



Ordinary Meeting of Council

AGENDA

12 June 2024

Commencing at 5.30pm

**Council Chambers
257 Crawford Street, Queanbeyan**

Presentations for items listed on the Agenda can be made in writing, via Zoom or in person. 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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- 16.1 Compulsory Acquisition of land for road widening - Nerriga Road
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.
- 16.2 Renewal of Licence Agreement to TPG Telecom Ltd over Tompsitt Drive, Jerrabomberra
Item 16.2 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.
- 16.3 Tender REGPRO042425 - Contract for the Supply and Delivery of Bulk Water Treatment Chemicals
Item 16.3 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.
- 16.4 Contract 2023-26 – Tender for Water Main Replacement Works – Cooma Street area Queanbeyan
Item 16.4 is confidential in accordance with s10(A) (c) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS**Open Attachments**

- Item 9.1 Post Exhibition Report- Compliance and Enforcement Policy
Attachment 1 Draft Compliance and Enforcement Policy (Under Separate Cover)
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- Item 9.2 Kanga Cup - Request for Support
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- Item 10.1 Review of Environmental Factors Determination Policy
Attachment 1 Review of Environmental Factors Determination Policy (Under Separate Cover)
- Item 10.7 Captains Flat Heritage Update
Attachment 1 Letter to NSW Minister for Environment and Heritage - Heritage Listed Items in Captains Flat (Under Separate Cover)
Attachment 2 Letter of Response - Minister for Regional Transport and Roads (Under Separate Cover)
- Item 11.1 Cultural Development & Public Art Advisory Committee - meeting minutes
Attachment 1 CDPA - Committee Meeting Minutes 26 Oct 2023 (Under Separate Cover)
- Item 11.2 Audit, Risk and Improvement Committee Minutes March 2024
Attachment 1 ARIC Meeting Minutes March 2024 (Under Separate Cover)
- Item 13.1 Delegate Report - CRJO Meeting 16 May 2024
Attachment 1 Minutes Board Meeting 16 May 2024 (Under Separate Cover)

Closed Attachments

- Item 16.2 Renewal of Licence Agreement to TPG Telecom Ltd over Tomsitt Drive, Jerrabomberra
Attachment 1 Letter of Offer (Under Separate Cover)
- Item 16.3 Tender REGPRO042425 - Contract for the Supply and Delivery of Bulk Water Treatment

- Chemicals
- Attachment 1 Attachment 1 - Tender evaluation report (Under Separate Cover)*
- Attachment 2 Attachment 2 - Evaluation matrix (Under Separate Cover)*
- Item 16.4 Contract 2023-26 – Tender for Water Main Replacement Works – Cooma Street area Queanbeyan
- Attachment 1 Attachment 1 - Map of proposed works (Under Separate Cover)*
- Attachment 2 Attachment 2 - Tender Evaluation Report (Under Separate Cover)*
- Attachment 3 Attachment 3 - Evaluation matrix summary (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, 257 Crawford Street, Queanbeyan on Wednesday, 22 May 2024 commencing at 5.30pm.

ATTENDANCE

Councillors: Cr Winchester (Chairperson)
Cr Burton
Cr Grundy
Cr Livermore
Cr Macdonald
Cr Preston
Cr Taskovski
Cr Willis

Staff: R Ryan, General Manager
P Hansen, Director Infrastructure Services
K Monaghan, Director Corporate Services
R Ormella, Director Development and Environment
T Geyer, A/Director Community, Arts and Recreation

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.30pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Custodians of the Land upon which the meeting was held.

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

It was noted that Cr Biscotti requested a leave of absence for this meeting which was approved at the 24 April 2024 Ordinary meeting.

213/24

RESOLVED (Winchester/Macdonald)

That the apology for non-attendance from Cr Wilson be received and that leave of absence be granted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

- 214/24 **4.1 Minutes of the Ordinary Meeting of Council held on 8 May 2024**
RESOLVED (Winchester/Taskovski)
- That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 8 May 2024 be confirmed.
- The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

- 215/24 **RESOLVED (Winchester/Preston)**
- That Councillors and staff now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.
- The resolution was carried unanimously.
- Cr Winchester declared a significant non-pecuniary interest in Item 9.7: Licence Agreement - Queanbeyan Leagues Club for Seiffert Oval, stating he is a Board Member of the Queanbeyan Leagues Club. He proposed to leave the Chambers when the Item is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

- At this stage of the proceedings, the time being 5.33pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.
- 216/24 **RESOLVED (Winchester/Burton)**
- That the meeting be adjourned to conduct the Public Forum.
- The resolution was carried unanimously.
- ADJOURNMENT:** The meeting adjourned for the Public Forum at 5.33pm and resumed at 6.00pm.

7. MAYORAL MINUTE

There was no Mayoral Minute.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 DA.2022.1354 - Alterations and Additions to Various Buildings; Change of Use from Professional Consulting Room and Former Stables to Tourist and Visitor Accommodation; Use of Marquee in Conjunction with the Approved Function Centre; Business Signages and Sculptures****MOVED (Willis/Taskovski)**

That:

1. Council grant conditional consent for DA.2022.1354 for alterations and additions to various tourist accommodation buildings, change of use of professional consulting room to tourist and visitor accommodation, change of use of former stables to tourist and visitor accommodation, including use of existing marquee in conjunction with the function centre, business signages, sculptures on Lot 3 DP 839479, No. 140 Little River Road Braidwood.
2. Consent be granted to a variation to Clause 4.3 Height of buildings of the Palerang Local Environmental Plan 2014 to allow for the sculptures to be retained on Lot 3 DP 839479, No 140 Little River Road Braidwood for the following reasons:
 - a. The sculptures have no discernible impact on any existing views, privacy, amenity to neighbouring properties.
 - b. The sculptures are consistent with the objectives of Cl 4.3 Height of buildings and does not result in any adverse environmental impact on the natural landscape.
 - c. The sculptures comprise of simple vertical elements, made of materials and colours, which is within the rural landscape as a simple artistic addition.
3. The hours for the use of amplified noise equipment be limited to 7am to 8pm any day.

AMENDMENT (Macdonald/Burton)

That consideration of this matter be deferred until such time that a site visit is conducted to enable Councillors to fully understand all relevant factors.

The amendment (of Crs Macdonald and Burton) was PUT and LOST.

For: Crs Burton and Macdonald

Against: Crs Grundy Livermore, Preston, Taskovski, Willis and Winchester

AMENDMENT (Macdonald/Burton)

That:

1. Council grant conditional consent for DA.2022.1354 for alterations and additions to various tourist accommodation buildings, change of use of professional consulting room to tourist and visitor accommodation, change of use of former stables to tourist and visitor accommodation, including use of existing marque in conjunction with the function centre, business signages, sculptures on Lot 3 DP 839479, No. 140 Little River Road Braidwood.
2. Consent be granted to a variation to Clause 4.3 Height of buildings of the Palerang Local Environmental Plan 2014 to allow for the sculptures to be retained on Lot 3 DP 839479, No 140 Little River Road Braidwood for the following reasons:
 - a. The sculptures have no discernible impact on any existing views, privacy, amenity to neighbouring properties.
 - b. The sculptures are consistent with the objectives of Cl 4.3 Height of buildings and does not result in any adverse environmental impact on the natural landscape.
 - c. The sculptures comprise of simple vertical elements, made of materials and colours, which is within the rural landscape as a simple artistic addition.
3. Council supports the use of amplified noise equipment outside of the woolshed in accordance with hours specified in condition No.8 and that draft condition No.7 be removed from the development consent.
4. A Plan of Management will be submitted to Council within 28 days from the date of this consent for approval. The Plan is to include frequency of events and the associated management of noise, the process for lodging and responding to complaints and communication plan. The operation of the site shall be undertaken in accordance with the approved Plan of Management.

The amendment (of Crs Macdonald and Burton) was PUT.

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

The amendment was CARRIED and became the motion.

RESOLVED (Macdonald/Burton)

That:

1. Council grant conditional consent for DA.2022.1354 for alterations and additions to various tourist accommodation buildings, change of use of professional consulting room to tourist and visitor accommodation, change of use of former stables to tourist and visitor accommodation, including use of existing marque in conjunction with the function centre, business

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signages, sculptures on Lot 3 DP 839479, No. 140 Little River Road Braidwood.

