is consistent with the planned and envisaged uses throughout this innovation park.

All other technical matters have been assessed and can be considered by way of the attached assessment report. Areas of assessment include:

- Soils and Salinity;
- Cut and Fill;
- Bushfire Management;
- Aboriginal Heritage;
- European Archaeological Heritage;
- Development in Areas Subject to Aircraft Noise;

9.1 DA.2023.0326 - Construction of Light Industrial and Commercial Building, 19 Wolseley Place Jerrabomberra (Ref: ; Author: Ryan/Ormella) (Continued)

- Airspace Operations;
- Land Contamination Management;
- Construction Waste;
- Landfill / Earthworks; and
- Additional Controls for Subdivision in a Buffer Area.

The land the subject of the development application benefits from all services required, technical assessments have been submitted and assessed and where appropriate conditions of consent are proposed.

Other Comments

The comments and assessments are contained in the attached assessment report. In summary, the proposal is able to be conditioned to address the requirements of these technical assessments. Refer to Attachment 3 for recommended conditions of consent.

There are no public submissions on this development application.

Financial Implications

There are no financial implications for the development. There are no contributions payable.

Engagement

The proposal required notification under Council's Community Engagement and Participation Plan. No submissions were received.




Conclusion

The submitted proposal for a construction of light industrial and commercial building with 44 car parking spaces, solar infrastructure, and associated works and landscaping on Lot 7 DP 1288362, 19 Wolseley Place Jerrabomberra NSW 2619, is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and no submissions were received.

The proposal has been assessed under Section 4.15 of Environmental Planning & Assessment Act 1979 including the relevant provisions of Queanbeyan Development Control Plan 2012 and the South Jerrabomberra Development Control Plan Part 11.

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

Attachments

- | | |
|--|---|
| Attachment 1 | Proposed Plans (<i>Under Separate Cover</i>) |
|  Attachment 2 | Section 4.15 Assessment (<i>Under Separate Cover</i>) |
|  Attachment 3 | Recommended draft conditions of consent (<i>Under Separate Cover</i>) |
|  | |

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick)

File Reference: 2271502 and 2271918

Recommendation

That Council adopt Jerrabomberra Creek Park, on Waterfall Drive, as the location for the construction of the pump track, ensuring the protection of wombat habitat and native vegetation are factored into the design.

Summary

Council has been successful in securing grant funding to construct a pump track for Jerrabomberra.

Community engagement to finalise a preferred location for the new pump track has been undertaken with the Jerrabomberra and wider community. The consultation period has now closed, with the findings detailed in this report. Further engagement with local youth on the final pump track design will begin once the location has been determined by Council.

Background

Council was awarded a grant from the NSW Government under the Regional Youth Investment Program, to construct a pump track at Jerrabomberra Creek Park on Waterfall Drive. At the meeting of 9 August, Council awarded the contract for design, consultation, and construction to the preferred tenderer, Common Ground. Council further endorsed additional community engagement to finalise a preferred location and design (**Resolution 014/23**).

This report details the outcome of that community engagement. Further consultation to determine a preferred design will occur once a site has been determined.

Four sites were discussed during the consultation - Jerrabomberra Creek Park on Waterfall Drive, Esmond Ave Park/Dixon Playground on Esmond Avenue, Jerrabomberra at Elm Way, and the Regional Sports Centre on Environa Drive (Figures 1-4 below).



Figure 1: Jerrabomberra Creek Park, Waterfall Drive



Figure 2: Esmond Ave Park/Dixon Playground on Esmond Avenue



Figure 3: Jerrabomberra Park on Elm Way



Figure 4: Regional Sports Complex on Environa Drive

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick) (Continued)

The consultation included an information session with the Jerrabomberra Residents Association on 22 August 2023; a workshop with the Jerrabomberra community on 30 August 2023, and an online survey at Council's *Your Voice* which closed on 18 September 2023.

Report

Council received a total of 94 completed surveys, either through *Your Voice* or paper surveys received separately. To avoid duplication, respondents were asked at the workshop whether they had completed, or intended to complete, the online survey.

The survey asked respondents to:

1. rank location preference;
2. indicate potential alternate locations;
3. provide feedback on the target age group; and
4. indicate whether a "learn to ride" track should be included in the project.

The full community survey report is attached, and a summary of the community submissions is provided below.

- Location ranking

The following table shows preference ranking from the *Your Voice* survey. The two most preferred locations, respectively, the Regional Sports Complex and Jerrabomberra Creek Park on Waterfall Drive, also received the highest ranking as the least preferred location.

It should be noted that not all respondents submitted a ranking for every location, thus skewing the results for the 2nd to 4th place preferences.

Proposed location	Ranking			
	1st	2nd	3rd	4 th
Regional Sports Complex on Environa Drive	38	8	11	31
Jerrabomberra Park on Elm Way/Acacia Drive	14	43	20	2
Jerrabomberra Creek Park on Waterfall Drive	32	7	11	31
Esmond Avenue Park /Dixon Playground on Esmond Avenue	8	21	36	12

Table 1: Proposed locations Your Voice only

Approximately 60 people attended the drop-in session providing feedback verbally and by placing votes on the boards at the workshop. These votes are shown in the first column of Table 2 below. The second column shows the combined 1st choice votes from all respondents. The preferred site indicated by numbers is the Regional Sports Complex with 59 votes, closely followed by Jerrabomberra Creek Park on Waterfall Drive with 54 votes.

Proposed location	Votes	Combined votes
Regional Sports Complex on Environa Drive	21	59
Jerrabomberra Park on Elm Way/Acacia Drive	11	25
Jerrabomberra Creek Park on Waterfall Drive	22	54
Esmond Avenue Park /Dixon Playground on Esmond Avenue	1	9

Table 2: Drop-in session votes plus Your Voice votes

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick) (Continued)Reasons for preferred locations

Respondents cited several reasons for their preferred location including parking arrangements, ecological issues, and proximity to homes, schools and services. Interestingly the comments received in support of a particular location, were received against the same location by other respondents. This dichotomy provides no clear direction for considering one site over another.

A summary of views on each location is provided below.

Regional Sports Complex, Environa Drive

- No impact on residential homes (11)
- Sufficient parking (11) and close to toilets
- Central to all of Jerrabomberra
- Perception of no impact on ecology (note that this site is also wombat habitat)
- Away from Wombats (9)
- Too far away

Jerrabomberra Creek Park, Waterfall Drive

- Lack of parking (11) and toilets
- Wombats (7)
- Too close to residential homes (11)
- Good central location, safety. (21)
- Perceived reduction in house values
- Large enough to accommodate recreational infrastructure
- Potential for a linked pathway to the lake
- Close to schools and easy riding access for kids
- Including a junior learn to ride track would complement existing site facilities.
- Additional recreational infrastructure required at this site.

Emailed submissions were received from residents who are not in support of this location, mostly citing ecological constraints. Note that an REF has been prepared for this site that is discussed in this report. Emailed submissions in support of this location were received from Jerrabomberra Rotary Club, the Principal of Jerrabomberra Public School, the Jerrabomberra Public School P&C Association, and Jerrabomberra Residents Association (JRA). The JRA suggest moving the pump track site further along the creek as indicated at Figure 5 below.



Figure 5: Proposal by the JRA to move the location further along the creek.

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick) (Continued)Jerrabomberra Park, Elm Way

- Central to services and the primary school
- Connections to the existing mountain bike train at Brudenell Pond
- Close to a playground
- Close to café

Esmond Ave Park/ Dixon Playground on Esmond Avenue

- Existing unruly behaviour
- Close to existing residential homes
- Existing and ongoing vandalism
- Traffic
- Close to the original “bush” built bike jumps.

Alternate locations

Staff have considered all open space community lands in Jerrabomberra and considered the four options proposed as the only suitable locations. However, the survey asked respondents to suggest alternate locations. Suggestions were:

Suggested Location	Reasons for elimination
The Scar at Karabar	Too far away for Jerrabomberra children
Land near McDonalds and Aldi or next to the high school.	This land is not owned by Council
Halloran Drive / Numeralla Drive or David Madew Oval	Much of this land is stormwater drainage.

Table 3: Alternate locations

Other Feedback

- a more senior track should be considered
- support the project being a beginner to intermediate track
- concern about the cost of construction and how these funds could be better spent
- insufficient consultation with the community prior to submitting the (successful) grant application.

Review of Environmental FactorsRegional Sports Complex Environa Drive

A Review of Environmental Factors has been undertaken for the Regional Sports Complex (RSC) site, prior to the current construction project. The REF undertaken by Cardno in 2021 found the site to be highly disturbed due to its prior use, and native vegetation and flora and fauna habitat to be mostly absent due to historical clearing. Grass Roots Environmental was also engaged, 2020, to map all wombat burrows onsite and develop strategies to manage wombat safety during the construction phase. The recommendations were adopted into the Tender specifications and the wombat population at RSC is very active after construction.

Jerrabomberra Creek Park, Waterfall Drive

As part of the project planning to construct the pump track at Jerrabomberra Creek Park on Waterfall Drive, (and prior to the community consultation) a Review of Environmental Factors (REF) was undertaken by Macrozamia Environmental Consulting, under Part 5 of the Environmental Planning and Assessment Act 1979 (attached). The study area at this park is identified at Figure 6.

The purpose of the REF was to assess and quantify environmental considerations on the proposed site and to detail ameliorative measures to be implemented at the time of works, and to be maintained after works have been completed, to ensure minimal and acceptable environmental impact. If a proposal is deemed likely to have a significant impact on the environment, an environmental impact statement must be prepared and approval to be sought from the Minister for Planning under Part 5 of the EP&A Act.

Activities involved in the construction of the pump track include:

- Site preparation, including construction of temporary erosion and sediment controls and safety barriers/ signage
- Removal of grasses and upper topsoil
- Shaping track alignment according to design criteria
- Placement of base material
- Construction of asphalt track
- Post construction works including clean-up and rehabilitation, commissioning.

Stockpile and work compound sites will also be required, with controls required to meet EPA requirements.



Figure 6: Environmental Study Area – Jerrabomberra Creek Park.

The REF notes that the land is zoned RE1 Public Recreation and there are no heritage items or conservation areas and no known “Aboriginal” sites in the vicinity of the works area. Should artefacts be discovered, all work would stop, and the Local Aboriginal Lands Council consulted.

The site is mapped as Biodiversity, with a comprehensive assessment report attached to the REF that identifies species, habitat requirements, their likelihood of occurring and their potential impact. The assessment indicates the likelihood of species being impacted during the proposed works is minimal, possibly nil.

The REF acknowledges that public consultation has highlighted wombat burrows and grazing lands. The REF addresses the welfare of wombats stating that any resident wombats in the area will vacate the site following consecutive days of noise and vibration and are unlikely to be harmed. Since there is a large area of adequate burrowing and grazing habitat available, any wombats displaced will readily make use of these alternative sites. Safeguards and mitigation measures are detailed in the REF at item 6.2.3.

The REF states that since the site has been used for sport and recreation for many years, the areas considered support very little native vegetation or natural habitat and that although the works may disturb existing wombat burrows, it will remove an insignificant area of foraging habitat.

The REF notes that a Construction Environmental Management Plan (CEMP) including an Erosion and Sediment Control Plan (ESCP) will be prepared that specifies safeguards and mitigation measures provided by the REF. The REF concludes that there is likely to be no

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick) (Continued)

significant impact on the environment at the Jerrabomberra Creek Park site on Waterfall Drive, should the proposal to construct a pump track proceed.

Jerrabomberra Park & Esmond Ave/Dixon Playground

No formal environmental studies have been undertaken for the Jerrabomberra Park site or the Esmond Ave/Dixon Playground site. Should these sites be selected as the preferred site for the pump track, environment studies will then be carried out.

- Feedback from site visits

Council staff inspected four regional pump tracks at Goulburn, Kangaroo Valley, Berry, and Shoalhaven Heads. All were constructed to suit a wide range of ages. They were all in residential areas, but not too close to the back of houses. They were all landscaped to blend in with their surrounding environment. A representative from Goulburn Mulwaree Council in relation to their pump track noted very little vandalism or bad behaviour at the site.

- Discussion

If Jerrabomberra Creek Park at Waterfall Drive is selected as the preferred location, the design and layout will not impact wombat habitat or have any other ecological impacts. The REF has concluded that there is likely to be no significant impact on the environment should the proposal to construct a pump track proceed at this site, and that measures will be taken to address the welfare of wombats during works. The track will be placed away from residential back yard fences, using more of the open space north or south of the playground.

If the Regional Sports Complex is selected as the preferred location, it is proposed that the area for construction be reconsidered from the rear of the property to the front. This will reduce construction costs and better enable passive surveillance. It will also reduce impact on wombat habitat and to be closer to carparking and toilet facilities (see Figure 6 below). At present the area for the pump track has been identified between the major car park and a deep stormwater swale. A pedestrian crossing such as a bridge or a culvert would be required to access this parcel of land, thus placing additional costs on to the project. Work to manage the wombat habitat would also be required.

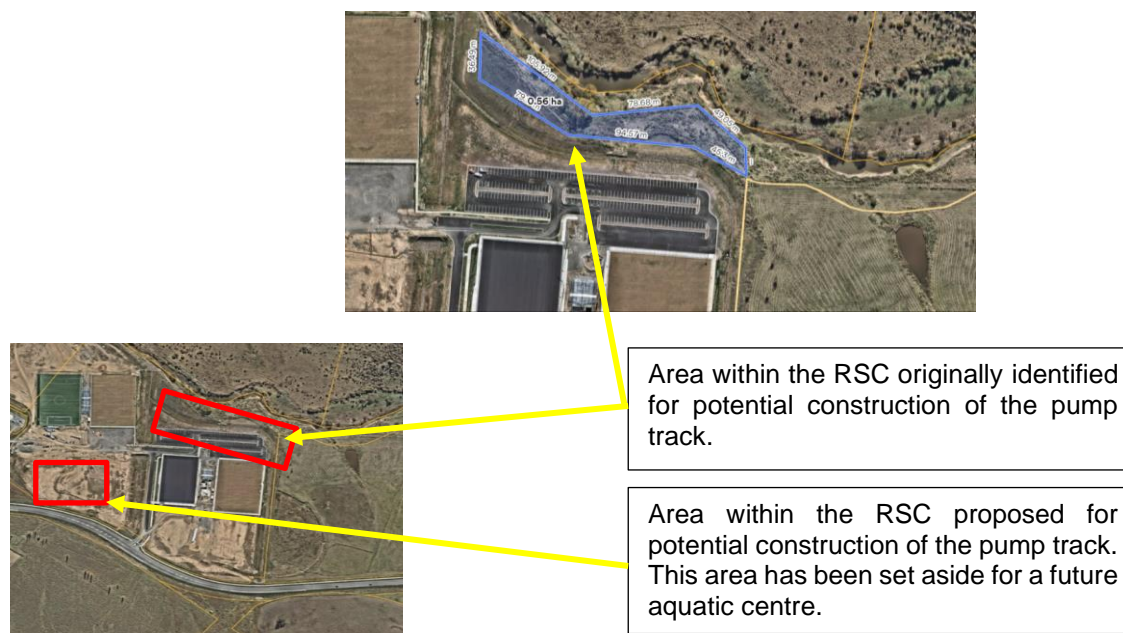


Figure 6: Relocate the proposed location from the rear to the front of the RSC.

The decision for the location of the pump track is complex. Whilst numerically the Regional Sports Hub is preferred, there is strong community support for the Jerrabomberra Creek Park site as shown by the detailed emails from Rotary, JRA, the Jerrabomberra Public School P&C and the Jerrabomberra Public School Principal. Council staff originally chose this site based on the reasons provided in these submissions and because there are rough tracks being built by children who live in the suburb. Wombat habitats exist in both locations and so care must be taken to protect these with either decision.