2. Consent be granted to a variation to Clause 4.3 Height of buildings of the Palerang Local Environmental Plan 2014 to allow for the sculptures to be retained on Lot 3 DP 839479, No 140 Little River Road Braidwood for the following reasons:
 - a. The sculptures have no discernible impact on any existing views, privacy, amenity to neighbouring properties.
 - b. The sculptures are consistent with the objectives of Cl 4.3 Height of buildings and does not result in any adverse environmental impact on the natural landscape.
 - c. The sculptures comprise of simple vertical elements, made of materials and colours, which is within the rural landscape as a simple artistic addition.
3. Council supports the use of amplified noise equipment outside of the woolshed in accordance with hours specified in condition No.8 and that draft condition No.7 be removed from the development consent.
4. A Plan of Management will be submitted to Council within 28 days from the date of this consent for approval. The Plan is to include frequency of events and the associated management of noise, the process for lodging and responding to complaints and communication plan. The operation of the site shall be undertaken in accordance with the approved Plan of Management.

For: Crs Burton, Livermore, Macdonald, Preston, Taskovski and Winchester

Against: Crs Grundy and Willis

9.2 Planning Proposal - Googong Township - Eastern Boundary Amendment

218/24

RESOLVED (Winchester/Preston)

That Council:

1. Seek a Gateway determination from the Department of Planning, Housing and Infrastructure to amend the Queanbeyan-Palerang Local Environmental Plan 2022 as per the planning proposal (Attachment 1).
2. Require the planning proposal to be updated with the following amendments prior to agency consultation:
 - Include Ministerial Direction 4.3 Planning for Bushfire Protection,
 - Land proposed to have a 600m² minimum lot size is to be zoned R1 General Residential.
3. Request delegation of Plan making powers, for this planning proposal.
4. Undertake agency consultation and public exhibition pursuant to any requirements of the Gateway determination.
5. Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Local Environmental Plan 2022.
6. Support the review of the Googong structure plans in Appendix 8 and 10 of the Googong DCP with consideration of the subdivision approval in DA.2021.1549.

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

Against: Cr Willis

9.3 Submissions Report on Scoping Proposal for Complying Development in the C4 Environmental Living Zone - Bywong and Wamboin

219/24

RESOLVED (Macdonald/Burton)

That Council:

1. Receive and note the submissions in response to a community workshop and public exhibition for complying development in the C4 Environmental Living Zone in Bywong and Wamboin.
2. Support the Council led scoping proposal that provides a Hybrid Approach to enable complying development within the C4 Environmental Living Zone in Bywong and Wamboin for agency consultation.
3. Prepare a formal planning proposal that considers agency advice and community views, that will be presented to Council at a later date seeking approval to request Gateway determination.

The resolution was carried unanimously.

220/24 **9.4 Procedure for Proponent Initiated Planning Proposals**
RESOLVED (Grundy/Macdonald)

That Council adopt the Procedure for Proponent Initiated Planning Proposals as outlined in the report.

The resolution was carried unanimously.

221/24 **9.5 Road Naming - Murumba Road, Bombay**
RESOLVED (Preston/Willis)

That Council:

1. Adopt in principle the name Murumba Road as the proposed road name for a road in Bombay, as shown in Figure 1.
2. Publish a notice in the NSW Government Gazette.

The resolution was carried unanimously.

222/24 **9.6 Investment Report - April 2024**
RESOLVED (Willis/Burton)

That Council:

1. Receive the Investment Report for the month of April 2024.
2. Note the investment return for April 2024 was \$189,266.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

Cr Winchester, having declared a significant non-pecuniary interest in the following Item, vacated the Chair and left the Chambers at 7.01pm.

The Deputy Mayor assumed the Chair.

223/24 **9.7 Licence Agreement - Queanbeyan Leagues Club for Seiffert Oval**
RESOLVED (Preston/Macdonald)

That Council:

1. Rescind the existing access licence with the Queanbeyan Leagues Club over Seiffert Oval Sports Ground.
2. Approve the new Licence Agreement with the Queanbeyan Leagues Club for a 5 year term.

The resolution was carried unanimously.

Cr Winchester returned to the meeting at 7.07pm. Cr Livermore vacated the Chair and Cr Winchester resumed the Chair.

- 224/24 **9.8 Renewal of Access Licence - Veterans Motorcycle Club**
RESOLVED (Grundy/Macdonald)
- That Council:
1. Approve the renewal of the Licence Agreement with Queanbeyan Veteran's Motorcycle Club for a further 5 year term.
 2. Re-affirm the boundaries of the intended licence area, and that the southern shower and changeroom area are included under the licence agreement.

The resolution was carried unanimously.

SUPPLEMENTARY REPORT

- 225/24 **9.9 Quarterly Budget Review Statement for the Quarter Ending 31 March 2024**
RESOLVED (Willis/Preston)
- That Council:
1. Receive the March 2024 Quarterly Budget Review Statement.
 2. Adopt the budget variations outlined in the report.
 3. Note the opinion of the Responsible Accounting Officer in relation to Council's financial performance and projected year result is satisfactory.

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

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

- 226/24 **10.1 Bungendore High School Update**
RESOLVED (Willis/Preston)
- That the report be received for information.
- The resolution was carried unanimously.

- 227/24 **10.2 Monaro Street Upgrade**
RESOLVED (Grundy/Taskovski)
- That the report be received for information.
- For: Crs Burton, Grundy, Livermore, Macdonald, Preston, Taskovski and Winchester
Against: Cr Willis

228/24 **10.3 Update on Bicycle and Pedestrian Facilities Plan Progress**
RESOLVED (Willis/Livermore)

That the report be received for information.

The resolution was carried unanimously.

229/24 **10.4 LCLI Funding Agreement Amendment**
RESOLVED (Grundy/Livermore)

That the report be received for information.

The resolution was carried unanimously.

230/24 **10.5 Questions With Notice - Former Mayors**
RESOLVED (Taskovski/Grundy)

That the report be received for information.

The resolution was carried unanimously.

231/24 **10.6 Councillor Workshops**
RESOLVED (Willis/Preston)

That the report be received for information.

The resolution was carried unanimously.

11. REPORTS OF COMMITTEES

232/24 **11.1 Bungendore Floodplain Risk Management Committee Meeting**
Minutes - 9 April 2024
RESOLVED (Preston/Burton)

That Council note the minutes of the Bungendore Floodplain Risk Management Committee held on 9 April 2024.

The resolution was carried unanimously.

233/24 **11.2 Local Traffic Committee Extraordinary Meeting - 23 April 2024**
RESOLVED (Livermore/Taskovski)

That Council:

1. Note the minutes of Local Traffic Committee Extraordinary Meeting held on 23 April 2024.
2. Adopt recommendation for LTC 10/2024 from the meeting held on 23 April 2024:
LTC 10/2024: The Queanbeyan Reconciliation Walk 2024 is supported TGS as per LTC meeting minutes.
3. Advise TfNSW and NSW Police of Council's intention to hold the Reconciliation Walk.

The resolution was carried unanimously.

- 234/24 **11.3 QPRC Sports Council Meeting - 6 May 2024**
RESOLVED (Winchester/Macdonald)
- That Council note the minutes of the QPRC Sports Council held on 6 May 2024.
- The resolution was carried unanimously.

ADJOURNMENT: The meeting adjourned for the Public Forum at 7.28pm and resumed at 7.37pm.

12. NOTICES OF MOTIONS

- 235/24 **12.1 Notice of Motion - Albion Complex Heritage Listing**
RESOLVED (Willis/Preston)
- That Council staff:
1. Seek a meeting with Heritage NSW to discuss the removal in error of the local listing of the Albion Complex and a process to expedite reinstating the listing on Schedule 5 of the Queanbeyan-Palerang Regional LEP 2022, and
 2. Make use of the Braidwood Historical Society's records and extensive knowledge of local heritage, including the site in question and its local heritage values, to assist in this matter.
- For: Crs Livermore, Preston, Taskovski, Willis and Winchester
- Against: Crs Burton, Grundy and Macdonald

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

236/24

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

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 Bungendore Office and Property Development

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

The resolution was carried unanimously.

The meeting then moved into Closed Session at 7.44pm to discuss the matters listed above.

16.1 Compulsory Acquisition

237/24

RESOLVED (Willis/Grundy)

That Council authorise:

1. The Compulsory Acquisition of part lots 148,149 and 150 of DP 72760 and part Lot 60 DP 754907 from Crownlands for the purpose of road widening.
2. The making of an application to the Minister for Local Government and the making of an application to the Governor for the compulsory acquisition of part lots 148,149 and 150 of DP 72760 and part Lot 60 DP 754907 in the Locality of Googong, Parish of Googong, County of Murray.

The resolution was carried unanimously.

16.2 Bungendore Office and Property Development

238/24

RESOLVED (Preston/Livermore)

That the report be received for information.

The resolution was carried unanimously.

239/24

RESOLVED (Winchester/Livermore)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.05pm.

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

In accordance with Clause 253 of the Local Government (General) Regulations 2021, the Mayor then read out the decisions of Council made in Closed Session.

18. CONCLUSION OF THE MEETING

The time being 8.07pm, 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 Post Exhibition Report- Compliance and Enforcement Policy (Ref: ; Author: Ormella/Corey)

File Reference: 24.4.1

Recommendation

That Council adopt the Compliance and Enforcement Policy

Summary

The Draft Compliance and Enforcement Policy, refer to Attachment 1, was presented to Council at its meeting of 28 February 2024. Council agreed to place the policy on public exhibition for a period of 28 days (**Resolution No 072/24**). The policy was exhibited from 29 February 2024 to 29 March 2024. During this exhibition period the policy attracted 125 web site visits, 51 document downloads and 9 written submissions, refer to Attachment 2.

Background

Council undertakes various compliance and enforcement activities as part of its statutory functions. Section 8 of the Local Government Act (1993) requires Council to ensure that it carries out its functions in a way that facilitates a strong, healthy, and prosperous local community.

Council's compliance and enforcement role is aimed primarily at minimising harm to health, welfare, safety, property, and the environment. The Draft Compliance and Enforcement Policy has been developed to provide guidance to internal and external stakeholders regarding Council's position on compliance and enforcement matters with the intent of establishing clear guidelines and protocols for Council staff involved in compliance and enforcement activities.

The policy has been developed in accordance with the NSW Ombudsman's Enforcement Guidelines for Councils (December 2015).

Report

Submissions received are attached to this report, refer to Attachment 2, and below is a summary of the themes received and staff comments for each.

Additional Deterrents:

- The policy considers legislative deterrents in the form of enforcement tools (notices, orders, penalty notices etc.) It does not consider other measures of deterrent or punishments.

Role of Council in Identifying Breaches:

- Council Officers are actively involved in identifying and monitoring breaches of legislation. Section 6.2.1 states that:

Council staff are also responsible for ensuring that any other possible unlawful activity identified as a result of an inspection, proactive enforcement or other activity is brought to the attention of the appropriate business unit of Council.

9.1 Post Exhibition Report- Compliance and Enforcement Policy (Ref: ; Author: Ormella/Corey) (Continued)

Discretion in Investigation:

- Section 6.2.2 (f) requires that Council:

Provide as much information as possible to all relevant parties about the outcomes of investigations to show that adequate and appropriate action was taken and/or is proposed to be taken. Council is not resourced to deal with every concern or non-compliance raised by the community. If Council chooses not to investigate or pursue a matter the reasons will be documented and made available to the complainant.

Resourcing:

- Council has an Environment and Compliance Department which has all of Council's compliance functions together in one team. This provides benefits including sharing of knowledge and experience and increased resources for compliance work. Council will continue to monitor and adequately resource its compliance team.

Timeframes:

- Initial contact following a concern being raised will be in accordance with the timeframes specified in Council's Customer Service Charter. It is not possible to have a timeframe for investigation as each case will be treated on its own merits.

Specific Issues:Wood heaters -

- Council officers are currently developing a policy to regulate the use of solid fuel heaters. This will be presented to Council in the near future.

Cat Containment -

- Council officers are currently working on an expanded cat containment policy which will be presented to Council in the near future.

Comments regarding these specific issues are outside the scope of the Compliance and Enforcement Policy and will be considered as part of the development of the above policies.

The submissions have been assessed with the themes and comments not leading to changes or amendments to the Draft Policy as exhibited.

Risk/Policy/Legislation Considerations

The Policy relates to Council's statutory functions under the following legislation (including subordinate legislation):

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

9.1 Post Exhibition Report- Compliance and Enforcement Policy (Ref: ; Author: Ormella/Corey) (Continued)

- Roads Act 1993
- Public Spaces (Unattended Property) Act 2021
- Food Act 2003
- Biosecurity Act 2015
- Companion Animals Act 1998

Financial, Budget and Resource Implications

The Policy provides a framework for appropriate resourcing of the compliance and enforcement activities of Council. It provides a risk matrix which classifies matters as low, medium or high risk and allows for discretion around investigations based on resourcing levels and the community benefit of undertaking enforcement. It allows Council to ensure that limited resources in the compliance and enforcement areas are directed to functions that provide the highest level of benefit to the community and natural environment.

Links to QPRC/Regional Strategic Plans

The Draft Compliance and Enforcement Policy aligns with several of the Strategic Objectives of the Queanbeyan Palerang Community Strategic Plan 2042 including:

3.3 Our land, vegetation and waterways are managed in an integrated and sustainable manner.

4.1 Our transport network and infrastructure are safe, supports a zero emissions target and allows for ease of movement throughout Council and across the ACT border and regions.

Conclusion

The Compliance and Enforcement Policy is recommended for endorsement by Council. It provides a robust framework for the management of Council's compliance and enforcement activities. It allows Council to balance statutory requirements with community expectations and undertake compliance and enforcement activities in accordance with the regulatory principals of accountability, transparency, fairness, consistency, and proportionality.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Draft Compliance and Enforcement Policy (<i>Under Separate Cover</i>) |
| Attachment 2 | Post Exhibition Report- Submissions Received (<i>Under Separate Cover</i>) |

9.2 Kanga Cup - Request for Support (Ref: ; Author: Ryan/Duncan)

File Reference: 4.3

Recommendation

That Council:

1. Waive ground fees for the 2024 Kanga Cup event at the Regional Sports Complex being held from 7 - 12 July;
 2. Provide \$10,000 in financial support to Capital Football for the event from the Donations and Events programs noted in the report.
-

Summary

Capital Football has approached Council to provide support for the 2024 Kanga Cup and requested that Council waive ground fees as well as providing \$10,000 in financial support for the event. A copy of this request is attached.

The Council venue requested is the Regional Sports Complex. The event will be held from Sunday 7 to Friday 12 July 2024.

Background

The Kanga Cup is the largest International Youth Football Tournament in the Southern Hemisphere.

Council has supported the event in the past as below:

- 2017 – \$7,000 in funding to the Monaro Panthers and waiving of ground fees
- 2018 – \$14,000 in funding to the Monaro Panthers and waiving of ground fees
- 2019 – \$7,000 in funding to the Monaro Panthers.

Report

Capital Football has proposed playing an Under 13's age group – with 30 teams to utilise the three fields at the Regional Sports Complex.

Capital Football have referenced the Economic Impact report from 2023 Kanga Cup, indicating nearly 6,000 people visited Canberra, spending \$3.75M in the local economy (based on approximately 12.7% of the total attendees).

Queanbeyan already experiences some overflow accommodation from events like the Kanga Cup.

Risk/Policy/Legislation Considerations

The event will cause additional wear and tear on the fields that will be managed by staff and contractors, with international teams playing the grounds will be unable to be closed during the event. This may result in fields being unavailable for local clubs after the event if significant damage occurs.

9.2 Kanga Cup - Request for Support (Ref: ; Author: Ryan/Duncan) (Continued)

Due to the delay in Capital Football approaching Council to provide support, some travelling teams may have already booked accommodation – therefore reducing the local economic impact.

Financial, Budget and Resource Implications

The waiving of ground fees is not lost income. Capital Football are unlikely to use the Regional Sports Complex if the adopted Council fees are charged.

If approved funding will be allocated from the following programs:

- Category 2 Events \$4,000
- Donations \$3,000
- Community Donations \$3,000

Staff will be required to spend additional time at the Regional Sports Complex for assistance with rubbish and the like. With other junior sports being on break for the July School Holidays, this is manageable.

Capital Football have indicated that no other costs are applicable with a Venue Manager and First Aid hired separately.

Links to QPRC/Regional Strategic Plans

- Sports Facilities Strategic Plan
- Community Strategic Plan:
 - Strategic Objective – 4.3 Our community facilities and assets are well planned, meet the needs of the community and enhance social connection.
 - Strategies – Enhance community and recreational use of facilities through robust maintenance and management.

Conclusion

The Kanga Cup is a successful event and worth supporting due to the economic benefit it provides. The event will also promote the Regional Sports Complex that may follow on to attract additional bookings.

Attachments

Attachment 1 Email Requests from Capital Football (*Under Separate Cover*)

9.3 Freebody Sculpture Placement (Ref: ; Author: Duncan/Geyer)

File Reference: 36.1

Recommendation

That Council approve the placement of the WB Freebody sculpture in the Nellie Hamilton Centre as proposed, in the pedestrian access link on the mezzanine level adjacent to the Council Chambers and the Bicentennial Hall.

Summary

Council had been approached by local community group, Heritage Culture Arts Promotions Incorporated (HAPI), to place a bronze bust sculpture of former Mayor of Queanbeyan, WB Freebody, within the Nellie Hamilton Centre.

The matter was reported to Council 27 September 2023. Council accepted this gift and referred the proposal to the Cultural Development and Public Arts Advisory Committee (CDPAA).