The residents in the area adjacent to the Jerrabomberra Creek Park have objected strongly to the location due to impact on their peaceful enjoyment of their homes. Staff believe that this has been addressed by moving the pump away from its original location with the park.

However, the absence of a public toilet in Jerrabomberra Creek Park may be an issue and there is no current budget to address this. The Sports Hub has public toilets on site.

Once Council has determined the final location, the detailed design of the pump track will be developed in consultation with the local youth and the contractor, Common Ground.

Risk/Policy/Legislation Considerations

- Stakeholder and Community Engagement Policy Framework
- Playground Management 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 \$418,235.20 has been. To meet funding requirements, the project completion timeframe is March 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 the

9.2 Jerrabomberra Pump Track Project (Ref: ; Author: Richards/Sibbick) (Continued)

pump track is \$300,000 with the balance of \$118,235.20 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




Both Jerrabomberra Creek Park at Waterfall Drive and the Regional Sports Centre have strong support and could be considered equally as the preferred site for the pump track. The key consideration dividing the community is between those who want the track to be close to the community and those who want the track away from houses.

Many respondents cited the wombat habitat at Jerrabomberra Creek Park on Waterfall Drive as the major reason for considering an alternate site, however the Regional Sports complex also has extensive wombat habitat to be managed.

If the Regional Sports Centre is selected as the preferred location, consideration should be given to place the track on the site dedicated for the future Aquatic Centre. The aquatics infrastructure is unfunded and may take as much as 20 years to come to fruition, by which time the track could be ready for renewal, or replacement.

On balance, and considering all of the issues raised, it is recommended the Jerrabomberra Creek Park at Waterfall Drive be selected as the preferred location for the pump track, given the combination of the drop-in session votes with the *Your Voice* results, with careful design around the wombat habitat and any other ecological values. While the RSC has strong support, being away from residents, Council needs to consider safe access for young users along with the genuine concerns of nearby residents.

Attachments

- | | |
|---|---|
| Attachment 1 | Jerrabomberra Pump Track Engagement Report (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | Review of Environmental Factors from Jerrabomberra Creek Park (<i>Under Separate Cover</i>) |
|  | |
| Attachment 3 | Wombat Mapping RSC (<i>Under Separate Cover</i>) |
|  | |

9.3 QPRC Annual Community Donations for Rates, Fees and Annual Charges
(Ref: ; Author: Monaghan/Robinson)

File Reference: 2.6.3

Recommendation

That Council approve Category C ‘Rates, Fees and Charges’ donations for 2023/24 totalling \$66,731 in accordance with the attached summary of applications.

Summary

Council has advertised and sought applications from community groups for the QPRC Annual Community Grants and Donations Category C ‘Rates, Fees and Charges’. Applications opened 16 August 2023 and closed 13 September 2023, however late applications were received up to 9 October 2023 to ensure that all previous recipients had an opportunity to apply and that these applications could be considered together.

Any additional, new applications for Category C ‘Rates, Fees and Charges’ taken throughout the financial year will be separately reported to Council.

Background

Council adopted its Donations Policy on 28 June 2023 (**Resolution 249/23**). Under the policy, Council may make donations to not-for-profit community organisations and section 355 committees for rates fees and annual charges.

This assistance provides the community with funding for activities and programs that align with Council’s strategic objectives.

The Category C Donations Program was advertised to the public through Council’s “Your Voice” on QPRC website and letters were sent to all previous applicants with a request to submit their application for a donation.

The process was different to previous years where applications had been included within the Donations Policy as Standing Donations, and applicants who had previously applied were not required to reapply each year.

In addition to the applications for donations, the following 4 general responses were received to the advertised Category C Donations program.

Given the 18% rate increase and reduction in essential services, please focus on essential services, not donations to organisations that also charge for services.
--

We support the assistance as outlined in “the Annual Donations 2023-24” advice.

I think this is very fair of the Council to be so considerate of these groups.
--

9.3 QPRC Annual Community Donations for Rates, Fees and Annual Charges (Ref: ; Author: Monaghan/Robinson) (Continued)

Report

Applications were received from 14 community organisations, 1 sporting group and 23 churches under the Category C Donations Program for rates and annual charges for waste, water and sewer services.

All of the organisations that have previously received donations under Category C have applied in 2023-24, however no new applications from other organisations were received. The full list is included as an attachment to this report.

Risk/Policy/Legislation Considerations

Council's donations are administered in compliance with the QPRC Donations Policy in accordance with section 356 of the Local Government Act 1993. This assistance provides the community with funding for activities which align with Council's strategic objectives.

Financial, Budget and Resource Implications

The QPRC Operational Plan 2023/24 includes a budget allocation of \$70,000 for Category C Donations for Rates, Fees and Annual Charges.

The total amount applied for is \$66,731. An additional \$3,469 was resolved as a Developer Contribution waiver at the 11 October Council meeting (**Resolution Number 417/23**), that would come from the same budget for Category C donations.

The total amount of proposed donations is \$70,200.

Links to QPRC/Regional Strategic Plans



Under the Donations Policy Council provides funding assistance to community groups whose activities align with the QPRC Community Strategic Plan. The donations policy and program were advertised for community comment for 30 days.

Conclusion

The applications for donations under Category C of the donations policy is marginally oversubscribed by \$200 and can be supported without a budget adjustment. All of the applicants have historically received equivalent donations under previous versions of the donations policy.

The new process requiring annual application is more transparent than it has been in previous years, however has not attracted any additional applications in the first year of operation.

Attachments

- | | |
|---|--|
| Attachment 1
 | 2023-24 Rates and Annual Charges Donation Requests (<i>Under Separate Cover</i>) |
| Attachment 2
 | QPRC Donations Policy (<i>Under Separate Cover</i>) |

9.4 **Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich)**

File Reference: ECM Subject 21.4.3-02

Recommendation

That Council:

- 1. Place the proposed amended scope of the Googong Indoor Sport and Aquatic Centre, including concept plans, on exhibition for public consultation for a period of 28 days and that the consultation be extended to schools and school groups.**
 - 2. Authorise the General Manager to review and endorse a draft deed of variation to the Googong Urban Development Voluntary Local Planning Agreement associated with the proposed change in scope to the Googong Indoor Sport and Aquatic Centre and then place on exhibition for public consultation for a period of 28 days.**
-

Summary

Googong Township Pty Ltd (GTPL) have proposed an amendment to the scope of the future Googong Indoor Sport and Aquatic Centre. The amendment is an offer to alter the inclusions of the facility that are stipulated by the Googong Urban Development Voluntary Local Planning Agreement (LPA) to improve its capacity to serve to the Googong Community.

Whilst staff strongly support the proposed amendment, it is recommended that Council commence public consultation of the proposal as it would alter facilities planned for the benefit of Googong residents and will also constitute needing a formal amendment to the LPA under which this facility is to be provided.

Background

The Googong Urban Development Voluntary Local Planning Agreement (LPA) is an agreement between Council and GTPL and is used in lieu of a Developer Contribution plan under Section 7.11 of the Environment Planning & Assessment Act 1979. The LPA assists both parties in the provision and administration of Developer Contributions resulting from GTPL's obligations incurred by Development Applications for residential subdivision at Googong.

Included in this LPA is the development and delivery of an Indoor Sport and Aquatic Centre for the Googong community. Upon completion of construction, this facility will be transferred to Council ownership for operation by Council staff.

GTPL have identified a potential expansion of the benefits this facility could have to the community and have made an offer to Council to amend the scope of the Indoor Sport and Aquatic Centre (ISAC). Acceptance of this offer would require an amendment to the LPA to reflect the scope change.

Report

In accordance with the Googong LPA, GTPL will be developing an Indoor Sport and Aquatic Centre adjacent to the netball courts on Heazlett Street in Googong. The location for this development is shown in red outline over the aerial imagery shown in Figure 1 below.

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

The timing provided for in the LPA requires this facility to be constructed and dedicated to Council by the time the Googong development reaches 11,779 equivalent persons (EPs) Currently, EPs are estimated to be approximately 9000. This timing requirement somewhat flexible as the LPA permits the holding of security bonds to the value of the contribution obligation until that obligation is fulfilled. However, GTPL have indicated that it is their preference that they lodge a Development Application with Council before the end of December 2023 to enable construction to be consistent with the timing requirements set out in the LPA.



Figure 1 - Proposed location for the future indoor sport and aquatic centre.

The LPA provides a broad scope with which this development must be consistent. It is characterised by the following:

1. An 8 lane 25m indoor pool,
2. A 50m² children's wading pool,
3. A two-court indoor sports hall with tiered seating,
4. Amenities, foyer, reception, administration, kiosk, plant and storage,
5. Car parking (As can be seen from Figure 1, this component of the development has already been completed), and
6. Soft landscaping

In the process of developing a design for this facility, GTPL and their architect, NBRS, have been engaging with Council staff in pre-DA design workshops to assist with progressing the development of a proposal that is consistent with the LPA scope, the community needs and the operational requirements of Council. During these workshops, GTPL have approached

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

Council to offer an amended scope of the Indoor Sports and Aquatic Centre (ISAC) to improve the usability of the facility by a broader demographic.

The proposed amendment has been developed on the advice of a Leisure Planning consultant engaged by GTPL to comment and advise on maximising community interest and use of the facility. Accordingly, their aim has been to broaden the usability of the facility by tailoring it to appeal to a wider component of the Googong community demographic.

The offer made by GTPL is to replace the 50m² children's wading pool, noted above and prescribed by the LPA, with a larger and more versatile alternative. The alternative proposed is a Warm Water Program Pool (WWPP) with approximate dimensions of 15m x 8m and a depth between 0.6m and 0.9m (plus mobility inclusive access arrangements such as an access ramp). The WWPP could operate at higher temperatures than a normal lap pool (around 32 degrees Celsius compared with 26 degrees Celsius) making it more suited to catering to a larger number of community groups than the wading pool.

It is expected that the WWPP could generate additional community interest, use and revenue assisting in the facility's self-sufficiency. The types of community uses/needs that could be catered for include:

1. Learn to swim classes,
2. Warm water relaxation,
3. Use by parents and babies, and
4. Use for hydrotherapy.

Conversely, the wading pool as per the current scope is relatively limited and could only cater to a small number of children in a narrow age group at any one time.

GTPL have advised Council that to accommodate this proposed change, it would be paired with a change to the main pool altering it from eight (8) lanes to six (6) lanes at 2m width per lane. Council staff have been advised that this could still incorporate additional lane rope anchors such that the main pool could be divided into eight (8) lanes at 1.5m width. This would give Council the ability to run an eight (8) lane pool should the need arise. Council's Community and Facilities staff are supportive of this scope amendment.

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

The two options are illustrated below in Figure 2 and Figure 3 below.

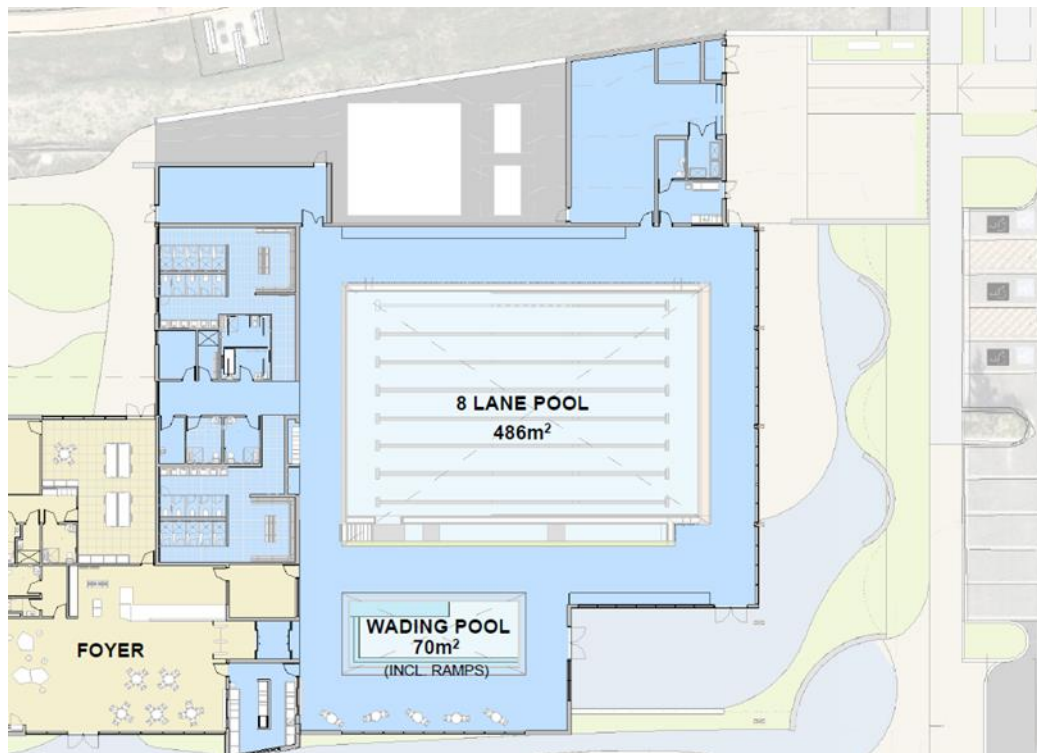


Figure 2 – NBRIS proposed aquatic hall consistent with current LPA requirements.

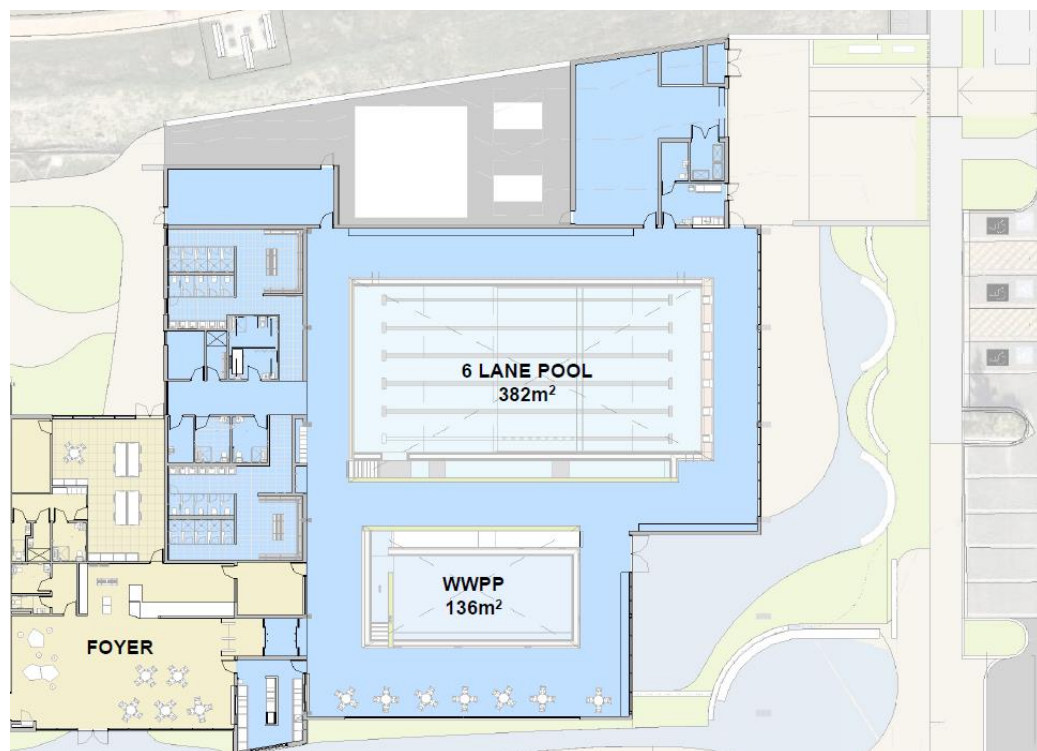


Figure 3 - Proposed aquatic hall with inclusion of WWPP and alteration to main pool.

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

Should Council wish to take this offer up, an amendment to LPA would be required. This is necessary as the existing scope within the LPA has specially noted the children's wading pool and an eight (8) lane pool. This is prescriptive enough that this change could not be determined by other means. Such amendments are provided for in the LPA to facilitate altering the agreement between the parties to address changing needs, plans and priorities and similar such amendments to the LPA have been made on two previous occasions. An amendment to the LPA would require community consultation of the proposed changes for a period of at least 28 days.

Risk/Policy/Legislation Considerations

The proposed changes to the scope may not all be seen as beneficial by the Googong Community. In particular, noting that this would be the second pool facility available for use by the Googong Community, it is considered that the potential lack of a dedicated children's wading pool or splash deck from either facility is considered likely to be one of the community's concerns.

In terms of how this is addressed, staff note that this particular contribution item is assigned a value under the LPA which would be exceeded should additional facilities be included at this time. Accordingly, unless Council resolves to fund additional inclusions, such inclusions will need to be considered by Council at a later date. However, it is anticipated that the WWPP could still cater to the majority of children who may have used a wading pool but would require a greater level of involvement and supervision from their parents/carers/guardians. Further expansion of the facility in the future to include a dedicated children's facility such as a splash deck is achievable within the current concept design subject to Council's capacity to provide those facility extensions.

There is a risk that the reduction of the main pool from eight (8) lanes to six (6) lanes may make the facility less favourable for schools or school groups running swimming or water-based sport classes and activities. However, it is Council staff's experience that school interest for activities such as swimming carnivals is usually limited to facilities with pools of at least 50m length whilst other programs that schools may run may be accommodated by a 25m pool. For this reason, staff note that capacity of the main pool to still be divided into 8 smaller lanes and note that it is proposed that public consultation on this proposed change be extended to local schools for comment.

Under Council's Sustainable Design for Council Buildings Policy, this facility will be required to achieve a Five (5) Star Green Star third party certification. This requirement for sustainability incorporates aspects from provision of renewable power, to thermal efficiency, acoustics and building materials and has led to the need for significant incorporation of photovoltaic arrays on the facility's roof to provide power along with the use of heat-pumps for water temperature control. i.e., no gas furnaces but rather a renewable source of power for pool temperature control.

Financial, Budget and Resource Implications

The construction of this development is a contribution item under the Googong LPA and is not being constructed by Council. Council may incur costs if it resolved to contribute to the inclusions of the facility or to provide extension of those facilities at a later date.

The operational costs of the facility will fall to Council and accordingly, any increase in the capacity to cater to more of the community and increase facility usage provides a mechanism

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

to help this facility towards attaining self-sufficiency. In terms of the operational costs, staff note that:

1. Regardless of whether the wading pool is replaced by a WWPP, the required quantum of plant to operate this facility will not change.
2. The overall volume of water requiring filtration and treatment is comparable in each option.
3. The scale of plant will alter as each pool is altered in size, but the need for there to be dedicated, separate plant for each pool is a requirement originating from the Public Health Act 2010.
4. There are no changes in staffing requirements resulting from the proposed scope change and it is noted that costs associated with booking of the pool for particular activities will need to cover any additional requirements that particular activity has – such as swim instructors.

In considering the above and in conjunction with the requirements for the facility to provide significant solar capacity under the Green Star third party certification scheme, changes to operational costs associated with the proposed scope change are considered likely to be negligible.

It is acknowledged that Council will need to assess and provide a staffing base for this facility upon completion and dedication of the facility in any format.

Links to QPRC/Regional Strategic Plans

Community Consultation is proposed to be carried out in accordance with Council's Community Engagement and Participation Plan.

The need for this particular development is acknowledged by Council's Sports Facilities Strategic Plan. This plan notes that the growing Googong Community will need an additional aquatic facility (in addition to the existing privately owned club Googong) and notes the expectation that a Googong Aquatic Centre will come online around 2028 in keeping with the anticipated timing under the LPA.

Conclusion

Council staff support the proposed changes to the Indoor Sport and Aquatic Centre on the grounds that:



1. It provides a facility that is usable by a larger portion of the community whilst providing opportunity for extension of facilities at a later date,
2. It adds value and usability to the facility, and
3. It provides a mechanism to assist Council in recuperating operational expenditure.

It is recommended that the proposal along with a draft LPA amendment deed be placed on exhibition for public consultation and that this public consultation be inclusive of schools and school groups.

9.4 Googong Urban Development Voluntary Planning Agreement - Proposed Amendment to Indoor Sport and Aquatic Centre Scope (Ref: ; Author: Ormella/Reich) (Continued)

Following this consultation, a report will be required to be presented to Council to consider the public feedback on the proposal and draft LPA, before formally adopting the amended LPA.

Attachments

- Attachment 1 NBRS Concept Plan consistent with LPA (*Under Separate Cover*)

- Attachment 2 NBRS Concept Plan consistent with WWPP amendment (*Under Separate Cover*)


9.5 Annual Review of Climate Change Action Plan, Baseline and Targets (Ref: ;
Author: Ormella/Bhusal)

File Reference: 25.2.1

Recommendation

That Council:

- 1. Adopt the 2017/2018 baseline data for greenhouse gas (GHG) emissions and energy consumption.**
 - 2. Reaffirm QPRC energy consumption and emission reduction targets in the QPRC Climate Change Action Plan: Council Operations Plan Period 2020-2030:**
 - **20% reduction in energy use in 2030 compared with 2017-2018 baseline levels.**
 - **45% reduction in emissions in 2030 compared with 2017-2018 levels.**
 - 3. Receive and note the annual review of the QPRC Climate Change Action Plan: Council Operations Plan Period 2020-2030 and support resourcing actions in the adopted Action Plan.**
-

Summary

At the Ordinary Meeting of Council on 27 May 2020, Council adopted the Council Operations Climate Change Action Plan and the Community Climate Change Action Plan.

The Council Operations Climate Change Action Plan adopts the targets established in the QPRC Operations Sustainability Policy which considers the 2012-2013 baseline level and has the following emission reduction targets.

- Energy & Transport Emissions (Council Operations): 30% reduction in the total greenhouse gas emissions by 2025 from 2012-2013 baseline levels.

However, Council does not have viable and robust energy consumption and GHG emission data from 2012-2013 to facilitate a comparison with current use and emissions. This is due to there being differences in the way data was collected by the former Queanbeyan and Palerang Council's.

Council's Operational Plan has energy and abatement target options for Council operations. 'Moderate' and 'Ambitious' reduction scenarios were developed based on identified initiatives. These scenarios also allow for abatement that is occurring through the greening of the grid with large-scale renewable energy projects.

Moderate abatement can be achieved by upgrading all QPRC's streetlights with LED technology, expanding the Council's rooftop/onsite solar PV portfolio, and implementing cost-effective energy efficiency at its sites. The moderate abatement target is:

- 20% reduction in energy use in 2030 compared with baseline levels
- 45% reduction in emissions in 2030 compared with baseline levels

This report requests that Council reaffirm the current emission and energy reduction target to a Moderate abatement target.

9.5 Annual Review of Climate Change Action Plan, Baseline and Targets (Ref: ; Author: Ormella/Bhusal) (Continued)

Council has already invested a significant amount in calculating its energy and carbon footprint for the financial year 2017-2018. This data is robust and viable and presents the best opportunity for comparison of current and past energy use and greenhouse gas emissions.

Report

QPRC is committed to reducing its carbon footprint and supporting the community in addressing climate change. The report aims to set out a baseline and establish a realistic target for reducing these emissions and put forward practical actions to achieve these targets. A review of the action plan to reduce GHG emissions in QPRC Operations has been undertaken and the review document is attached to this report.

Issues

This report highlights the issues currently faced by officers in reporting our energy and emission reductions:

The Targets

At the time of adoption, the Council report did not restate the targets being adopted, and so in reviewing the policies and documents, there are several areas where assumptions must be made. It did not state that in the first instance, robust and viable baseline data must be established and adopted.

Additionally, the Council Operations Climate Change Action Plan has suggested a goal of a 20% reduction in energy use by 2030 and a 45% emission reduction by 2030 compared with 2017-2018 levels.

At the end of the adopted plan, it states that the following are the QPRC targets:

- Energy & Transport Emissions (Council Operations): QPRC aims to achieve a 30% reduction in total greenhouse gas emissions by 2025, measured against the baseline levels of 2012-2013. This target aligns with the Moderate (45% reduction by 2030) Emissions reduction pathway outlined in the relevant document.

This report seeks reaffirm the baseline and the percentage of reduction so that this ambiguity is removed.

The Baseline

So that we can monitor and manage the actions, we need to be working to a measured baseline. We do not have baseline data for 2012-2013, meaning the target in the plan cannot be measured.

The adopted Council's Operations Climate Change Plan has tabulated QPRC 2017-18 Energy and Carbon Footprint. This can be used as a baseline for 2017-18 for the 'suggested' goal.

The Council's Operation Action Plan fails to establish a clear baseline for assessing the progress of the implemented actions, making it challenging to measure the effectiveness and impact of the initiatives over time.

It is recommended we establish a baseline using the 2017/2018 Energy and Carbon Footprint data as the best opportunity for measuring progress against past use.

9.5 Annual Review of Climate Change Action Plan, Baseline and Targets (Ref: ; Author: Ormella/Bhusal) (Continued)

Annual Review of the Climate Change Action Plan (CCAP)

There is a need to provide an annual review of Council's actions against the CCAP. This is the first review that has been reported to Council since the adoption of the Plan. Refer to the review which is attached to this report. The review highlights that there are many ongoing actions, that the measures could be strengthened, and not all actions are progressing at this stage.

The benefit of an annual report to the council on the progress against the CCAP will keep Council actions at the fore so that they can be monitored and measured in relation to our adopted targets.

Risk/Policy/Legislation Considerations

QPRC is committed to reducing its carbon footprint and supporting the community in addressing climate change. It is important that Council takes a lead in this important issue and adequately reports its work in the area.

Establishment of clear baseline data and adopted targets facilitates the ability to report annually to Council on the success of the plan.

Financial, Budget, and Resource Implications

There are financial commitments to achieving reductions in GHG emissions and energy consumption. Moderate abatement can be achieved by upgrading all of QPRC's streetlights with LED technology, expanding the Council's rooftop/onsite solar PV portfolio, and implementing cost-effective energy efficiency initiatives at different sites.

Council's Operational Plan has estimated that these measures would require a budget of more than \$3.4 million and see the Council's cost (energy and maintenance) fall by around \$580,000 per year.

Links to QPRC/Regional Strategic Plans

The QPRC Climate Change Action Plan Council Operations: Plan Period 2020-2030 has provided actions to reduce GHG emissions and energy consumption. Following these actions, the Council's moderate GHG emissions and energy consumption reduction target can be achieved.

Conclusion

An analysis of energy use committed projects and future opportunities shows that there are opportunities for the Council to make significant reductions in its emissions through a cost-effective program of action.

Reviewing our targets and establishing a clear baseline for the comparison is an essential step towards the Council's GHG emission and energy consumption monitoring and reporting.

Attachments

Attachment 1 Review of Climate Change Action Plan (*Under Separate Cover*)



9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey)

File Reference: 24.4.1

Recommendation

That Council:

- 1. Adopts the Contaminated Lands Policy, Contaminated Lands Guideline and Standard Remediation Action Plan.**
 - 2. Continue to investigate possible financial compensation for private landowners in the Captains Flat Lead Abatement Area.**
-

Summary

At its meeting on 21 December 2022, Council considered the draft Contaminated Lands Policy, Contaminated Lands Guideline and Standard Remediation Action Plan and resolved to place the documents on public exhibition for 42 days inviting submissions (**Resolution 508/22**). The exhibition period was extended and conducted from 20 March 2023 to 15 September 2023.

The purpose of this report is to seek Council endorsement to adopt the Policy.

Background

The extended exhibition period of 179 days from March to September 2023, enabled the community to be adequately informed prior to making submissions. It provided time for the agencies involved with the Captains Flat Lead Taskforce to prepare their lead abatement plans and Regional NSW to conduct their community information session. Council received 28 submissions during the consultation period.

It should be noted that the majority of submissions (67%) were from residents of Captains Flat. Many of these submissions raised issues with the contamination declaration itself, financial responsibility and possible compensation avenues. Many general and specific property enquiries were made through the submission process. These are not issues that can be dealt with under the Contaminated Lands Policy and Guideline.

Council staff will continue to actively participate on the Captains Flat Lead Taskforce and provide general and site-specific advice to residents affected by the contamination declaration at Captains Flat. This work is outside of the consideration and application of the Contaminated Lands Policy and Guideline. It is considered that adoption of the policy and guideline provides a robust framework for development assessment on contaminated land and informs developers of the additional requirements for development on contaminated land.

Consultation as part of this process has now been completed, submissions received, and the policy in its current form is being reported to Council for consideration and adoption. A summary of the issues raised in the submissions and Council staff recommendations are shown in the below table.

In consideration of the submissions, there are no recommended changes to the Draft Policy and associated documents.

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Report

Submissions on Contaminated Land Policy and Guideline:

Submission Content	Council Response
<p>Unclear about residential owners, are we expected to pay all costs that come with remediation works on our property or does the EPA/ council provide this?</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>Take some responsibility.</p> <p>The local residents should form a class and pursue Class-Action to protect their equity from the financial damage your choices have caused.</p> <p>This is your attempt to get out of jail free. You don't need to create a database of contaminated land if you're going to KILL Captains Flat.</p> <p>Millions in remediation just to erect a dual garage.</p> <p>Criminal. Whomever took part in this is Un-Australian.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>Council should develop a specific plan and policy for managing remediation requirements for contamination on land assets that it is responsible for as a matter of procedure rather than a reliance on the DA process. Being proof proactive displays clear intent to private landholders to follow suit.</p>	<p>Council has commissioned remediation action plans for public lands under its control. It is currently considering abatement options.</p>
<p>This draft should not be put forward as a solution to the issue of "potential" lead contamination of properties in Captains Flat. Ultimately this document is a town killer. It will put the population of the town into serious distress and hardship. People will not be able to afford to pay for the remediation works. The works are extensive, arduous and costly and people of normal means to not have the ability to pay. Land values and property prices will collapse as a result, mortgages will go unpaid, bankruptcies will ensure and the town will cease to exist.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>Where are the information sessions that council agreed to provide at the 21 December 2022 meeting. Coming in May???</p>	<p>Council provided information sessions in May 2023 and attended the Department of Regional NSW's Taskforce information sessions in September 2023.</p>
<p>contamination of properties in Captains Flat. Ultimately this document is a town killer. It will put the population of the town into serious distress and hardship. People will not be able to afford to pay for the remediation works. The works are extensive, arduous and costly and people of normal means to not have the ability to pay. Land values and property prices will collapse as a result, mortgages will go unpaid, bankruptcies will ensure and the town will cease to exist. All costs associated with any proposed remediation works should be paid for the NSW Government. Why are people who have moved to this town being shafted with the costs of remediation of a mine that none have worked at, or profited from or utilised in any way. If contamination has occurred it should be paid for by those who allowed the mine to be constructed in the first place. Additionally, we have not been contacted by council to advise that this disastrous "guide line" and "Standard Remediation Action Plan" is being consulted upon.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>The problems been around for over 60 years you make it an issue YOU PAY FOR IT.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>I am totally confused as to whether the future development process involves the testing of potential contaminants of the soil on our land, and, based on the results, a plan is put in place for remediation, or whether according to the Standard Remediation Action Plan our land will be assumed as contaminated regardless of the actual lead concentrations in our soil? The EPA tested our soil in 2021 and found lead concentrations were in the safe range.</p>	<p>This is considered as a general enquiry and not a submission to the policy and associated documents</p>
<p>1) It is unclear who is responsible for the cost of the site remediation. I suggest you make this clear. It would be quite outrageous for the council to expect the land owners to foot the bill for this.</p>	<p>The Captains Flat Lead Abatement area was established by the Contaminated Lands</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>2) the report we received from the NSW govt stated that everywhere which was tested on our property was within safe limits. Why are we needing to be concerned with site remediation?</p> <p>3) In the standard remediation action plan, there are 2 documents titled figure 1... the first figure one states 'Complete Detailed Site Investigation to assess how contamination affects the suitability of private properties for specific uses'. This is in contradiction to information provided in section 3.1 and the second figure 1, which notes 'This Standard RAP applies to private properties within the Precinct that have been impacted by lead contamination related to historic metalliferous mining or use of contaminated material as fill'. So are all properties required to undertake the standard RAP or are you saying some can have a consult and if deemed to be safe, then no further remediation action is required?</p> <p>4) Section 2.1 in the standard remediation action plan is unclear. Can you please provide a map with where the high, medium and low risk areas are. There is a lot of assumed knowledge.</p>	<p>Consultant and the Captains Flat Lead Taskforce.</p> <p>Financial responsibility and compensation are separate issues from the policy and associated documents.</p> <p>This is considered as a specific enquiry and not a submission to the policy and associated documents.</p>
<p>My only question regarding this is why has it taken 60 odd years to develop a contaminated land policy. It is no secret the land has lead contamination. The policy is exceptionally basic and standard...so how has this taken 60 years?</p>	<p>Noted</p>
<p>Attachment D of the guideline is ludicrously wide stretching, encompassing areas already identified as not contaminated in the council funded survey. Councils intention to lump the responsibility and associated costs of identifying and remediating properties (especially for existing owners) when knowledge of some lead contamination around the mine site has been common knowledge for decades is outrageous and negligent. In light of the minimal testing completed in the first tranche and the ridiculous price gouging rates rises proposed and endorsed without public consensus together with no accompanying proposal to offer existing owners who will suffer severe losses regarding their property value to choose to either be compensated or bought out of their properties is callus and demonstrates a council refusing to operate transparently and in good faith. Captains flat community represents those who simply cannot afford the high prices closer to Canberra and in turn now suffer further costs associated with a poorly</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p> <p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>managed and inefficient (for land owners) environmental study that now, due to its deficits, lumps all properties out here into the same exorbitant basket. Do another true survey to delineate the true extent of the contamination . Sample all properties then limit this area to true at risk locations in the village to limit the impact of Councils inaction in past decades to investigate this risk.</p>	
<p>This policy covers all private property in Captains Flat despite not all private property having lead contamination issues. The northern end of Captains Flat has low levels of contamination. The soil and water on my property was tested by the EPA in Feb 2021 when they conducted testing on other private properties in the area, with results showing levels well below the Health-based Investigation Level (aka no contamination).</p>	<p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p>
<p>The Draft - QPRC Contaminated Land Policy does not seem to address development applications (or rezoning) in which QPRC is not the decision-maker, for example development applications which will be determined by the Joint Regional Planning Panel or the Planning Assessment Commission (or whatever it may be called at the time you are reading this).</p>	<p>The policy applies to all development in the QPRC Local Government Area.</p>
<p>Residents should not have to bare any financial costs in relation to removing or securing their land which may have lead contamination.</p> <p>These costs need to be covered by the Fed or State Gov as they are the ones who had allowed a Mine in Captains Flat.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>I am concerned that the plan does not take into account the impact on the demographic profile. Many people have moved to Captains Flat because we can't afford to buy or rent homes anywhere else in the region. More recent buyers are likely to end up with mortgages of a higher value than the land and house are now likely to be valued post declaration of contamination. In addition council has not addressed the unsealed laneways many of us rely on to access car parking at the rear of properties. And many of our properties are likely contaminated as a result of the historic use of slag and mining related fill on the village roads, which likely resulted in contamination on properties downslope of the roads. Road work on miners road are also likely to</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>have contributed to dust contaminate levels across the village.</p>	
<p>Not any public consultation. Why did this take 12 months to put together? There us head in other parts of NSW. Public meetings haven't been held to e on sun ramifications. Not enough information to give considered response.</p>	<p>Council and the Lead Taskforce have undertaken various community consultation events.</p>
<p>[REDACTED]</p> <p>[REDACTED] and discovered via the complimentary EPA testing required by QPRC as part of the DA process that it is very heavily contaminated with lead requiring remediation as part of the DA process.</p> <p>The anticipated cost of the remediation seems more than the market or unimproved land value for rates assessment ... with real value at precisely zero.</p> <p>In 2009 the Palerang Council were the transferor of that parcel of land at an auction where I was present though not the buyer. Council came to control the discretionary destiny of that piece of land for reasons not known precisely here, though there was some sort of departmental dealing in 2004.</p> <p>All liabilities associated with that piece of land were ... at the discretion of Council ... transferred to subsequent owners and members of the public .. the transferee ... via the bidding then contractual sales process at auction.</p> <p>Consistent with the concept of ... Duty of Care and knowledge regards the towns well known history and associated vectors that lead to soil contamination Council legals could have been reasonably expected to have advised that any vacant block in Captains Flat be tested while under the discretionary control of Council ...</p> <p>It did not happen ... despite the sound legal logic and proliferation of historical knowledge, expertise and instrumentation designed to detect and characterise any contamination in the first instance and before a more detailed analysis.</p>	<p>This is considered as a specific property enquiry and not a submission to the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>For that fact , there now exists a problem that is in the process of being solved to the satisfaction of QPRC .. NSW Gov and myself as the unsuspecting buyer.</p> <p>Who deduced that Council would not have sold a contaminated block into the public market and that no mention of it was made at the auction in 2009.</p> <p>As it happens ... whether seller or buyer subsequent to the auction by council it was always going to be the member of the public and owner of [REDACTED] who happens to engage the EPA for soil testing for what ever reason who was destined to see the value of their investment and prospective development reduced to precisely ... zero.</p> <p>The value of [REDACTED] was always ... zero ... both prior to ... and subsequent to the transfer by Palerang Council to a member of the public in 2009.</p> <p>It need not have happened that way with properly designed Council processes applicable to any piece of land that comes under Council control ... and is then intended to be released back into the market.</p>	
<p>Can there be guidelines on lead levels found and remediation actions which relate to lead levels. Eg: 400 mg/kg = Mulching, 1500 mg/kg = Capping, 6000mg/kg = Soil removal.</p> <p>Can this information be made clear to the residents at Captains Flat and other affected communities.</p>	<p>This is considered as a general enquiry and not a submission to the policy and associated documents.</p>
<p>Before addressing the content of the policy's, themselves there are broader considerations;</p> <p>namely that this action fails to consider the historic context of the Captain's Flat community. The township has been living with and managing lead contamination from the mine since prior to its' closure. That council has taken the better part of 60 years to put into place a policy for protecting and remediating the town is a failure of the most grievous degree. This delay in action across successive governments is negligent and contributes to the township's general feelings of abandonment by their elected officials. When you consider the recent rate rise, ongoing economic damage due to Covid-19 lockdowns, lack of local facilities as well as the geographical isolation of the township it is unsurprising that people have reacted in a</p>	<p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p> <p>Financial responsibility and compensation are separate issues from the policy and associated documents</p> <p>The mine site itself is currently undergoing remediation which is being managed by the Department of Regional NSW.</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>hostile manner to these policies-the failure of that consideration being yet another error on the council’s part as earlier consultation with the townsfolk would have made clear the general mood. In digression to the specific matter of the polices, there are 3 major considerations that these polices fail to address:</p> <p>1. The accuracy of testing:</p> <p>Testing that the polices are based on is insufficient. The township at large has been declared a contaminated zone which goes to affect the value of land within the town and will have substantial impact on future resale values. Lead testing must be conducted for every individual property to accurately ascertain the spread of contamination and to enable a focused response that reduces the impact to only those properties that are confirmed to carry high levels of lead contamination. The current labelling of the entire township as contaminated goes only to deepen the feelings of resentment within the town and additionally causes undue concern for citizens whom may not actually be living on contaminated blocks.</p> <p>2. Cost of Remediation:</p> <p>Cost of remediation is currently placed wholly onto private residence when the source of the contamination is due to previous failures of government to effectively manage mining activity and closure. This must be addressed, if remediation work is required on a property prior to construction then council or state governments must cover the whole cost as is their onus given prior failures to manage the mine and subsequent contamination.</p> <p>If sufficient testing is conducted as per point 1 then remediation can be limited to only those properties that require and chose to undergo it that will in turn spare the council potential costs of any unnecessary remediation. If funding for such a program is not viable it is the responsibility of the Council to seek financial assistance from State and Federal Government bodies.</p> <p>3. Potential for Recontamination:</p> <p>As the remediation of the mine itself is ongoing the efficacy of land remediation within the town is at best temporary, which further compounds the anger regarding the requirement that private citizens must bear the cost of remediation. Further run off and dust</p>	

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>from the mine will only re-contaminate the town. Remediation of the mine and protection of the township-long term-must be the primary focus of any Environmental Policy, so that when remediation of individual blocks and surrounding landscape occurs it is long lasting and contributes to the overall safety of the town.</p> <p>We would add here that the overall communication on this issue from council has been abysmal. Few townfolk were aware of this proposed policy or that a warning of lead contamination was added to all properties that are sold within the town, which in practical terms may as well be a contamination warning on the property titles themselves; it is only the urging of small groups within the town that has prevented the policies from being adopted before comprehensive consultation could occur. Beyond these policies if the council and NSW government intend to make the cost of remediation of vacant blocks the sole province of individual purchases, then our elected officials are in effect shirking their lawful responsibility to correct the errors of their predecessor and are on a practically level engaging in the slow destruction of the township of Captain's Flat by preventing people from buying into the town without a crippling - and in some cases hidden - cost of entry.</p> <p>The creation of these policies is certainly a step in a positive direction however they do not yet provide sufficient accuracy of the contamination, assistance with the cost of remediation or long term broad planning to protect against future recontamination and associated impacts. If these areas can be sufficiently addressed then we believe the council will be moving towards long term solutions as the current policies seem to be little more than a band-aid applied to a bullet wound.</p> <p>We hope the council's continued work on the policies are fruitful and lead ultimately to a sustainable, long-term solution for the township.</p>	
<p>Implementation of this policy would make development financially difficult and it is unclear what assistance can be accessed to mitigate this from the body who is responsible for the contamination in the first place.</p> <p>It is unclear in the guidelines and policy how works including maintenance activity in a Heritage Precinct</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p> <p>Council will consider the contamination declaration when</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Council Response
<p>would be treated under the definition of minor ancillary development.</p> <p>I object to the "branding" of all of Captains Flat to be contaminated, I believe insufficient testing and analysis has been undertaken (based on information provided to date).</p> <p>Will council be bound by the same constraints when undertaking work? We have not witnessed this to date, "contaminated" soil from a Council managed project has been dumped in the vicinity of the Captains Flat dam (our water source) with no apparent protection for spreading contamination.</p> <p>What responsibility will the current owner/responsible party take for cleaning up contamination and/or undertaking immediate remediation to prevent contamination from continuing and/or spreading from the former Captains Flat mine site.</p>	<p>undertaking works including road construction.</p> <p>Council is currently investigating methods of disposal of contaminated soil.</p>
<p>In general it is a good plan and very necessary.</p>	<p>Support for Policy and Plan</p>
<p>The council has known of this problem for 60 years, those of us who have moved here recently was not informed of major problems, the Council is TOTALLY NEGLIGENT in this problem, The Council should PAY For not informing Citizens of this ISSUE If we was informed we would not have moved here.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>

Submissions on Standard Remediation Action Plan:

Submission Content	Response
<p>We have wanted to get our soil topped for the last 2 years and other things done like driveway put in to stop the dirt from being unsettled, we haven't been able to afford it... how will we afford contractors, consultants, soil being removed as well as topped? It's nice that there is a plan but these are things we would like to do anyway to stop our children being poisoned but they are just not achievable when you can't afford to do them.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>This RAP states that if you have an area over 200m² then capping with concrete is assumed to be too expensive - so they recommend carting the lead off site. This is crazy talk, capping is the cheap option.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents.</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
<p>For 20k* I had an Earth Scientist investigate my site and surrounds in Captains Flat, she is SEPP55 compliant and the QPRC recommends her. [REDACTED]</p> <p>My specialist assures me that she can tell every house on Foxlow Street is contaminated. Council acknowledges this.</p> <p>This RAP does not apply to new builds. It punishes the poor residents of Captains Flat, and it does not disclose that the process to engage a earth science company with access to a laboratory takes more than 3 months to start the process, and incredibly expensive. Between 75k - \$2million. (Including remediation work and validation) The 75k is only applicable if you haven't got site wide contamination, most of you will.</p> <p>As an example, I've looked and the only place I can find willing to take lead is in Brisbane. Because they need to document it, and remediate it.</p> <p>If you have 1000m2 and the Detailed Site Investigation recommends you excavate 500mm depth across the lot...(I guarantee it will)</p> <p>That is 36 truck and dogs driving from Captains Flat to Brisbane , and you're expected to pay it.</p> <p>1.5 - 2million</p> <p>Please tell me, how Council can justify implementing this, when the knowledge of lead has been an open secret for decades, the council has had no issues charging rates and allowing development of pre schools, plus the road to captains flat has just been improved, and now they want to Kill the town.</p>	<p>This is considered as a specific property enquiry and not a submission to the policy and associated documents</p>
<p>Email received via Council Mail - 27 March 2023</p> <p>It's stupid. My feedback is that you will financial cripple the town and you all know it.</p> <p>I don't want to hear anything about harassing or whatever, you asked for my feedback and if you ban me from talking to you I'm scorching earth.</p> <p>Here's what the issue is</p> <p>You assume land is contaminated</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p> <p>This is considered as a specific property enquiry and not a submission to the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
<p>Owner has to have a DSI</p> <p>No company that performs a DSI will risk their license to operate so they will be compliant which for 1000m2 which is standard block size in captains flat, is 25, 500mm deep bore holes at a cost of 20k</p> <p>The results will show widespread contamination because we all know everywhere is contaminated</p> <p>The ability to cap isn't possible because it's 1000m2 and you can't cut or excavate to control the density of the contaminated area.</p> <p>You have to excavate up to the depth of the boreholes which again, standard depth is 500mm</p> <p>That's 2million dollars of trucks and excavation / lead contaminated soil remediation and delivery to Brisbane. Brisbane is the only place that can accommodate that scope of product.</p> <p>\$2million dollars</p> <p>To put up a double garage</p>	
<p>Council should develop a specific plan for its property interests.</p>	<p>Council has commissioned remediation action plans for public lands under its control. It is currently considering remediation options.</p>
<p>Where are the information sessions that council agreed to provide at the 21 December 2022 meeting. Coming in May??? Costs need to be explained.</p>	<p>Council provided information sessions in May 2023 and attended the Department of Regional NSW's Taskforce information sessions in September 2023.</p>
<p>YOUR RESPONSABLE FOR MAKING AN ISSUE OF THIS. YOU TOOK MONEY OFF US YOU COMPLETELY WEAR THE COST.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>As per my above comment, does this plan simply assume our soil is contaminated - even with testing from the EPA showing otherwise - and force us (no detail on who is footing the bill) to pay for remediation?</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
To be honest, its a poorly written report.	Noted
<p>It should not be the responsibility of private land owners to organise the remediation of the land. This is a council matter and it is the council's responsibility to organise and engage all necessary remediation in line with the preferred option of the land owner. We pay our taxes and rates so that the council undertakes these works, don't throw it back on us and expect private citizens to do all the grunt work. This undertaking is going to place huge stress on residents who are already feeling the hurt from rate rises and cost of living increases not to mention interrupting peoples plans for building and extension which will cost them time and money. Do the work yourselves-that is what you are paid for-or stop expecting taxes and rates from residents. Show a bit of leadership and integrity.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>Further clarity is required to identify the types of work this pertains to? Exempt development? Complying development? What does minor works involve?</p> <p>Further I refer to my answer to question 1, the area designated for these measures is too expansive. Council have a responsibility to its rate payers to minimise unnecessary red tape and costs associated with gaining reasonably unobstructed use of their private properties. The survey forming the basis for these policies have not been exhaustive nor adequate to attempt to minimise the harm, loss and expense to existing rate payers. Do another survey seeking to tighten the geographical risk area to something more reasonable to minimise losses and damage to your stakeholders.</p>	<p>The policy applies to all development in the QPRC Local Government Area</p> <p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p>
<p>This policy covers all private property in Captains Flat despite not all private property having lead contamination issues. The northern end of Captains Flat has low levels of contamination. The soil and water on my property was tested by the EPA in Feb 2021 when they conducted testing on other private properties in the area, with results showing levels well below the Health-based Investigation Level (aka no contamination).</p>	<p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p>
<p>Nothing further, other than Council needs to ensure that the application of the Guidelines and RAP is not overly onerous and cost-prohibitive.</p>	<p>Financial responsibility and compensation are separate</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
	issues from the policy and associated documents
<p>Residents should not have to bare any financial costs in relation to removing or securing their land which may have lead contamination.</p> <p>These costs need to be coverd by the Fed or State Gov as they are the ones who had allowed a Mine in Captains Flat.</p>	Financial responsibility and compensation are separate issues from the policy and associated documents
<p>The plan does not reflect the financial impact on current home and vacant block owners in attempting to under take minor modifications or new builds. Some form of compensation or a waivering of DA costs needs to be included, along with a rate reduction, to reflect the likely significant decrease in land and house values arising from the contamination declaration.</p>	Financial responsibility and compensation are separate issues from the policy and associated documents
<p>I think it is extremely wrong to have a blanket plan on the whole of Captains Flat when only a part of the town is contaminated. I didn't receive any notification through the mail about this Plan.</p>	The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.
<p>Does the EPA consider the proximity to Captain's Flat a contaminating activity? If no, and there is no evidence of fill onsite, then a PSI via XRF analysis as the EPA has used in their sampling Methodology would be sufficient to clear private property.</p> <p>If they consider the proximity to Captain's Flat to be a contaminating activity, then EVERY property in Captain's Flat needs a DSI.</p> <p>Can I hire a consultant to use an XRF analyser on my property to fulfill the requirements of a PSI to determine potential contamination on my property?</p>	The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.
<p>Thus us for minor work only. Hardly seems fair for Jan's owners to have to pay extra for a plan. This is not right. Where are the meetings to tell people?</p>	Financial responsibility and compensation are separate issues from the policy and associated documents
<p>I attended the community meeting at 2pm on 18.5.23 in Captains Flat and asked whether any options of phytoremediation had been looked into in terms of</p>	Council is considering all options for remediation of