Council requested that they receive a further report following investigation of an appropriate location, options for installation and associated costs (**Resolution No 388/23**).

This report details the options considered and recommendation for installation on the pedestrian access link on the mezzanine level adjacent to the Council Chambers and the Bicentennial Hall

Background

William Byrne Freebody was an alderman on the Queanbeyan City Council continuously from 1917 to 1956 and served as Mayor for three terms between 1926 and 1951. The WB Freebody sculpture is the second proposed work to be installed, by HAPI, the first being John Gale on corner of Lowe and Monaro Streets.

The CDPAA committee considered various locations including Queanbeyan Park, Heritage Library and Senior Citizens building (former Visitor Information Centre). HAPI and the family of WB Freebody preferred an inside location and the new Council building, as centre for local government in Queanbeyan being most appropriate due to the length of time served as an Alderman.

Council's engineers have reviewed the location within the Nellie Hamilton Centre and approved the preferred location.

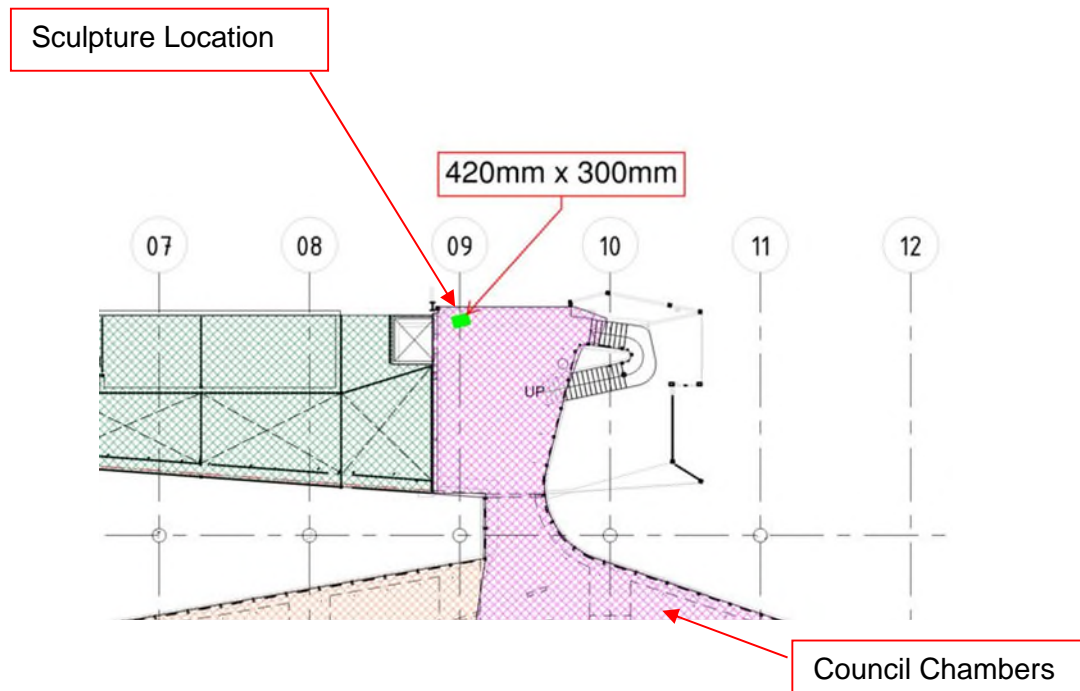
Report

Placement of the sculpture within the Nellie Hamilton Centre, Queanbeyan offices of Council will link the history of a long serving alderman and local government in the city to the Council Chambers.

The proposed location is on the Mezzanine level, inside on the link to the Bicentennial Hall in an area suitable for exhibits of this nature. There are other display cabinets which may also hold local government history and items of significance for display.

9.3 Freebody Sculpture Placement (Ref: ; Author: Duncan/Geyer) (Continued)

The location was referred to Council's consulting structural engineers and advise has been received that the walkway has the structural integrity to support this sculpture.



Whilst the CDPA unanimously agreed that the new Civic Building was an incompatible site for the placement of the Freebody Sculpture, this decision considered the placement in the front entrance Foyer which is in view of the First Nations artwork already chosen to welcome visitors to its interior.

The preferred location is on the Mezzanine Level, not in view of the First Nations Welcome to Country art work, and the CDPA have not considered this alternative location.

Risk/Policy/Legislation Considerations

The proposal has been reviewed by structural engineers and does not pose a risk to the mezzanine level.

Financial, Budget and Resource Implications

The sculpture has been commissioned by the family of WB Freebody and its installation will be paid for by the family, and maintenance will carry negligible costs to Council, being bronze in construction.

Links to QPRC/Regional Strategic Plans

Installation of art and sculptures is covered by;

Strategic Pillar: Community

A safe, harmonious, happy and healthy community leading fulfilled lives.

1.1 Our community is strengthened through connection and participation that enhances our community and cultural life.

9.3 Freebody Sculpture Placement (Ref: ; Author: Duncan/Geyer) (Continued)

- We recognise and take pride in the unique and individual heritage and identity of our city, towns, villages and rural areas.

Conclusion

The proposed location for the WB Freebody sculpture within the Nellie Hamilton Centre is considered a suitable site and is supported by the family and HAPI.

Whilst the naming of the Council Chambers has not been considered yet by Council, it may be appropriate to link the sculpture to the decision making place of Council by naming the Council Chambers in honour of WB Freebody.

Attachments

Attachment 1 History and support information (*Under Separate Cover*)

9.4 Post-Exhibition Report - Bungendore Place Plan (Author: Duncan/Petroff)

File Reference: 11.5.7-03

Recommendation

That Council adopt the Bungendore Place Plan

Summary

The draft Bungendore Place Plan (the Plan) was presented to Council for consideration on 24 April 2024. At this meeting, Council agreed to place the Plan on public exhibition for 28 days (**Resolution No 170/24**). The Plan was on exhibition from 25 April 2024 to 26 May 2024.

During this time, the Plan attracted 280 site visits, 172 document downloads and 10 written submissions.

Background

Over the next twenty years Bungendore's population is expected to increase by 56% (ID Profile) to just under 8,000. The town centre is undergoing major changes with a proposed new high school, QPRC administrative building and community sports hub either in the planning process or close to completion. The town already has a large commuter base which is forecasted to grow with the projected population increase.

The purpose of the Plan is to set a direction for the next 10 years, based on the aspirations and ideas of the local community. The Plan notes it is "not a list of ready-to-go projects but helps to guide Council and consultants for future development projects, large or small" (page 7).

Report

Overall, the plan was well received by the community. Respondents elaborated on initiatives, offered suggestions for implementation, and highlighted additional aspects to consider.

Responses exhibited both support and some criticism. On the positive side, the consultation process was praised for its inclusiveness and recognition of community challenges. The strategic vision of a strong, well-connected, and lively town received appreciation, along with specific initiatives like street tree planting, pedestrian routes, and public space enhancements. There was strong support for preserving Bungendore's rural charm and improving pathways, footpaths, and road crossings.

However, criticisms from some respondents included a concern about the selection of an international consultant and in contrast to majority of feedback, the consultation's lack of comprehensive community representation. Some initiatives were deemed vague, and one respondent noted the Plan's lack of attention to Aboriginal cultural heritage.

Some respondents felt that critical infrastructure needs, such as public transport, were not adequately prioritised. Environmental issues, particularly climate change impacts, elicited mixed feelings, and there were doubts about the practicality and feasibility of certain initiatives.

The suggestions and comments gathered during the exhibition period will be considered in the detailed planning of individual initiatives as they are prioritised for development.

9.4 Post-Exhibition Report - Bungendore Place Plan (Author: Duncan/Petroff) (Continued)

Risk/Policy/Legislation Considerations

The Plan highlights several topics for Council consideration in future planning and strategic efforts related to Bungendore. This encompasses updates to heritage controls and improving connectivity, which will be considered in upcoming reviews of the Bungendore Bicycle and Pedestrian Facilities Plan, Bungendore Structure Plan and Bungendore Development Control Plan.

Financial, Budget and Resource Implications

A Bungendore Place Plan was approved in Council's 2023/24 Operational Plan with a budget of \$70K. The project was completed at a total cost of \$65,963.

Grants and other project funding for individual initiatives outlined in the Plan will be integrated into future Delivery Programs and Operational Plans

Links to QPRC/Regional Strategic Plans

The Place Plan meets the key directions of several pillars in the Community Strategic Plan:

Community	1.1	Our community is strengthened through connection and participation that enhances our community and cultural life.
	1.3	Our public and community places are inviting, accessible, encourage participation and are well maintained.
Choice	2.1	Our city, town and village centres are dynamic and thriving places that attract economic activity through the revitalisation of centres, focus on tourism and improved digital connectivity.
Character	3.3	Our land, vegetation and waterways are managed in an integrated and sustainable manner.
Connection	4.3	Our community facilities and assets are well planned, meet the needs of the community and enhance social connection.

The Place Plan also links to the following plans and strategies:

- QPRC Tourism Plan 2017 – 2025
- QPRC Bungendore Structure Plan 2018 -2024
- QPRC Integrated Transport Strategy 2020
- Bungendore Bicycle and Pedestrian Facilities Plan
- Regional Economic Development Strategy 2023
- Bungendore Town Centre Environment Committee's Town Centre Concept Plan 2009

Conclusion

The draft Bungendore Place Plan presents the community's aspiration for the future of the Bungendore, and it is recommended that Council adopt the draft plan.

Attachments

Attachment 1	Public Exhibition Responses (<i>Under Separate Cover</i>)
Attachment 2	Draft Bungendore Place Plan (<i>Under Separate Cover</i>)

9.5 Activation of the former Nursery Site at 58 - 62 Morisset Street, Queanbeyan
(Ref: ; Author: Ryan/Duncan)

File Reference: 45.2

Recommendation

That Council:

- 1. Support in principle the development of 58-62 Morisset Street as a Mobile Food Van Hub**
 - 2. Prepare a Master Plan in preparation for seeking grant funding and Development Application purposes.**
 - 3. Prepare a Feasibility Study and investigate funding opportunities to implement this project, in stages to report back to Council.**
-

Summary

This report proposes a Master Plan that reactivates an unused central block of Council land, at 58-62 Morisset Street, to establish a mobile van food hub.

In developing a Master Plan and Feasibility Study, grant funding may be sought for the project.

The project may include a staged trial period of one van if Council determined that in due course. One van is exempt development to assess the viability of the food hub with the potential for further expansion to six food vans, pending Development Application (DA) approval.

Estimated potential income when fully operational is between \$60,000 and \$90,000 pa.

Background

The former Nursery Site at 58 – 62 Morisset Street is located on operational Council land within the Central Business District, Queanbeyan. It presents an innovative opportunity to activate the space into a vibrant community food van hub.

Legislation currently provides for one food van to operate temporarily without the requirement for a DA. Additional food vans would require DA approval.

The site has stood idle since approximately 2011 and is situated in a floodway, restricting any significant development, including sale for any mobile housing, caravan parking, residential or housing landuse taking place on the site.

Report

The possibility to reactivate the location into a food hub, utilising an unused space to benefit both community and economic development is advantageous.

This sort of food precincts are happening in many cities, in old car parks, on unused and even unattractive dead ends or closed off streets in areas where there is lots of pedestrian traffic and activation opportunities for the food and catering sector that will add value to vibrant city events.

**9.5 Activation of the former Nursery Site at 58 - 62 Morisset Street, Queanbeyan
(Ref: ; Author: Ryan/Duncan) (Continued)**

A food hub would complement both the nearby bus interchange, including car parking spaces and QEII park providing a valuable opportunity for community connection offering a centrally located meeting place with the potential to sample a variety of cultural delicacies whilst enjoying music or acts provided by street performers.

The site will need restoration work at a cost of approximately \$90,000. This includes cleanup, fencing across carpark area, connection to electricity, including three electricity box turrets and putting in place six removable bollards. This would future proof the site where up to 6 food vans will be able to operate concurrently (subject to DA approval), with an estimated potential income to Council of between \$60,000 and \$90,000 pa, when fully operational.

The benefits include Community Engagement, providing a place for social connection and community interaction. Local Economic Development, supporting local food providers.

When funding was available, it is proposed to clear the site, prepare and seek Expressions of Interest (EOI) for food van operators to be located at 58 – 62 Morisset Street. This could be for a 12-month trial period if the project was delivered in stages.

The hours of operation will be within legislative timeframes, expected to be afternoons and nights operating up to 10pm over 7 days per week. A Feasibility Report will address these questions and opportunities.

Risk/Policy/Legislation Considerations

Being located in a flood area, the risk of flood can be mitigated by having in place an extensive evacuation plan that will include securing the site, de-commissioning power boxes, managing infrastructure and ensuring food vans remain mobile and easily removed in pending floods.

Council adopted Mobile Food Vending Policy applies to this project, as it relates food vans trading on public land, however is more than the 100m distance from food service operators.

Financial, Budget and Resource Implications

No budget has been allocated. Approval now will reduce the forecast unrestricted cash position as at 30 June 2024 and have a flow on effect of reducing the forecast balance of unrestricted cash as at 30 June 2025 as work would be undertaken across financial years. No budget is sought at this stage, until a feasibility study and masterplan of the site is prepared and a further report brought back to Council. This work may take another 5-6 months.

There maybe some activation of city centre spaces funding that would be sought, if became available.

Restoration of the site will cost approximately \$90,000 and lease income per van could be in between \$10,000 and \$15,000 per annum. This will be further confirmed and explored in preparation of the Feasibility Study and tested during a trial period stage of the project, if implemented.

Links to QPRC/Regional Strategic Plans

The Queanbeyan CBD Masterplan identifies the need to activate sites and provide community connection within the CBD, this opportunity ties in with the strategy.

**9.5 Activation of the former Nursery Site at 58 - 62 Morisset Street, Queanbeyan
(Ref: ; Author: Ryan/Duncan) (Continued)**

Conclusion

Activating the former Nursery Site as a food hub represents an innovative strategic initiative to enhance community connection and economic activity.

Support from Council is sought to progress this project.

Attachments

Nil

9.6 Draft Restricted Funds Policy - Public Exhibition Feedback (Ref: ; Author: Monaghan/Sligar)

File Reference: 43.6.5-01

Recommendation

That Council:

- 1. Receive and note the submission from the exhibition period.**
 - 2. Adopt the Restricted Funds Policy.**
-

Summary

The attached Draft Restricted Assets Policy was tabled at the 10 April 2024 Council meeting and placed on a 28-day public exhibition (**Resolution No 140/24**).

The consultation period has now concluded with one response received.

Background

The consultation period resulted in the following visitation to the 'Have Your Say' page on Council's website:

Widget type	Engagement tool	Visitor no.	Downloads / views
Document	Draft Restricted Funds Policy	18	18
Survey Tool	Have your say – Draft Restricted Funds policy	6	1 contributor

The 'Have Your Say' survey results are attached, noting that one submission was received.

Report

The contributor's main concerns was how the Policy complies with section 8A of the Local Government Act 1993 (the Act) which refers to the principles or sound financial management.

Clause 6 of the Policy, specifically notes Section 8B of the Local Government Act (1993) – the principles of sound financial management.

Section 8A of the Act refers to Guiding Principles for Council - Decision making

The Policy does provide a framework for Council to make decisions regarding the current and future funding for projects that consider:

- Diverse local community needs and interests
- Long term and cumulative effects of actions on future generations
- Ecologically sustainable development

The Property Reserve, Revolving Energy Reserve and the infrastructure reserve are a few examples of holding cash in reserve to support future investment in sustainable projects,

9.6 Draft Restricted Funds Policy - Public Exhibition Feedback (Ref: ; Author: Monaghan/Sligar) (Continued)

infrastructure for future generations and the changing needs of the community for renewed and new facilities, such as a new Bungendore Pool.

And Section 8B of the Act, is in regard to Principles of Sound financial management
The Policy provides the mechanism for council to ensure there is sufficient funds being allocated to future sustainable projects, infrastructure projects and aligns with Councils' plans to provide facilities for the community.

Risk/Policy/Legislation Considerations

The draft Restricted Funds Policy lists the following relevant legislation that Council is required to comply with:

- Section 625 and section 410 of the Local Government Act 1993
- Section 8B of the Local Government Act 1993 – the principles of sound financial management
- Local Government (General) Regulation 2021
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Crown Land Management Act 2016 No58
- Rating and Revenue Raising Manual, Department of Local Government (2007)
- Environment Planning & Assessment Act, 1979 (EP&A Act)
- Water Management Act 2000

Financial, Budget and Resource Implications

This policy is a budget management control mechanism to assist with identifying appropriate funding sources for projects and ensuring future projects can be funded when needed.

Links to QPRC/Regional Strategic Plans

This policy continues to support the delivery of Council's Community Strategic Plan to achieve civic leadership and governance that is open, transparent and accountable and support a sustainable local region.