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
<p>efficacy and cost. There are a lot of studies available showing how useful phytoremediation can be, and several real-world examples of its use.</p> <p>It's cheap (although being seasonally and weather dependent) and may be worth looking into for private property which have low to moderate levels of lead and other heavy metals.</p> <p>The practice of using plants for the phytoextraction of lead has little evidence supporting its efficacy, but phytostabilisation through the use of organic materials has been demonstrated to be effective.</p> <p>I feel given the financial situation of the council, and the cost-of-living crisis, the lower the cost to government and resident the better, so we may as well investigate all options.</p> <p>Thank you for your time.</p>	<p>contaminated land in Captains Flat.</p>
<p>I think Government should fund some cost for private landowners for remediation as they could be expensive and out of there reach to fund. Also crown lands owns a lot of vacant land in town I was thinking they could remediate that land and put it up for sale so Captains Flat could grow with new residents.</p>	<p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>
<p>Can there be a Cell created in Captains Flat mining site to move contaminated soil to from people's properties?</p> <p>The cost of removal of contaminated soil is at such a prohibitive cost to individuals and gives them the responsibility to clean up past mining activity.</p> <p>Does Council have any solutions to this aspect of the problem?</p>	<p>Council is currently investigating options for removal and disposal of contaminated soil, including the use of the waste cell on the former mine site.</p>
<p>The RAP states that it applies to private properties that have been impacted by lead contamination. There has not been testing conducted at all private properties so how can this standard RAP be applicable to all.</p> <p>Council information sessions have been conducted but no public response has been provided to the questions asked at these sessions?</p> <p>The RAP is being "sold" as a cost effective, easy plan to allow for development to be undertaken in Captains Flat but the Remediation options do not appear to be</p>	<p>The Captains Flat Lead Abatement area was established by the Contaminated Lands Consultant and the Captains Flat Lead Taskforce.</p> <p>Financial responsibility and compensation are separate issues from the policy and associated documents</p>

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Submission Content	Response
<p>easy or cost effective for small development. The Property Owner would appear to assume responsibility for ongoing environmental management of their site post remediation but there is no protection apparent from on-going contamination from the former mine site.</p> <p>As a resident I feel that QPRC, NSW EPA, and the CF Lead Taskforce have not fully advised residents of the real impact of the contamination nor have they provided sufficient support or information in relation to the remediation of the site to prevent on-going contamination of private properties.</p>	
<p>I have a problem with the plan to remove and obviously transport contaminated soils. How would the soil be secured? Where would it go? How safe is it to move contaminated soils through other parts of the shire.</p>	<p>Council is currently investigating options for removal and disposal of contaminated soil.</p>
<p>Your plan is to palm the problem you recently created off, You NEED TO BE PERSONALLY HELD RESPONSIBLE.</p>	<p>Noted</p>

Risk/Policy/Legislation Considerations

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Resilience and Hazards) 2021

Financial, Budget and Resource Implications

There are no financial, budget or resource implications for Council in adopting the Contaminated Lands Policy, Guidelines and Standard Remediation Action Plan.

There is a risk to Council to continue to approve developments on contaminated land without an adopted policy and guideline framework to support development assessment.

Links to QPRC/Regional Strategic Plans

Community Strategic Plan- Output 3.2- 3.2 We have robust planning systems that provide zoned and serviced land that supports affordability and choice to liveability of the area.



The Contaminated Lands Policy and Guideline provide a robust framework for development on contaminated lands.

Conclusion

Council is requested to adopt the Contaminated Land Policy and Guideline to provide an effective framework for assessing development on contaminated land, and also providing private landowners the ability to access and use the Standard Remediation Action Plan for proposed property improvements.

9.6 Post-Exhibition Report - Contaminated Lands Policy, Guideline and Standard Remediation Action Plan (Ref: ; Author: Ormella/Corey) (Continued)

Attachments

- | | |
|--|---|
| Attachment 1 | Draft Contaminated Land Policy (<i>Under Separate Cover</i>) |
|  Attachment 2 | Draft Contaminated Land Guideline (<i>Under Separate Cover</i>) |
|  Attachment 3 | Standard Remediation Action Plan- Captains Flat - Private Lands (<i>Under Separate Cover</i>) |

9.7 Sister City and Friendship City Policy (Ref: ; Author: Ryan/Richards)

File Reference: 1.6.1 Community – Culture – Sister City

Recommendation

That Council adopt the Sister City and Friendship City Policy.

Summary

At the meeting on 23 August 2023, Council endorsed the Draft Sister City and Friendship City Policy for public exhibition and comment (**Resolution No 333/23**).

Background

The Sister City and Friendship City Policy supports and clarifies the current and potential relationships between Queanbeyan-Palerang and other regions and cities that want to enter into friendship and sister city arrangements. The Policy was on public exhibition for 28 days.

Report

The QPRC Sister City and Friendship City Policy was on public exhibition through Your Voice from 24 August until 22 September 2023. During this time there were 35 visits to the document and one submission.

The submission noted that there should be no cost to ratepayers for Council representatives visiting other regions. The Policy acknowledges that Council representatives join sister and friendship city delegations at their own expense.

Risk/Policy/Legislation Considerations

Whilst the policy provides parameters and guidelines for friendship and sister city relationships, the frequency and nature of delegations are a matter for the Mayor and Councillors of each partnership.

Financial, Budget and Resource Implications

Delegations to friendship and sister cities are made at the expense of those participating. They are not funded by Council.

Links to QPRC/Regional Strategic Plans

Queanbeyan-Palerang Regional Council Community Strategic Plan, Community Pillar has the objective that 'Our community is strengthened through connection and participation that enhances our community and cultural life'.

Conclusion

Following public comment, Council is asked to endorse the Sister City and Friendship City Policy and place the final version on the QPRC website.

Attachments

Attachment 1 Draft Friendship and Sister City Policy 2023 (*Under Separate Cover*)



9.8 Pesticide Use in Public Places Policy (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council place the Pesticide Use in Public Places Policy on public exhibition for 28 days and if no submissions are received the Policy be adopted.

Summary

Council's maintenance teams periodically need to apply registered agricultural chemicals during the maintenance of parks, reserves, sports fields and other public places. NSW Legislation strictly controls the type of chemicals and the purpose for which they may be used. This policy identifies the ethos behind Council's use of, and circumstances in which, agricultural chemicals are used in public places across the QPRC Local Government Area.

Background

Council uses various agricultural chemicals in its routine operations and while some are broad use herbicides, most are target specific chemicals that form an important tool in Council's open space operation.

This policy is aimed at providing the community with a clear understanding of Council's practices regarding the use of agricultural chemicals in public places.

Report

Council use a variety of both domestic and commercially available chemicals in its management of parks, sports fields, trees, cemeteries and roadside vegetation management. These chemicals are used in a variety of tasks including general vegetation management on roadsides and in parks, selective weed management on sports fields and targeted pest control of European wasps and termites. Chemical use is often the last resort when other preventative measures have been unsuccessful, and intervention is needed to avoid significant asset damage or public risk.

All chemicals are used according to the instructions for use on the label, by qualified staff or contractors and within current legislative frameworks, which includes a notification plan and strict record keeping.

Whilst there is a growing community interest in banning certain chemicals from public places, Council needs to maintain a balance between its chemical use reduction and economic viability. Urban Landscapes has investigated and trialled alternate weed controls, including steam and flame, but these have limited capacity and increased costs. There are some very destructive, noxious and even poisonous weed infestations in our parks and recreational areas where the only effective control are chemicals.

The fundamental principles of this policy are that Council will:

- Continue to actively reduce its chemical use in public places;
- Trial, and where suitable, adopt chemical free alternatives;
- Over time aim to gradually phase out glyphosate in parks and roadsides;
- Use natural alternatives where practical e.g. heavy mulch;
- Preference chemical free wasp traps as a wasp management tool;
- Only treat termite and ant nests where there is a direct threat to public safety.

9.8 Pesticide Use in Public Places Policy (Ref: ; Author: Ryan/Flint) (Continued)

Of significance is Clause 6.4 in the policy which states 'Council will wherever feasible, avoid the use of glyphosate based products in public places and systematically eliminate the use of Glyphosate from its operations when alternate approved methods become available.'

Risk/Policy/Legislation Considerations

Use of pesticides in NSW is governed by the Pesticide Act 1999 and the Pesticide Regulation 2017. Council is required to, and has, a Pesticide Notification Plan available on its website and all chemical use must be in accordance with the product label which is considered a legal document under the Act. The recently amended Pesticide Use Notification Plan is attached to this report.

Financial, Budget and Resource Implications

There are no financial implications in the implementation of this policy.

Links to QPRC/Regional Strategic Plans

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

The implementation of a Pesticide Use in Public Places Policy will provide the community with confidence in knowing that activities in the area are being conducted in accordance with legislation and best practice and that Council has adequate oversight of such activity.

Conclusion

This policy is recommended for endorsement by Council to effectively govern the use of chemicals in public places.

Attachments

Attachment 1 Pesticide Use in Public Places Policy (*Under Separate Cover*)



Attachment 2 Pesticide Use Notification Plan (*Under Separate Cover*)



File Reference: 45.3.1-01

Recommendation

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

Summary

In accordance with section 14 of the Audit, Risk and Improvement Committee (ARIC) is required to review its Charter each year to identify potential improvements. The Charter was reviewed by the ARIC at its meeting of 18 September 2023.

Background

The purpose and responsibilities of the Committee is set out in the Charter. It should be noted that the ARIC has no executive powers, delegated financial responsibility or management functions.

Report

A review of the QPRC ARIC Charter was conducted against the content contained within the Office of Local Government (OLG) Model Terms of Reference for ARICs. It was determined that the revised QPRC ARIC Charter met the requirements of the OLG Model.

As a consequence of this review there are a number of changes to the QPRC Charter which are worth noting. These include:

- Clause 5.1: The requirement of the ARIC to seek the General Manager or relevant director's permission to meet with any other staff member or contractor in the discharge of its responsibilities.
- Clause 5.4: Given Clause 5.3, if the governing body requires additional information, a request for this information may be made to the Chair by resolution. However, the Chair is only required to provide this information should the request (by resolution) be deemed to be reasonably necessary in the discharge of the governing bodies function under the *Local Government Act* 1993 as amended. The intent of this clause is to preclude an individual councillor the entitlement to request or receive information from the committee.
- Clause 6.1: Retaining a councillor member on the ARIC as a non-voting member (as opposed to previously being a voting member).
- Clause 6.3: The introduction of eligibility requirements as set by the OLG for both voting and non-voting members and the inclusion of the role of the non-voting member.
- Clause 10.4: New clause in relation to dispute resolution.
- Clause 13.4: New clause allowing the Chair of the ARIC to recommend the removal of an elected member. This decision must be made in writing should the Council disagree with the Chair's recommendation.

**9.9 Audit, Risk and Improvement Committee Charter (Ref: ; Author: Ryan/Cakalic)
(Continued)**

Risk/Policy/Legislation Considerations

The mandate for the establishment of the Audit, Risk and Improvement Committee (ARIC) is derived from Part 428A of the Local Government Act (NSW), as amended by the Local Government Amendment (Governance and Planning) Act 2016 (NSW).

Financial, Budget and Resource Implications

No implications in relation to this report.

Links to QPRC/Regional Strategic Plans

Community Strategic Plan 2042:

Strategic Pillar 5 Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

Strategic objective 5.2: Council is an open, accessible and responsive organisation.

The ARIC is an important part of QPRC's risk management and governance frameworks which provides an independent level of assurance.

Conclusion

That Council adopts the attached draft Charter as reviewed by the ARIC.

Attachments

Attachment 1 Audit, Risk and Improvement Committee Charter (*Under Separate Cover*)



File Reference: 43.6.3-06

Recommendation

That Council:

1. Refer the 2022/23 Financial Statements to audit in accordance with section 413(1) of the Local Government Act 1993.
2. Note that the 2022/23 financial statements have been prepared in accordance with:
 - a. The Local Government Act 1993 and regulations made there under
 - b. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
 - c. The Local Government Code of Accounting Practice and Financial Reporting.
3. Note that the 2022/23 financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.
4. Is not aware of any matter that would render these statements false or misleading in any way.
5. Delegates authority to the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statement by Councillors and Management for the General Purpose Financial Statements and Special Purpose Financial Statements.
6. Delegate authority to the General Manager to issue the financial statements upon receipt of the audit report.
7. Note the time extension received for the lodgement of the financial statements to 30 November 2023.

Summary

The Financial Statements for the year ended 30 June 2023 have been completed to draft stage.

The Audit Office is expected to complete the audit and issue the Independent Auditors Report by 23 November 2023, with the final statements and audit report to be presented to Council on 13 December 2023.

Council staff applied for time extension to lodge the 2022/23 financial statements to 30 November 2023 that has been approved by the Office of Local Government.

Background

The statement preparation process has been overseen by Council's Audit, Risk and Improvement Committee (ARIC) and Financial Statements Subcommittee (FSSC), who has met with Council officers throughout the project period to monitor progress against the workplan, issues and risks. The FSSC has been able to provide Council with high level assurance regarding the processes and controls followed by staff in the preparation financial

**9.10 Draft Financial Statements 30 June 2023 (Ref: ; Author: Monaghan/Sligar)
(Continued)**

statements, and to ensure the Audit, Risk and Improvement Committee (ARIC) has remained informed of all significant issues that could affect the financial statements.

ARIC held an extraordinary meeting on 10 October to review the financial statements, and it was resolved:

That the Audit, Risk and Improvement Committee endorse the Financial Statements for the approval of Council.

Report

On finalisation of audit and receipt of the audit report, the financial statements will be made available to the public and advertised in accordance with the Local Government Act (1993) Council's Auditors will be invited to present their findings to the 13 December 2023 Council meeting.

Operating Result

Council's consolidated operating result (after capital) is a surplus of \$9.3m.

Council's operating result by fund is:

General Fund - \$3.9m deficit

Water Fund - \$5.4m surplus

Sewer Fund - \$7.8m surplus

This result is an improvement on last year's consolidated deficit of \$48k.

The 2021/22 result has been restated due to the need to recognise a prior period error with the timing of the disposal of assets at Bungendore due to their compulsory acquisition by the Department of Education. As the date of disposal was a part of some conjecture, this issue was not resolved until well into the 2022/23 financial year.

The 2021/22 result was amended to include the recognition of income in that year for the compulsory acquisition of the assets at Bungendore.

The surplus was driven by a significant improvement in interest earnings due to increasing interest rates. In addition, 100% of the Financial Assistance Grant for 2023/24 was paid in advance.

The reduction in Capital grants income is representative of the level of grants on offer over the last few years now decreasing.

Cash and Investments

Council recorded a total balance of cash, cash equivalents and investments at 30 June 2023 of \$233M. Whilst overall cash and investments increased by \$10M during the year, \$7.7m of this increase relates to compensation funds received from the Department of Education for the assets compulsorily acquired at Bungendore.

Council recorded a net receivables balance of \$41m at 30 June 2023. The primary drivers for the variance between the current financial year and the previous financial year is Grant funding that remains outstanding as at 30 June, including roads maintenance contract work.

The receivables balance for 2021/22 was restated and increased by \$10.8m due to the need to recognised the income owing from the compulsory acquisition of assets at Bungendore. 90% of the total compensation amount was paid in the 2022/23 financial year.

**9.10 Draft Financial Statements 30 June 2023 (Ref: ; Author: Monaghan/Sligar)
(Continued)**

Financial Performance

	2023	2022	2021	Benchmark
Operating Performance Ratio	4.54%	-1.72%	-0.29%	> 0
Own Source Revenue Ratio	54.72%	46.97%	49.15%	>60%
Unrestricted Current Ratio	2.19x	1.42x	1.78x	>1.5x
Debt Service Cover Ratio	3.76x	3.78x	2.98x	>2x
Rates and Annual Charges Outstanding	7.75%	8.02%	9.25%	<10%
Cash Expense Cover Ratio	9.62 months	9.31 months	8.10 months	>3 months

The operating performance ratio measure's Council's ability to fund operational expenditure with operational revenue. Council's operating performance ratio is above the break-even benchmark, reflecting that QPRC as a consolidated entity contained expenditure within revenue for the year ending 30 June 2023.

However, the positive performance includes one-off, non-cash transactions including:

1. Fair value increment on investments of \$2.3m.
2. Downward revision of the Tip remediation provision by \$1.3m. This is represented as Other income on the Income Statement.

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

The unrestricted current ratio is a measure of Council's ability to service its current liabilities; and it includes Council's cash as well as current receivables. Council's unrestricted current ratio has improved in 2022/23, above the benchmark of greater than 1.5x. Holding more of councils cash in shorter term investments, improves councils ability to access cash and cash equivalents to service liabilities.

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

The Rates and Annual Charges outstanding ratio has continued its steady decline in 2022/23. The Hardship policy support and improved and ongoing regular debt recovery actions, this ratio has decreased to the lowest since 2019.

The Cash Expense Cover ratio indicates the number of months Council could continue to pay its immediate expenses without additional cash inflow. It must be noted that the Cash Expense Cover ratio makes an assumption that all cash is available to Council, regardless of external restrictions in place. In future years Council will advise the Office of Local Government (OLG) to update this ratio to take cash restrictions into account to more accurately reflect Council's actual ability to use its cash and investments for operational expenditure.

**9.10 Draft Financial Statements 30 June 2023 (Ref: ; Author: Monaghan/Sligar)
(Continued)**

Risk/Policy/Legislation Considerations

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

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

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

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

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

RFS Red Fleet Assets and Qualification of Financial Statements

The NSW Auditor General has issued a letter to Council confirming that the NSW Audit Office intends to qualify Council's financial statements over the issue of the accounting treatment of the Lake George District RFS Red Fleet Assets. Despite advocacy by LGNSW to the NSW Government, recent advice from the Office of Local Government (OLG) confirms the position of NSW Treasury and NSW Audit Office on this matter.

The assets are managed and operated by the Lake George District RFS and have an estimated value of \$4.1M, being insignificant to the total value of assets owned by Council of \$2.2B. However, the NSW Audit Office are of the view that this RFS Red Fleet value is material, hence the qualification.

QPRC have previously resolved the asset accounting policy over RFS assets that recognises that RFS assets are not controlled by Council and that the future economic benefits of RFS assets do not flow to Council. (**Resolution 155/22**). The background accounting information and policy advice has also been considered by ARIC and Council as attached to this report.

Several attempts have been made to resolve this issue and reach a reasonable position with Council's Auditors, including the commissioning of independent accounting position papers by the OLG and separately by a group of NSW Councils. However the position papers have only confirmed the Councils' current accounting policy and the Auditor General has only reiterated its decision.

Council is responsible for determining its own Accounting Policy and issuing its own Financial Statements and may choose to change its current accounting policy to remove the inevitable audit qualification that has been advised by the NSW Auditor General. The decision would also require an allocation of resources to perform an annual stocktake and condition assessment of the Red Fleet assets as required by the Audit process.

Financial, Budget and Resource Implications

The cost of undertaking the external independent Audit is included in the Operational Plan with a budgeted expenditure of \$174,000 as advised by the NSW Audit Office.

**9.10 Draft Financial Statements 30 June 2023 (Ref: ; Author: Monaghan/Sligar)
(Continued)**

Conclusion






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

The NSW Audit Office conducted an interim audit, including an assessment of the effectiveness of Council's internal controls as they relate to the risk of misstatement in the financial statements. No new audit findings were reported as a result of the Interim Audit.

The Audit Risk and Improvement (ARIC) subcommittee FSSC has met with staff to oversee the preparation of the 2023 financial statements and have oversight of risks and issues.

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

Attachments

- | | |
|---|--|
| Attachment 1
 | Approval of Extension Request for lodgement of Financial Statements
<i>(Under Separate Cover)</i> |
| Attachment 2
 | Draft Financial Statements 2022-23 <i>(Under Separate Cover)</i> |
| Attachment 3
 | Assurance of the Preparation of the Financial Statements <i>(Under Separate Cover)</i> |
| Attachment 4
 | ARIC Consideration of RFS Assets Nov 2022 <i>(Under Separate Cover)</i> |
| Attachment 5
 | ARIC Consideration of RFS Assets June 2023 <i>(Under Separate Cover)</i> |

File Reference: 43.6.5-01

Recommendation

That Council:

- 1. Receive the Investment Report for the month of September 2023.**
 - 2. Note the investment return for September 2023 was \$228,860.**
 - 3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.**
-

Summary

This report presents the investment result for September 2023.

Background

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

Report

A list of Council's cash and investments held on 30 September 2023 is detailed in the attached Investment Report Pack.

Market Update – The Reserve Bank (RBA) chose to hold the cash rate at 4.10% at its October 2023 meeting; the first for new Governor Michelle Bullock. The accompanying statement to the decision was largely consistent with last month. The Board continued to warn that further tightening of monetary policy may be required to ensure inflation returns to target in a reasonable timeframe but will be dependent on data and risk assessment. In making its decisions, the Board will continue to pay close attention to developments in the global economy, trends in household spending, and the outlook for inflation and the labour market.

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

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

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

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

9.11 Investment Report - September 2023 (Ref: ; Author: Monaghan/Drayton) (Continued)

Council has \$8,000,000 (3.2% of the total portfolio) invested in deposits with Westpac which have been deemed suitable to carry the Climate Bonds Standard Certification badge.

Risk/Policy/Legislation Considerations

Council has a fiduciary responsibility to exercise the care, diligence, and skill that a prudent person would exercise in managing the affairs of other persons.

Council's investments, as listed in Table 2 of the attached Investment Report Pack, comply fully with section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulations 2021, and Council's Investment Policy.

Certified by Tracy Sligar, Responsible Accounting Officer, 12/10/2023.

The annual review of the Investment Policy adopted by Council on 9 September 2022 will be workshopped with Council before tabling at a November Council meeting.

Financial, Budget and Resource Implications

Over the last 12 months, Council's portfolio produced an annualised rate of return of 4.39%, outperforming the benchmark Bank Bill Index by 0.83%.

On 30 September 2023, the principal amount invested was \$247,834,453 and the 2023/24 financial year to date return was \$2,078,005 compared to the budget of \$1,031,058.

Of the total \$247.8 million investment portfolio, Council holds \$28.4 million in TCorpIM long-term (LTGF) and medium-term (MTGF) funds. Market conditions during September 2023 were unfavourable for both funds as they suffered negative returns of -\$401,639 and -\$146,775 respectively.

The following table shows the funds performances since the original deposit.

	LTGF \$	MTGF \$
2017-18	981,891	-44,845
2018-19	1,160,462	635,485
2019-20	21,702	37,815
2020-21	2,557,413	927,076
2021-22	-1,300,450	-742,711
2022-23	1,692,084	658,145
2023-24		
July	301,703	107,428
August	-48,162	36,962
September	-401,639	-146,775
October		
November		
December		
January		
February		
March		
April		
May		
June		
2023-24 YTD Total	-148,099	-2,385
Return since inception	4,965,004	1,468,580
Initial Placement	12,000,000	10,000,000

**9.11 Investment Report - September 2023 (Ref: ; Author: Monaghan/Drayton)
(Continued)**

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

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

Council's cash and investment balance is made up of restricted and unrestricted funds. Restrictions can be external eg Developer Contributions, or internal eg by resolution of Council. Restricted investments cannot be used for general purpose expenses as they are either subject to some form of external legislative or contractual obligation or are dedicated to future Council commitments.

Cash and reserves are currently subject to audit for the year ended 30 June 2023.

Conclusion

The 2023/24 financial year to date investment return amounted to \$2,078,005. Investment returns are added to the associated restricted funds (e.g. developer contributions) that form Council's investment portfolio.

Attachments

Attachment 1 Investment Report Pack - September 2023 (*Under Separate Cover*)



File Reference: 52.3

Recommendation

That Council nominate a Councillor delegate for each of the vacant Committee positions for the remaining term of Council:

- Mick Sherd Oval Canteen Committee
- Lake George Bushfire Management Committee
- Lake George District Liaison Committee

Summary

Due to the resignation of Cr Webster, Council is required to nominate new Councillor delegates for the Committees that now have vacancies.

Report

The following committees and delegates; and following Cr Webster's resignation her position noted as Vacant:

	Name/s	Alternate
s355 Committees		
Mick Sherd Oval Canteen	Vacant	N/A
Advisory Committees		
Sports Council	Cr Wilson Cr Biscotti	Vacant
Disability Access Committee	Cr Biscotti	Vacant
Bungendore Floodplain Risk Management Committee	Cr Preston Vacant	N/A
Statutory Committee		
Lake George Bush Fire Management Committee	Vacant	N/A
Lake George District Liaison Committee	Vacant	N/A

Risk/Policy/Legislation Considerations

Committees that require Councillor representation have continued to be held, given we are over mid-way through the Council term.

Links to QPRC/Regional Strategic Plans

All committees are important conduits to Council. Committees are relevant to the Community Strategic Plan Strategic Pillar 5: Contemporary civic leadership and governance that is open, transparent and accountable. Council is an open, accessible and responsive organisation.

Conclusion

Appointment of a Councillor to replace Cr Webster will provide continuity to our s355, Advisory and Statutory Committees.

It is not as critical to nominate a Councillor where Cr Webster was an alternate or where there is another Councillor delegate to share this workload. Unless Council choose otherwise, only those Committees where there is no Councillor representation have been recommended for nominating a new delegate.

Attachments

Nil

10.1 Revolving Energy Fund (Ref: ; Author: Ormella/Bhusal)

File Reference: 25.4.1

Recommendation

That the report be received for information.

Report

At the meeting of Council on 12 April 2023 (**Resolution No 131/23**), Council requested a report on the Revolving Energy Fund (REF) addressing:

1. How much money has been allocated to the fund in each year that it has operated.
2. The works which the fund has financed.
3. Any identifiable energy and financial savings achieved from these investments.
4. Potential uses for the fund in the 2023/24 Operational Plan, having regard to the payback period of investments.
5. Whether the fund should be expanded in future years to assist Council to achieve net zero emissions for its operations.

This report seeks to provide the requested information.

The Revolving Energy Fund has a balance of \$121k as of 30 June 2023.

A summary of monies allocated and funds expended since 2016/17 follows.

		452,766	Opening Balance at Merger
16/17	18,387		Solar Panels and Insulation Projects
17/18	13,750		Planet Footprint Energy Monitoring System
	6,683		Depot Solar Panels and Appliance Upgrades
	1,364		Infrastructure Sustainability Council of Australia Membership
	3,913		Installation of Lighting at Karabar Shop
	28,374		Bicentennial Hall Lighting Upgrades
	2,137		Lighting Upgrade at Karabar Carpark
	2,995		Community Emissions Profiles Project
	10,891		Upgrade LED Lighting Public Conveniences
		110,000	Transfer to Reserve
18/19	14,806		Planet Footprint Energy Monitoring System
	1,055		Infrastructure Sustainability Council of Australia Membership
	36,469		The Q Energy Upgrade
	8,000		Aquatic Centres Energy Utilisation Assessment
	7,218		Green Building Council of Australia Membership
	37,207		Depot Solar Panels and Appliance Upgrades
		50,000	Transfer to Reserve
19/20	15,605		Planet Footprint Energy Monitoring System
	13,576		13.2km solar power 28 Miller St Community Centre

10.1 Revolving Energy Fund (Ref: ; Author: Ormella/Bhusal) (Continued)

	9,360		Lighting Upgrade Braidwood Library
	18,640		Lighting Upgrade Queanbeyan Aquatics
	90,094		Riverside Caravan Park Upgrade
20/21	13,155		Azility Energy Monitoring System
	2,450		Green Building Council of Australia Membership
	1,160		Infrastructure Sustainability Council of Australia Membership
	100,000		Bicentennial Hall Upgrades
		50,000	Transfer to Reserve
21/22	31,240	-	Azility Energy Monitoring System
	20,000	-	Power Purchasing Agreement - Procurement Australia
	1,215	-	Infrastructure Sustainability Council of Australia Membership
	16,000	-	UV Unit for Queanbeyan Indoor Pool
	-	50,000	Transfer to Reserve
		62,022	Insufficient Cash at end of 2022 Transfer from Reserves
22/23	31,240		Azility Energy Monitoring System
	2,550		Green Building Council of Australia Membership
	20,000		Wright Park Amenities
		50,000	
		121,210	Closing Balance June 2023

On an annual basis the Council allocates \$50k to the REF.

The REF provides for Planet Footprint / Azility Energy Monitoring Systems which is the way we monitor our energy, water and green house gas emissions. Since 2013 when the reserve was established, the Council has used this fund, along with grant funds for several solar PV and battery back-up systems in different facilities including, Queanbeyan Library, Bicentennial Hall, The Q and the Queanbeyan Aquatic Centre, and there are many more smaller projects.