Conclusion

Council staff acknowledge and welcome the feedback provided during the exhibition period. As no amendments are proposed to the Draft Restricted Funds Policy, it is recommended that Council now adopt the Restricted Funds Policy.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Draft Restricted Funds Policy (<i>Under Separate Cover</i>) |
| Attachment 2 | Your Say - Feedback (<i>Under Separate Cover</i>) |

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

**9.7 Licence Agreement with Monaro Hockey Club - Regional Sports Complex
(Ref: ; Author: Ryan/Flint)**

File Reference: 46.1.1

Recommendation

That Council endorse the proposed licence agreement with the Monaro Hockey Club for access to the Regional Sports Complex for a five-year term at the rate of \$5,000 per annum.

Summary

Endorsement from Council is sought for a proposed licence agreement with the Monaro Hockey Club for access to the only hockey field at the Regional Sports Complex.

Background

Monaro Hockey Club (MHC) are a local sporting group, making recreational field hockey accessible to a wide variety of skill levels and age groups across the local government area.

One of the former Council drivers was to ensure every Queanbeyan sporting team, now Queanbeyan Palerang based sporting club had a home. MHC, formerly Queanbeyan Hockey, did not and subsequently had to travel to train and play in the ACT due to the requirement to play on synthetic surfaces for over a decade. Subsequently, MHC participant numbers dropped due to the onerous travel requirements.

For many years, the Queanbeyan sporting community has called for a Regional Sports Complex to provide a higher level of sporting opportunity, rather than lose elite players across the border to the ACT or to other regional centres.

Report

MHC have expressed an interest in obtaining exclusive access to the hockey field and surrounding facilities at the Regional Sports Complex at Environa Drive, Jerrabomberra. The proposal is to enter into a licence agreement with MHC, granting the Club permissions and conditions for access for a five-year term. The club is now wanting security of venue and are interested in taking on a greater role in running the venue such as scheduling the irrigation between games, controlling the lights etc.

The intention behind the licence agreement is to allow for MHC to have a home base in the Queanbeyan area. The licence provides for access on a recurring basis for up to five hours per week. Additional hours can be booked at extra cost as per the Fees and Charges.

MHC was paying hire fees in the ACT of up to \$5,000 per annum to use the synthetic surfaces for training purposes. MHC participant numbers have risen due to the new facilities at the Regional Sports Complex. The hours required for training has also increased.

The proposed annual fee of \$5,000 per annum is less than what would be charged through the hourly fees and charges for private hire. Therefore, a separate licence is required. Charging the full rate may mean that MHC return to the ACT to train which is not a desirable

9.7 Licence Agreement with Monaro Hockey Club - Regional Sports Complex (Ref: ; Author: Ryan/Flint) (Continued)

outcome for hockey in the QPRC area and out of touch with the original goal of the Regional Sports Complex.

Hockey fees charged for use of the synthetic hockey pitches at the Regional Sports Complex are aimed to match those charged in the ACT. Unfortunately for MHC, the pitch at the Regional Sports Complex is in high demand with most nights and weekends now being booked with users including those from the ACT very willing to pay the hourly fees and charges.

The reduced figure which is comparable to other QPRC Sports Clubs, would enable MHC to build participant and volunteer numbers. After five years, MHC may be in a better financial position and the need for an increased fee structure under a new licence agreement can be reviewed at that point in time.

Risk/Policy/Legislation Considerations

The land is classified as Community Land under the Local Government Act 1993. A licence agreement with a recreational sports club is consistent with the prescribed purposes and land use requirements for Community Land under the Act. These agreements must also be authorised through the adoption of a Plan of Management.

Under the access licence, MHC is required to maintain adequate Public Liability insurance coverage and indemnify Council against loss.

Financial, Budget and Resource Implications

The fee under the licence agreement is set at \$5,000 per annum, excluding GST. The fee is to be reviewed annual by CPI.

Links to QPRC/Regional Strategic Plans

This access agreement and use of the facility is consistent with QPRC's Sport Facilities Strategic Plan.

<https://www.qprc.nsw.gov.au/files/assets/public/v/1/resources-amp-documents/plans-and-strategies/sports-facilities-strategic-plan-2024.pdf>

Conclusion

It is recommended that Council endorse the licence agreement with the Monaro Hockey Club on the proposed terms contained within the report.

Annexure A – Map of Licenced Area



The area highlighted in **Red** is the playing field.
The area highlighted in **Blue** is the shared change room area.
The Licence encompasses both highlighted areas.

Attachments

- Attachment 1 Draft Licence Agreement with Monaro Hockey Club (*Under Separate Cover*)

REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.8 Classification of Lot 102 DP 1304193 as Council Operational Land for Googong Depot (Author: Flint/Turland)

File Reference: 46.1

Recommendation

That Council:

- 1. Note the land parcel transferred to QPRC from Googong Township Pty Ltd under their Planning Agreement with Council.**
 - 2. Approve the reclassification of Lot 102 DP 1304193 as Council Operational Land under Section 31 of the Local Government Act 1993.**
-

Summary

Queanbeyan Palerang Regional Council has recently been transferred land by Googong Township Pty Ltd under their Planning Agreement with Council for construction of a new depot in Googong. Council is recommended to classify this transferred land as Operational under the Local Government Act 1993.

Background

Googong Township Pty Ltd has a Planning Agreement in place with Council, requiring them to make contributions to Council and the community as part of their developments in the local government area. This was first brought into effect in 2012. An amendment to this agreement was signed by both parties in 2020, requiring Googong to transfer approximately 5,554m² to be used as a new Council depot to service the Googong area.

Report

The area selected for this site is at 216 Googong Road, Googong (Lot 102 DP 1304193). The location is shown on the map below. This transfer took effect as of April 2024. Council now has title over the land.

Risk/Policy/Legislation Considerations

In accordance with Section 25 of the Local Government Act 1993, all public land must be classified. This classification must take place within 3 months of the land being transferred to Council.

The intention is to use this lot for construction of a depot and for Council operational purposes to service the Googong area. It is therefore appropriate that this land is classified as Operational land.

Land can be classified as Operational by resolution of Council under section 31 of the Local Government Act 1993.

Financial, Budget and Resource Implications

As this is largely an administrative process, there are no direct financial or resource implications for Council.

Links to QPRC/Regional Strategic Plans

9.8 Classification of Lot 102 DP 1304193 as Council Operational Land for Googong Depot (Author: Flint/Turland) (Continued)

The inclusion of a Council depot at this site ties the objectives under the Googong Township Masterplan to improve the liveability and availability of Council services throughout the Googong area.

<https://www.qprc.nsw.gov.au/files/assets/public/building-and-development/planning-docs/section-94-and-vpas/schedule-4-development-plans.pdf>

Conclusion

It is recommended that Council proceed to classify the land as Operational by way of Resolution, to give effect to the intended purpose of the contribution under the Planning Agreement.



9.8 Classification of Lot 102 DP 1304193 as Council Operational Land for Googong Depot (Author: Flint/Turland) (Continued)

Attachments

Nil

9.9 Post Exhibition Report - Sporting Gallery Policy (Ref: ; Author: Ryan/Flint)

File Reference: 52.5.4

Recommendation

That Council adopt the Sporting Gallery Policy.

Summary

The draft Sporting Gallery Policy was presented to Council at their meeting on 24 April 2024. Subsequently, it was resolved to place the new policy on public exhibition for 28 days (**Resolution 171/24**). The exhibition has now ended, submissions have been considered by staff and the policy in final form is presented to Council for their consideration and adoption.

Background

The Queanbeyan Sporting Gallery was first established on 26 January 1993 in the Bicentennial Hall. In 2011 it was moved to the Queanbeyan Indoor Sports Centre and later upgraded at the completion of the Centre upgrade in 2018. It is a featured a tourism attraction in the Centre now operated by PCYC. At the time the Sporting Gallery was established, an Advisory Committee of Council was also established to make decisions around how the Gallery was to operate and who was to be inducted into it. The deficiency in the operation of the Committee to date, has been the lack of a formalised Policy which outlines the criteria for induction and or removal for individuals. This policy serves as that missing piece of documentation.

Report

Following the presentation of the draft Sporting Gallery Policy to Council, the policy was placed on exhibition for 28 days from 25 April 2024 until 26 May 2024. During this time the draft policy was also circulated to all member of the Sporting Gallery Advisory Committee for review and comment.

Over the course of the exhibition period, the QPRC YourVoice Page received 70 site visits with 2 submissions, noting 3 comments.

The submission comments received in relation to the draft Policy are as follows:

Submission	Staff Comment
'Looks Ok'	Noted
'Just a shame it's not more centrally located.'	At this point in time, there is no opportunity for Council to consider an alternate location.
'The document reads well. Should 'sportsmanship' be changed to 'sportspersonship?'	The word 'sportsmanship' has been replaced with the word 'sportspersonship' in the final version of the policy before Council.