Through the use of Azility we have been able to identify which Council assets could benefit from improvements so that there are savings to be made on the operational budgets. The actual greenhouse gas emissions savings from the above projects haven't been mapped. Azility helps to inform our future decision around the use of the REF as it is able to specify the potential future savings on projects. This is undertaken at feasibility stage for each project.

Council has a project with Beam Solar which explores the feasibility stage of projects. An example of one of these projects is the Googong Sewage Treatment Plant (STP). The project feasibility has been able to confirm the capital cost (\$133k) and the operational savings (\$34k per annum) would achieve a payback in 4 years. This is an example of the type of intelligence we have for projects, and through this work we can design projects to meet Council's climate change and emission reduction target objectives.

The REF is a mechanism by which Council can expend capital to help reduce the operational expenditure in future years. Our Azility costs are also increasing year on year meaning that the REF will need to have increased investment so that future projects can be undertaken.

10.1 Revolving Energy Fund (Ref: ; Author: Ormella/Bhusal) (Continued)

Council's Operational Climate Change Action Plan 2020-2030 estimated that the Council would need a capital programme in the order of \$2.4M to secure the targeted greenhouse gas emissions and energy reduction targets. This estimate also forecasted the Council saving year on year in the order of \$440k operational costs.

Attachments

Nil

10.2 Furlong House Queanbeyan Update (Ref: ; Author: Ormella/Blacklock)

File Reference: 26.5.1-08 and 207854 - 43 - 13 - Morisset Street Queanbeyan

Recommendation

That the report be received for information.

Report

The purpose of this update is to outline the actions and completion of the decision by Council on 18 January 2023, to refer the matter of Furlong House and its current status to the Heritage Advisory Committee to investigate viable long-term use and report back to Council (**Resolution No 014/23**).

The matter of Furlong House was reported to the QPRC Heritage Advisory Committee on 9 February 2023. The Committee was provided with a brief detailing the history of Furlong House. Whilst options to encourage tenancy and preservation are an objective, consideration needs to be given to the building and practical uses of it given the site's limitations due to a lack of water and internal facilities.

The Committee sought some further research asking that staff:

- Contact the owner to determine the owner's immediate plans for the building and if they intend to follow-through with the Construction Certificate of 2020,
- Seek floor plans of the internal lay-out of the building as it stands,
- Determine whether Conditions of Consent of the Development Application of 2018 included an obligation for maintenance and repair.

The current approvals for Furlong House are for its use for a business and retail premises and for building alterations including the installation of a toilet and two sinks, along with a staircase and external glazing to both verandahs.

An update was provided to the Committee in March, which confirmed work had started and the owners were undertaking to complete the Construction Certificate of 2020. The floorplan and elevations of the existing building and proposed works were tabled at the meeting.

Further reports to the Committee determined there were no restrictions on the title concerning heritage or issues with utility connections and its potential future use.

It was noted at the July meeting that the improvements are planned to be completed by the end of 2023.

This matter is now closed.

Attachments

Nil

10.3 Update on Design Review Panel for Queanbeyan (Ref: ; Author:
Ormella/Blacklock)

File Reference: PJT0050-02 and Doc Id 2255968

Recommendation

That the report be received for information.

Report

This report seeks to update work on options for establishing a Design Review Panel for development in the Local Government Area (LGA), as resolved by Council at the 12 July 2023 meeting (**Resolution No 279/23**). Council sought a further report on the cost of appointing and operating a Design Review Panel and options.

A well-timed opportunity arose with the Regional Housing Strategic Planning Fund round 2 program being launched in August with it closing at the end of September 2023. This is a fund administered by NSW Department of Planning and Environment and the guidelines for this funding could extend to options and an approach for Design Review.

Projects eligible for this grant funding round include projects that provide detailed planning and design guidelines. Each Council may only submit one individual project and are required to commence the project by 15 Feb 2024 and complete it within 12 months.

Our submission is for a Queanbeyan Central Business District Planning and Urban Design Review, to include the establishment of the right kind of Design Review approach for QPRC, together with updated locally informed design principles and guidance for planning applications in Queanbeyan. This is to draw from previous Masterplan and Place plan work already completed in the Queanbeyan CBD.

The grant applications closed on 29 September and an announcement of the successful applications will occur in December 2023. If successful, this project will provide valuable advice for Council and applicants on the design principles that are important in Queanbeyan.

The avenue of setting up Panels to support this function is outlined in the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65). The project will also add clarity and compliment the SEPP 65 requirements for assessing and determining apartment development including the application of design quality principles as outlined in the attached schedule 1 Design Quality Principles.

This is an important aspect because if a development does not demonstrate an adequate regard has been given to the design quality principles, and the objectives specified in the Apartment Design Guide for the relevant design criteria, then it can be refused (Section 30(2) of SEPP 65). The project includes collaboration with the Government Architect, drawing on their experience in setting up panels and design review frameworks. The importance of Design Review may lead to a proposal for applicants to fund the approach so that the best design outcomes for the LGA are secured.

Should the grant funding application be successful these options will be explored fully, and Council updated at future stages.

Attachments

Attachment 1 SEPP 65 Schedule 1 Design Quality Principles (*Under Separate Cover*)



10.4 Investing In Our Communities Grant Funding - Bungendore Sports Hub (Ref: ;
Author: Richards/Sibbick)

File Reference:

Recommendation

That the report be received for information.

Report

An application for grant funding of \$2M for the Bungendore Sports Hub has been submitted to the Australian Government Department of Infrastructure, Transport, Regional Development, Communication and the Arts, Investing in Our Communities Program (liOC). The program is a one-off, closed, non-competitive grants program, with the Bungendore Sports Hub being identified to receive grant funding, delivering a 2022 election commitment to provide important community and social infrastructure projects.

The liOC, running over 5 financial years (to 2026-27), has been designed to achieve:

- Enhanced community infrastructure;
- Community cohesion; and
- A positive impact on economic activity within communities.

A major part of the project will enable the Bungendore Netball Association to have a clubhouse, canteen and amenities building adding to the recently constructed netball courts.

The scope of works include:

- Netball pavilion and amenities building
- Netball court fencing
- Stormwater works to address drainage issues on the major turf fields
- Services connection to the main pavilion, the netball pavilion and a future men's shed site
- Levelling and fencing of the site for future men's shed
- Installation of Solar Panel energy systems to both pavilion buildings
- Internal pathways between carparking and site facilities
- Tiered seating at the major turf fields
- Field goals for the major turf fields
- Dug outs for team players on the major turf fields
- Tree planting across the site
- Sealing of car park
- Furnishing the main pavilion and netball amenities for sports ad community use

The works identified in this project can commence once the signed funding deed has been received by Council. The estimated start date is February 2024, with an estimated completion date in June 2025.

Attachments

Nil

10.5 Summary of Road Renewal and Maintenance Activities (July - Sept 2023/24)
(Ref: ; Author: Cunningham/Harris)

File Reference: 31.1.98-02

Recommendation

That the report be received for information.

Report

Maintenance Grading of Unsealed Roads

The monthly grading schedule and unsealed road maintenance grading policy is published on Council's website:

<https://www.qprc.nsw.gov.au/Services/Roads-and-Footpaths#section-2>

The following table shows the maintenance grading works completed by Council and its Contractors during the first quarter of 2023/24 (between 1 July 2023 and 30 September 2023).

Road Name	Completion Date	Length Graded (km)
Urila Road	4.7.2023	2.03
Burra Road	12.7.2023	4.22
Half Moon Road	14.7.2023	4.1
Lake Road	17.7.2023	8.66
Plummers Road	17.7.2023	1.28
Mathews Lane	18.7.2023	0.94
River Forest Road	18.7.2023	1.33
Northangera Road	19.7.2023	6.39
Donnelly Lane	19.7.2023	0.67
Collector Road	27.7.2023	5.79
Hoskinstown Road	28.7.2023	2.01
Currandooley Road	29.7.2023	0.4
Taliesin Road	31.7.2023	0.63
Tates Lane	1.8.2023	1.37
Halls Lane	3.8.2023	4.1
Brightside Road	5.8.2023	1.36
Nerriga Road	8.8.2023	4
Forbes Creek Road	8.8.2023	8.87
Foxlow Lane	9.8.2023	0.4
Boro Road	11.8.2023	11.55
Steepers Lane	15.8.2023	1.14
Hoskinstown Road	18.8.2023	4.44

10.5 Summary of Road Renewal and Maintenance Activities (July - Sept 2023/24)
(Ref: ; Author: Cunningham/Harris) (Continued)

Road Name	Completion Date	Length Graded (km)
Farringdon Road	22.8.2023	12.8
Neringla Road	23.8.2023	3.51
Araluen Road	24.8.2023	11.52
Rossi Road	25.8.2023	6.14
Mount Fairy Road	25.8.2023	7.26
Dirty Butter Creek Road	25.8.2023	0.26
Hospital Hill Road	25.8.2023	1
Sun Cutting Road	28.8.2023	1.64
Burrows Lane	29.8.2023	1.28
Clare Lane	31.8.2023	0.9
Millpost Lane	4.9.2023	2.93
Galvins Creek Road	5.9.2023	0.18
Range Road	5.9.2023	0.59
Gambell Road	6.9.2023	1.32
Captains Flat Road	19.9.2023	20.5
Gidleigh Lane	19.9.2023	6.57
Ingledow Road	21.9.2023	4.55
Kain Cross Road	28.9.2023	7.84

Attachments

Nil

10.6 WHS Quarterly Report (Ref: ; Author: Monaghan/Arnold)

File Reference: 41.9.1

Recommendation

That the report be received for information.

Report

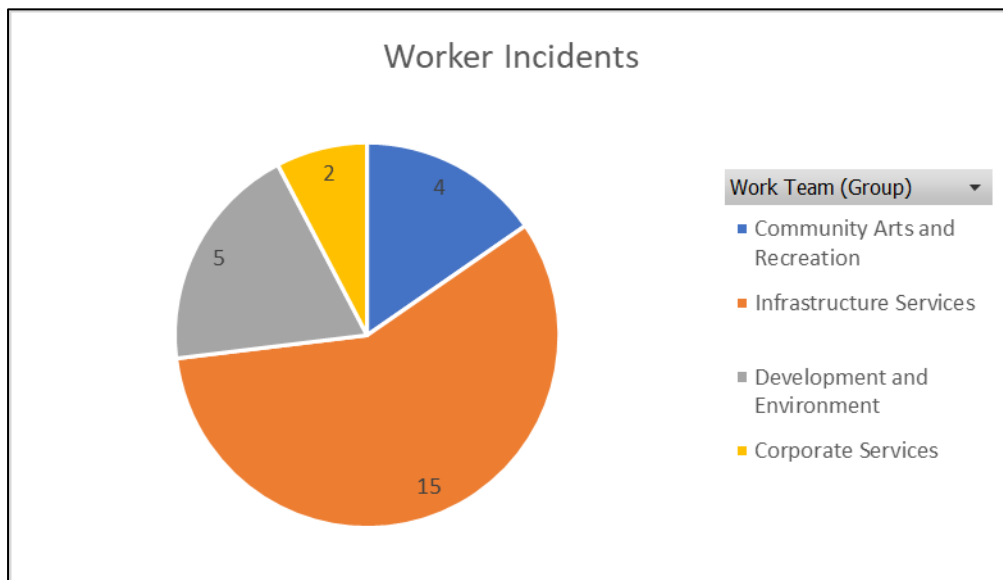
This report provides an overview of Work Health, Safety and Wellbeing activities and items of note for the period 1 July 2023 to 30 September 2023.

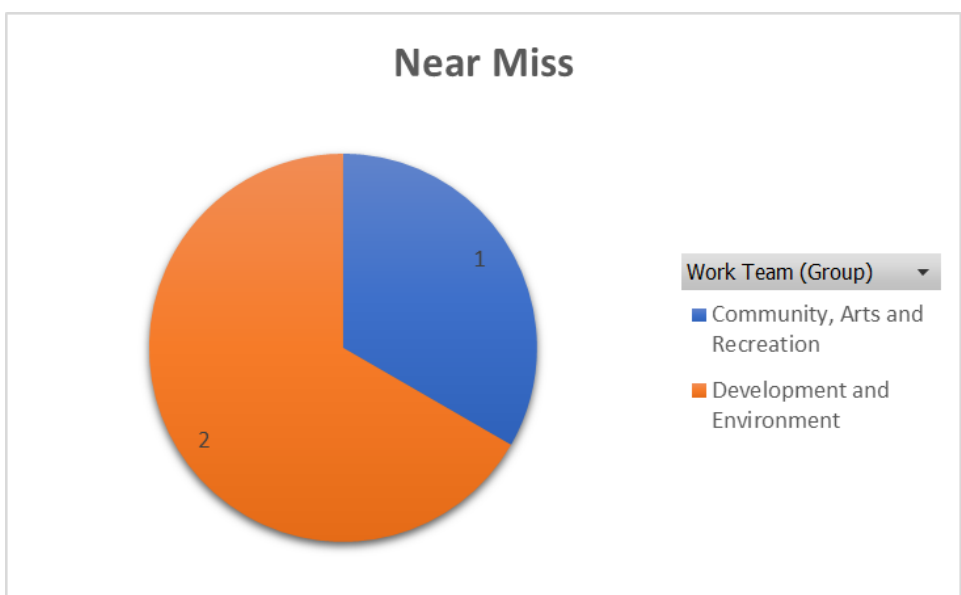
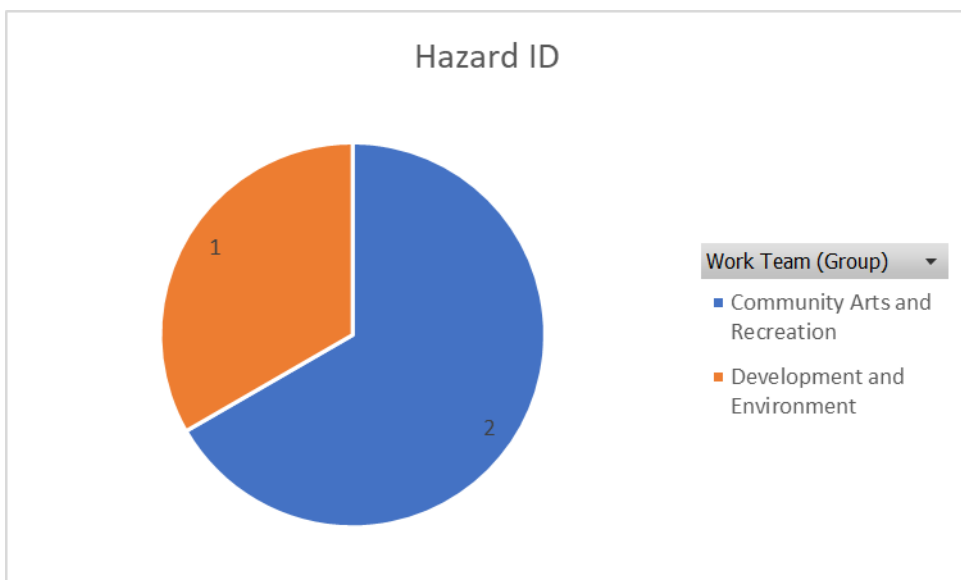
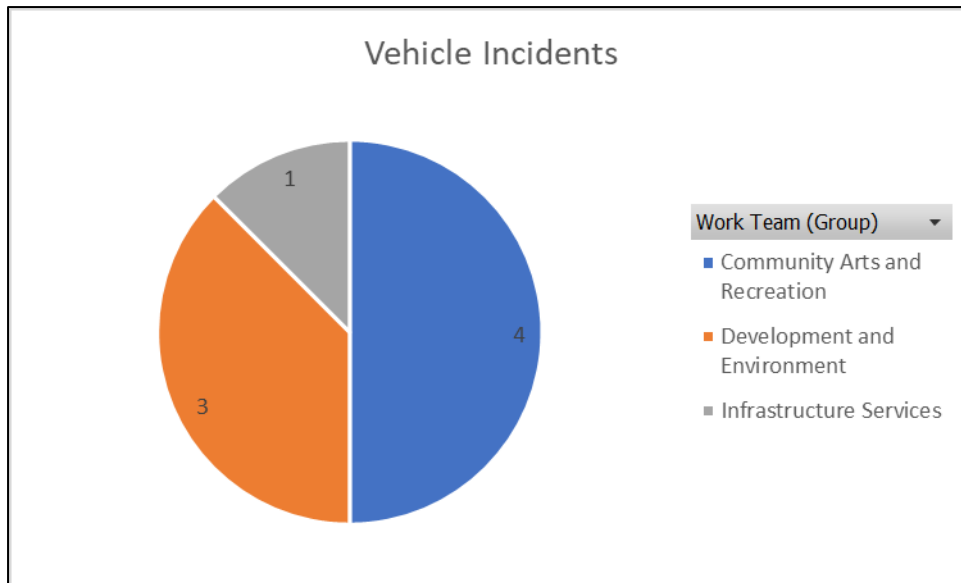
1. Notifiable Incidents
2. WHS report for quarter 1, 2023/24
3. Workers Compensation Claims quarter 1 2023/24
4. StateCover General Manager's Report 2022-23
5. Wellbeing Initiatives for quarter 1 2023/24
6. StateCover WHS Audit Report

1. Notifiable Incidents

There were no notifiable incidents reported to Safework NSW in Quarter 1, 2023/24

2. WHS report for Quarter 1, 2023/24 (1 July to 30 September)





3. Workers Compensation Claims Quarter 1, 2023/24 (1 July to 30 September)

Division	Liability Status	Mechanism
Infrastructure Services	Provisional liability accepted	Body stressing
Infrastructure Services	Provisional liability accepted	Body stressing
Community, Arts and Recreation	Provisional liability accepted	Being hit by moving objects
Infrastructure Services	Provisional liability accepted	Being hit by moving objects
Infrastructure Services	Provisional liability accepted	Body stressing
Infrastructure Services	Provisional liability accepted	Hitting objects with a part of the body
Infrastructure Services	Liability accepted	Body stressing

4. StateCover General Manager's Report – 2022-23

StateCover produces an annual report for each member Council each year. The report is attached for information and includes graphical analysis of cause and type of injury, claim frequency, return to work and the average cost of claims.

5. Wellbeing Initiatives for Quarter 1, 2023/24 (1 July to 30 September)

- Wellbeing webinar – Parent wellbeing
- STEPtember
- Training – Managing Mental Health in the Workplace

6. StateCover WHS Audit Report

Council undertook the StateCover WHS self-audit, an annual continuous improvement activity used to get an overview of WHS systems with a goal of providing a range of information about its WHS performance.

The audit consists of two main sections:

1. WHS Management system – Analyses how systematically WHS is managed within the organisation.
2. Identifies if priority WHS risks and hazards are effectively managed and controlled in accordance with regulatory requirements.

10.6 WHS Quarterly Report (Ref: ; Author: Monaghan/Arnold) (Continued)

A WHS Action plan to address deficiencies identified in the audit has been developed. All actions will have target dates prior to 15 July 2024. The submission of the action plan to StateCover by 27 October 2023 will qualify Council for 100% of the StateCover WHS Incentive in 2023 and 2024.

Attachments

Attachment 1 StateCover General Manager's Report 2022-23 (*Under Separate Cover*)



Attachment 2 WHS Audit Report (*Under Separate Cover*)



10.7 Local Emergency Management Committee Heatwave Plans (Ref: ; Author: Cunningham/Stokes)

File Reference: 36.3 Emergency

Recommendation

That the information report be noted.

Report

In NSW all emergency management practices are governed by a set of arrangements which flow from State Government Agencies, through to the region then local level. Queanbeyan Palerang Regional Council is included in the South Eastern Emergency Management Region, via a South Eastern Emergency Management Plan.

<https://www.nsw.gov.au/rescue-and-emergency-management/regions/southern-eastern>

In the event of a declared heatwave event, the NSW Government will enact the State Heatwave Subplan available at the following:

<https://www.nsw.gov.au/rescue-and-emergency-management/sub-plans/heatwave>

In support of a heatwave emergency, the Local Emergency Management Committee (LEMC) enacts its local response which has a flow on effect for a number of agencies, including Council. The local response is captured in the LEMC's consequence management guide for heatwave which details the triggers, strategies and actions to follow for a heatwave emergency.

The State Heatwave Subplan sets out the State's arrangements and, because of the nature of the document, is a broad description of those arrangements. Consequence Management Guides (CMGs) for specific emergencies are developed at the local level as a way of taking into account the resources that are available locally, which will assist in enacting the arrangements set out in the State's subplan. QPRC's CMG is attached for information.

All LGAs have different capabilities across agencies so the CMG concept was designed to document what that capability is to ensure all agencies involved are clear about what each agency can realistically contribute. CMGs are submitted to the Regional Emergency Management Committee for their information and that provides the region with information about how the LGA will respond to events, which informs the regions planning around how they might need to, or can, support individual LGAs across a range of events. QPRC is part of the South Eastern emergency management region.

All CMGs are enacted by the Local Emergency Operations Controller (LEOCON), a position replicated at a regional level with a Regional Emergency Operations Controller (REOCON) and the State level with a State Emergency Operations Controller which goes hand in hand with establishing either a full or partial Emergency Operations Centre (EOC). A REOCON might also direct the LEOCON to stand up an EOC. Standing up an EOC automatically enacts the relevant CMG.

There has been a welcome push towards standing up EOCs early. Where an event is anticipated, expected or pending, a partial EOC can be stood up to begin early preparations.

In terms of heatwave, they occur when there are more than a few days in a row above 34 degrees, often combined with high humidity and where those temperatures are unusual for that location. In Australia, heatwaves usually range from 37°C to 42°C.

10.7 Local Emergency Management Committee Heatwave Plans (Ref: ; Author: Cunningham/Stokes) (Continued)

The Heatwave Service for Australia period is generally between 1 October and 31 March. Low intensity heatwaves do not demand any special attention. Severe heatwaves will be challenging for more vulnerable people such as those over 65, pregnant women, babies and young children and those with a chronic illness. Heatwaves identified as extreme are rare, but the consequences are greater and will impact normally reliable infrastructure, such as power and transport. Extreme heatwaves are a risk for anyone who does not take precautions to keep cool, even healthy people. Extreme heat is responsible for approximately 55% of all listed natural hazard fatalities recorded since 1900 (Coates et al, 2014). Heatwaves also increase the fire risk.

Where a heatwave emergency is declared, the EOC will be established by the LEOCON who has specific control responsibility of heatwave emergencies. The EOC is made up of Liaison Officers (LOs) from a range of functional areas who each have a role to play. The EOC works closely with NSW Health who are commanded and coordinated by the Health Services Functional Area Coordinator, in consultation with the Public Health Unit.

Council is represented in the EOC by a LO, appointed at the time of the event by Council's General Manager. The role of the LO is to implement Council's support actions outlined in the CMG and as guided by NSW Health through the EOC.

Council's main responsibilities in response to a heatwave event include, if required:

- providing public access to cool spaces, which may involve extended opening hours ie. libraries, community halls, public areas in office spaces, pools etc;
- mobilising portable generators and/or hiring generators for identified cool spaces
- sourcing and providing water in those spaces, in conjunction with other agencies
- sharing official information through its media and/or social channels, as supplied by NSW Health and/or the Public Health Information Services Functional Area.

Council also hosts the Disaster Dashboard on its website, with a link from the home page.

<https://queanbeyanpalerang.disasterdashboards.com/dashboard/overview>.

The Dashboard is fed information directly from a range of government agencies. This ensures that the information captured from the responsible agency which in turn meets the single source of truth standard without the burden and confusion of surfing a range of websites.

The Dashboard provides information around preparation (Get Ready tab) and real time incident information fed from the responsible agency (Dashboard tab) and recovering from an event (Recovery tab) which allows for posting local community-centred information and NSW Government supports.

For heatwaves, the Disaster Dashboard offers a range of resources to inform the community about the steps they can take to minimise the consequences of heatwave. Importantly it covers 'How will I know a heatwave is coming?' and 'What to do to beat the heat'.

Community education sessions and/or information sharing through local media channels is planned over the course of the next two months to promote individual and community resilience leading into the hottest part of the summer, including Bushfire emergencies. Promotion of the Disaster Dashboard will feature as part of this community education.

Attachments

Attachment 1 Consequence Management Guide Heat Wave (*Under Separate Cover*)



10.8 Resolution Action Sheet (Ref: ; Author: Ryan/Flint)

File Reference: 52.3.2

Recommendation

That the report be received.

Report

The Resolution Action Sheet provides Council with information on the number and status of outstanding resolutions determined at Council meetings. As at 19 October 2023, there are 42 outstanding resolutions.

It is the role of the General Manager to 'implement, without undue delay, lawful decisions of the council' as per s335 of the Local Government Act (1993).

The Resolution Action Sheet is an ongoing document, updated progressively by staff. As items are completed they will be removed from the document. Resolutions which are outstanding for more than 12 months will generate a further report to Council.

Resolutions relating to Land transfers; compulsory acquisition, purchase or sale in particular when associated with road works or Council facilities development can take up to 2-5 years to be completed. These items are now recorded to a Land Acquisition/Sale Register for action and monitoring by Corporate Governance and Legal division and reported to Council on an annual basis.

This report is presented to Council on a quarterly basis.

Attachments

Attachment 1 Resolution Action Sheet - Outstanding Actions (*Under Separate Cover*)



Attachment 2 Resolution Action Sheet - Completed Actions (*Under Separate Cover*)



10.9 Responses to Councillor Questions (Ref: ; Author: Ryan/Flint)

File Reference: 23 August 2023 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Willis on 12 October 2023. Staff will provide responses at the next meeting.

1. Given that NSW laws allow roaming domestic cats to be seized, and that QPRC policy encourages cat owners to keep their cats indoors, what advice (verbal and/or written) does Council provide to cat owners about controlling their cats in the event that their cats are handed in to the Council animal management facility?
2. Does this advice extend to alerting cat owners to the dangers to the cats themselves if they roam free, and/or the nuisance problem that cats roaming free can cause (e.g., that they can increase the problem of barking dogs)?
3. In relation to the point above, what is the basis of directions given by staff working at the animal management facility to people who have trapped collar-wearing nuisance cats that these cats should not be taken to the animal management facility but should be released immediately? How do these directions help educate owners of those cats to keep their cats on their property; and how does this advice help to reduce the nuisance level for those people bothered by those cats?
4. Does Council charge a release fee to owners whose cats have been handed into the animal management facility, as is this case for dog owners? If not, why? If yes, what is the fee? Is the cat release fee the same as that charged to dog owners? If there is a disparity between the fees, what is the basis for this?

Attachments

Nil

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

File Reference: 25 October 2023 reports

Recommendation

That the report be received for information.

Councillor workshop items are published in the Agenda of the next Council meeting. During the period 5 to 20 October 2023, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
17/10/2023	1. EOFY Draft Financial Statements	N/A
18/10/2023	1. Department Regional NSW: South Jerrabomberra Regional Jobs Precinct 2. Braidwood Water Security and Water Restrictions Policy 3. WaterWise Policy	From Regional Development NSW, Crystal Atkinson, Senior Project Officer and Michael Keys, Director

Attachments

Nil

11.1 **Audit, Risk and Improvement Committee Minutes and Annual Report (Ref: ;
Author: Ryan/Cakalic)**

File Reference: 45.3.1

Recommendation

That Council:

- 1. Note the minutes of the Audit, Risk and Improvement Committee held 18 September 2023.**
 - 2. Note the Audit, Risk and Improvement Committee Annual Report 2023 provided for information.**
 - 3. Note the resolution of the ARIC special meeting held 9 October 2023 endorsing the QPRC Financial Statements for the approval of Council.**
-

Summary

This report provides the minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 18 September 2023, as confirmed by ARIC members out of session. This meeting was the first meeting chaired by newly appointed independent chair Rhonda Wheatley.

The agenda is set by the ARIC Work Plan which is reviewed annually to ensure coverage of items as required by the ARIC Charter. The following is a summary of the reports received by the ARIC at its meeting held 18 September 2023.

- Verbal update on external audit activities by the Audit Office of NSW
- Internal audit activity report by O'Connor Marsden
- Status of Audit actions
- Audit Office NSW Annual Work Program 2023-2026
- Financial Statements Sub-Committee Minutes
- Chief Financial Officer verbal status update
- ARIC Chair Annual Report 2022-2023 (attached)
- ARIC Charter annual review
- ICT Report
- HSEQ results
- Organisation performance and management reporting
- Governance Report January 2023 – June 2023
- ARIC meeting dates for 2024

Reports for closed session:

- Land sales and acquisition register update
- Legal matters report – January to June 2023

The ARIC Annual Report was prepared by the outgoing Chair Mr Andrew Cox and is provided to Council for their information.

11.1 Audit, Risk and Improvement Committee Minutes and Annual Report (Ref: ;
Author: Ryan/Cakalic) (Continued)

Additionally, it was resolved at the 18 September meeting that the ARIC would hold a special meeting on 9 October for the purpose of reviewing the financial statements. At this meeting it was resolved to endorse the QPRC Financial Statements for adoption by Council.

Attachments

Attachment 1 ARIC Minutes 18 September 2023 (*Under Separate Cover*)



Attachment 2 ARIC Chair Annual Report 2023 (*Under Separate Cover*)



11.2 Local Traffic Committee Meeting - 3 October 2023 (Ref: ; Author:
Cunningham/Harris)

File Reference: 31.4.1

Recommendation

That Council:

1. Note the minutes of Local Traffic Committee held on 3 October 2023.
2. Adopt recommendations LTC 24/2023 and LTC 32/2023 to LTC 38/2023 from the meeting held on 3 October 2023:
 - LTC 24/2023: Proposed Solution: Event Supported. Under Roads Act 1993 approve the amended traffic control plan as per minutes for the Diwali Festival of Lights.
 - LTC 32/2023: Proposed Solution: Queanbeyan Community Christmas Party not supported in current form, changes required as per minutes.
 - LTC 33/2023: Proposed Solution: Bungendore Community Christmas Party not supported in current form, changes required as per minutes.
 - LTC 34/2023: Proposed Solution: Braidwood Community Christmas Party not supported in current form, changes required as per minutes.
 - LTC 35/2023: Proposed Solution: Googfest not supported in current form, changes required as per minutes.
 - LTC 36/2023: Proposed Solution: Queanbeyan Rodeo not supported in current form, changes required as per minutes.
 - LTC 37/2023: Proposed Solution: Approve the Traffic Control Devices plan in the report provided amendments are made to the “No Stopping” zone.
 - LTC 38/2023: Proposed Solution: Approve the signage and line marking plan for Bus Zone and On-Street Carparking along Lexcen Avenue, Jerrabomberra.
3. Note the attachment of amended traffic control devices plan as per LTC 37/2023.

**11.2 Local Traffic Committee Meeting - 3 October 2023 (Ref: ; Author:
Cunningham/Harris) (Continued)**



Summary

The Local Traffic Committee (LTC) has submitted the minutes and recommendations of its meeting held on 3 October 2023 for Council's information and consideration.

The LTC is a technical review committee with no decision making powers. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to Transport for NSW or relevant organisation.

Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. The LTC will only review reports that have been prepared by staff and submitted to the LTC in accordance with its delegations. The members of the LTC will not undertake investigations of traffic matters or design traffic solutions.

Attachments

- | | |
|---|--|
| Attachment 1 | Local Traffic Committee Meeting Minutes - 3 October 2023 (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | LTC 37/2023 - Amended Traffic Control Devices Plan (<i>Under Separate Cover</i>) |
|  | |

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 Proposal to Install EV Charging Infrastructure in the Lowe Street Carpark
Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.