**9.9 Post Exhibition Report - Sporting Gallery Policy (Ref: ; Author: Ryan/Flint)
(Continued)**

Risk/Policy/Legislation Considerations

It is important that the work of Council and its committees be supported by appropriate policies to guide decision making. The provision of this policy is an important adjunct to the work of the Committee.

Financial, Budget and Resource Implications

There are no budget implications for this policy. From time to time, at the Committee's recommendation, Council may endorse the addition or removal of members and associate members to the Gallery. This occurs through a small operational budget for the purchase/removal of plaques and, where applicable, for small celebratory functions.

Links to QPRC/Regional Strategic Plans

The adoption of this new policy helps support the below Strategic Objectives in the QPRC Community Strategic Plan 2042:

1. Objective 2.2 – "Our unique regional identity and social and economic advantages underpin a growing economy and a thriving tourism sector."
2. Objective 5.2 – "Council is an open, accessible and responsive organisation."

Conclusion

Council is asked to formally adopt this important piece of work to support the decision making process of the Sporting Gallery Advisory Committee.

Attachments

Attachment 1 Sporting Gallery Policy (*Under Separate Cover*)

File Reference: 52.7

Recommendation

That Council:

1. **Apply the maximum annual Councillors and Mayoral Fee for the Regional Centre Category of \$27,050 and \$66,800 (respectively) effective from 1 July 2024 in accordance with the Local Government Remuneration Tribunal Annual Report and Determination of 29 April 2024**
 2. **Continue to allocate 10% of the Mayoral Fee to the Deputy Mayor's Councillor Fee in recognition of the additional duties to this role in supporting the Mayor.**
-

Summary

The report informs Council of the most recent determination by the Local Government Remuneration Tribunal regarding fees to be paid to the Mayor and Councillors. On 29 April 2024, the Local Government Remuneration Tribunal determined a 3.75% increase to the minimum and maximum fees payable to Mayors and Councillors. The Annual Determination of the Local Government Remuneration Tribunal Report is attached for information.

The determination takes effect from 1 July 2024. The Tribunal noted the submission of LGNSW and individual member Councils, which informed its view as to the quantum of this year's increase.

Queanbeyan-Palerang Regional Council is classified as a 'Regional Centre' for the purpose of determining remuneration.

Background

The Local Government Act 1993 requires the Local Government Remuneration Tribunal to report to the Minister for Local Government by 1 May each year on its determination of categories of Councils and the maximum and minimum amounts of fees to be paid to Mayors, Councillors and Chairpersons and members of County Councils.

Section 239 of the Local Government Act 1992 requires the Tribunal to determine the categories of Councils and Mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023. The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The category of 'Regional Centre' include the following 23 Councils: Albury, Armidale, Ballina, Bathurst, Blue Mountains, Byron, Cessnock, Clarence Valley, Coffs Harbour, Dubbo, Eurobodalla, Hawkesbury, Lismore, Mid-Coast, Orange, Port Macquarie-Hastings, Port Stephens, Queanbeyan Palerang, Shellharbour, Tamworth, Wagga Wagga, Wingecarribee and Wollondilly.

Report

The Remuneration Tribunal's annual review commenced in October 2023 when it wrote to all Council's inviting submissions regarding fees, categorisation and any other general matters. QPRC participated in this process.

9.10 Councillor Remuneration (Ref: ; Author: Ryan/Flint) (Continued)

LGNSW's submission requested that the Tribunal increase fees by at least 10% for all categories in order to:

1. Reverse the fee erosion which occurred under the NSW Public Sector Wages Policy;
2. Mitigate economic pressures on the rising cost of living (CPI);
3. Ensure that Councillors and Mayors receive fair and reasonable remuneration for the work they perform; and
4. Address the historic undervaluation of the work performed by elected representatives in local government in NSW.

Queanbeyan-Palerang Regional Council and other submissions advocated for the Tribunal to change the determination in regards to the remuneration structure, and proposed the Tribunal set a fixed mandatory fee for Councillors and Mayors. This was also endorsed as Motions from Queanbeyan-Palerang Regional Council at the 2022 and 2023 LGNSW Annual Conference. The Tribunal determined that 'consistent with its obligations set out in the LG Act, section 248 and section 249, [The Tribunal] determines a minimum and maximum remuneration range for Councillors and Mayors. It is then up to individual councils, to fix the annual fee for councillors and Mayors.'

Furthermore, the Tribunal does not have the authority to determine a fixed mandatory fee, as section 241 of the Local Government Act states:

The Tribunal has determined a 3.75% per annum increase in the minimum and maximum fees applicable for each category from 1 July 2024, as listed in the following tables:

Councillor/Member Annual Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	20,500	35,620
Major Strategic Area	20,500	35,620
Regional Strategic Area	20,500	33,810
Regional Centre	15,370	27,050
Regional Rural	10,220	22,540
Regional Large	10,220	18,340
Rural	10,220	13,520

Mayor/Chairperson Additional Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	45,530	110,970
Major Strategic Area	43,530	110,970
Regional Strategic Area	43,530	98,510
Regional Centre	31,980	66,800
Regional Rural	21,770	49,200
Regional Large	16,330	39,350
Rural	10,880	29,500

Queanbeyan Palerang Regional Council is a Regional Centre, as highlighted above.

Risk/Policy/Legislation Considerations

Annual fees for Councillors are fixed in accordance with section 248 of the Local Government Act 1993 as follows:

9.10 Councillor Remuneration (Ref: ; Author: Ryan/Flint) (Continued)

- (1) A Council must pay each Councillor an annual fee
- (2) A Council may fix the annual fee and, if it does so, it must fix the annual fee in accordance with the appropriate determination of the Remuneration Tribunal.
- (3) The annual fee so fixed must be the same for each Councillor
- (4) A Council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the Local Government Act 1993, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996, when making or varying awards or orders relating to the conditions of employment of public sector employees.

Financial, Budget and Resource Implications

Council staff anticipated a 3% increase in Councillor Remuneration in the draft 2024/25 budget totalling \$395,805. Given that the Tribunal has applied a 3.75% increase in the maximum fees payable, the revised budget of \$398,744 will be recommended when the Operational Plan is adopted on 26 June 2024.

Superannuation payments will also be increasing from 11% to 11.5% as of 1 July 2024, which totals \$41,156 for the 2024/2025 financial year.

Allocating 10% of the Mayoral Allowance (equivalent to \$6,680) to the Deputy Mayor will not affect the above figures.

Links to QPRC/Regional Strategic Plans

Council's role, as identified by the Community Strategic Plan is as follows:

Council is committed to understanding the community's priorities, concerns and needs in terms of key services, facilitates and programs.

The Community Strategic Plan outlines the Council's role in the delivery of each priority in line with the following terms: Provide, Collaborate and Advocate.

Councillors need to be appropriately remunerated in order to execute the above to the highest standard possible.

Conclusion

Council needs to consider whether to fix the annual fee in accordance with the determination of the Remuneration Tribunal. Council cannot fix a fee higher than the maximum amount determined by the Tribunal and if Council does not fix the fee, then the minimum fee determined by the Tribunal will be applied.

As this is an election year, it is important that prospective candidates are attracted to the role of Councillor. An appropriate remuneration for the demands and many hours of work attending meetings, community events, committee meetings and functions must reflect the size and scale of the local government area. This has been determined by the Remuneration Tribunal in accordance with the Local Government Act.

9.10 Councillor Remuneration (Ref: ; Author: Ryan/Flint) (Continued)

Council staff are recommending that the maximum annual fee be adopted to ensure there is commensurate remuneration to maintain equity and diversity of Councillors undertaking their roles.

Attachments

Attachment 1 Annual Determination - Local Government Remuneration Tribunal - 29 April 2024 (*Under Separate Cover*)

10.1 Review of Environmental Factors Determination Policy (Ref: ; Author:
Ormella/Yeomans)

File Reference: 26.1.3

Recommendation

That the report be received for information.

Report

An Operational Policy has been prepared to guide how 'Review of Environmental Factors' (REF) assessments will be determined.

This will be authorised by the General Manager with a copy attached for your information.

Background

A number of areas of Council prepare 'Review of Environmental Factors' (REF) assessments. These support projects undertaken by or on behalf of Council and are an alternative to the development assessment process under the Environmental Planning and Assessment Act.

A Policy has been prepared by staff in the Development and Environment Directorate with input from officers from the Infrastructure Services and Community, Arts and Recreation Directorates which seeks to formalise how these assessments are reviewed and determined.

Council undertakes the provision, maintenance and refurbishment of public infrastructure and recreation assets. Some of these activities do not trigger the need for development consent through a development application process, but still require consideration of any environmental impact. The assessment of the environmental impact of these works will be formalised through this operational policy.

The Policy establishes the framework and determination pathways of an REF, the internal controls, peer review and allocation of responsibilities across the organisation. It will uphold Council's Community Strategic Plan pillars including the delivery of public and community places that are inviting, accessible, encourage participation and are well maintained. Also, that our community facilities and assets are well planned, meet the needs of the community and enhance social connection.

Attachments

Attachment 1 Review of Environmental Factors Determination Policy (*Under Separate Cover*)

10.2 Clean Up Australia Day - Wamboin (Author: Hansen/Ginou)

File Reference: 34.1.9

Recommendation

That the report be received for information.

Report

On the 28 February 2024 Council resolved (**Resolution No 084/24**) with regards to Clean up Australia Day at Wamboin, to refer the matter to the Local Traffic Committee for consideration with a view as to how to mitigate risk sufficiently to enable this activity to be undertaken including along roadsides in non-urban areas.

Further, Council asked for a report which would develop options to enable all members of our community to get involved in Clean Up Australia Day appropriate to their local area.

This matter is not a matter for the Local Traffic Committee and the following advice is provided by staff.

Staff reviewed Clean Up Australia Day guidelines which determines how events are to be conducted:

- Ideally in parks, bushland, reserves, and riverbanks.
- Footpaths separated from vehicles by a kerb or similar barrier.
- Local roads which have a reduced speed limit of 40km/h or lower
 - Permission from Council must be attained.
 - Age restriction (Volunteers must at least 16 years old or older)
 - Minimum 3-metre exclusion zone between volunteers and vehicles.
 - Additional signage to denote location and distance of activity may be required.
 - Highly visible safety vests for all volunteers
 - Possible time limitations for clean-up activity to avoid peak traffic times.

For the proposed Clean Up Australia Day event to occur on Council roads, a safe worksite and an approved traffic control plan that reduces vehicle speeds to 40kph or less must be established.

Council holds the primary duty of care to ensure that volunteers are not exposed to risks to health and safety in undertaking works on Council assets.

Roadworks (working on, in or adjacent to a road or other traffic corridor) are defined in the WHS Regulation 2017 as high-risk. In the absence of any other safe system of work, Clean Up Australia Day volunteers would be working under Council's safe systems of work.

For this event to proceed, the following actions are required at each site along a roadside:

- Develop Safe Operating Procedures (SOPs) and Safe Work Method Statements (SWMS) that are specific to the activity being undertaken
- Undertake Site Specific Risk Assessment (SSRA) for each site
- Develop a Traffic Management Plan (TMP) and Traffic Guidance Scheme (TGS) that may require a single lane closure and the reduction of vehicle speeds to 40km/h
- Implement the TGS for the entire day using suitably qualified traffic controllers
- Ensure the volunteers hold a White Card (required for workers who want to carry out construction work)

10.2 Clean Up Australia Day - Wamboin (Author: Hansen/Ginau) (Continued)

- Undertake Site Induction for each volunteer in the group prior to commencing
- Manage the site throughout the day (operating hours) to ensure compliance

The estimated cost for this to occur is \$10,000 per each Clean Up Australia Day location and is subject to Council allocating a budget to meet these expenses.

There are no funds available in the current or 24/25 Operational Plan for this activity.

This report should not be interpreted as Council not wishing to encourage and support our local volunteers who have a vested interest and pride in their locality. There are a number of activities facilitated, promoted and supported by Council staff and many local volunteers on the Clean Up Australia Day weekend, however they are conducted in Parks, Council reserves, bushland sites.

Attachments

Nil

**10.3 Local Government Amendment (Employment Arrangements) Bill 2024 (Ref: ;
Author: Ryan/Tozer)**

File Reference: 41.7.4

Recommendation

That the report be received for information.

Report

The Local Government Amendment (Employment Arrangements) Bill 2024 was passed by the NSW Parliament on 16 May 2024.

The Bill, on assent, will remove references to 'senior staff' from the Local Government Act (1993), resulting in all executive-level employees, other than the General Manager; being covered by an Award or enterprise agreement. In Queanbeyan Palerang Regional Council's case, this executive level relates to the current Directors of; Infrastructure, Corporate Services, Development and Environment; and Community, Arts and Recreation.

The Bill includes transitional provisions that allow existing senior staff contracts to continue until they expire or are terminated. Further, the Bill includes a mechanism to facilitate the transition of senior staff from their existing contract to employment under an award or enterprise agreement. Employees have a right to request to transition to the Local Government Award and Council must not unreasonably refuse this request.

During the transitional phase, the Industrial Relations Commission of New South Wales has jurisdiction to hear and determine disputes regarding transition from a senior staff contract to employment under an award or enterprise agreement.

The effect of the Bill is that all executive-level employees, other than the General Manager, will be afforded protection from unfair dismissal from the date of assent. In effect, this means subclause 10.3.5 of the senior staff contract will be void. There are other minor differences, including performance bonus payments, which are not applicable under the Award, however these are relevant for QPRC.

Previously, senior staff were appointed on performance-based contracts of between 12 months and five years. By moving under the Award, senior staff will be appointed on an ongoing arrangement, with performance measured and managed in line with the Award.

Currently, Council's four Directors are employed under senior staff contracts. Council will need to review and consider changes to its salary structure to accommodate the senior staff band levels. This process will include consultation with staff and the Workplace Consultative Committee.

Local Government NSW and Local Government Professionals (NSW) are both providing industrial advice and support to Councils to implement this change. The transition from employment contract to Local Government Award is not viewed as an onerous one and will be undertaken in consultation with the Directors.

Attachments

Nil

10.4 Questions With Notice - CBD Properties (Ref: ; Author: Ryan/Flint)

File Reference: 12 June 2024 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Katrina Willis on 20 May 2024 and responses are provided below by staff.

- 1. Regarding Council's properties in Crawford Street and Rutledge Street carpark, has any consideration been given to consolidating two or more lots and the potential development and financial benefits to be derived from lot consolidation?**

It is anticipated that the steps identified in the confidential report to Council on 24 April 2024 will consider land assembly, to maximise land value and planning outcomes.

There is no commercial reason to undertake consolidation of the lots currently.

- 2. If lot consolidation has not been considered, can it be considered as part of the workshop foreshadowed in Resolution 158/24?**

Land assembly is a topic for discussion at the workshop foreshadowed in Resolution 185/24.

Attachments

Nil

10.5 Questions With Notice - Shade Sails on Council Facilities (Ref: ; Author: Ryan/Flint)

File Reference: 12 June 2024 Council Meeting Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Katrina Willis on 4 June 2024. Responses from staff will be provided at the 26 June 2024 Council Meeting.

1. **How many Council facilities have had shade sails installed during 2023/24?**
2. **What categories of Council facilities received shade sails in 2023/24?**
3. **How much funding was allocated to install shade sails in 2023/24?**
4. **What is the projected underspend for 2023/24?**
5. **What factors have led to the underspend?**

Attachments

Nil

10.6 Questions With Notice - Queanbeyan East Carpark (Ref: ; Author: Ormella/Flint)

File Reference: 12 June 2024 Council Reports

Recommendation

That the report be received for information.

Report

The following questions were submitted by Cr Katrina Willis on 4 June 2024 and responses from staff are provided below.

- 1. A dwelling at 1 Warroo Street, Queanbeyan East was demolished and then used as a carpark at around the time of works in the shopping centre opposite. This lot has been concreted and appears to be used on a daily basis for car parking. Part of the shopping centre works involved removing native trees to replace parking spaces lost to the construction of a builder for Super Cheap Auto. Has Council granted consent under staff delegation for the property at 1 Warroo Street to be used as a private car park on an ongoing basis? If so, on what grounds?**

A Complying Development Certificate (CDCP.2022.0059) approval was issued for the Demolition of Dwelling and Shed at 1 Warroo Street, Queanbeyan by Steve Watson & Partners Certifiers.

The site is zoned R4 – High Density Residential and ‘car parks’ under the QPRC LEP are not permitted in this zone. Council has not issued an approval for such.

- 2. What is the total number of vehicle parking spaces in the shopping centre’s public car park?**

The approved Development Application (DA.2020.1604) for the Construction of a Specialised Retail Premises at 6 Bungendore Road, Queanbeyan allows for 182 car parking spaces. Council Officers have identified 183 car parking spaces on site.

- 3. How does this compare with the number of vehicle parking spaces available before the building work and tree removal in the shopping centre car park?**

At the time of writing this report, the former DA file for the retail premises (DA 123/99) remains stored offsite and therefore the amount of approved car parks under the former approval are unable to be determined. Council Officers are able to provide a definitive number of car parks approved under this consent at the 12 June Council Meeting.

Under the current approval (DA.2020.1604), 11 trees were approved for removal with a condition requiring the same amount of trees to be replanted.

Attachments

Nil

10.7 Captains Flat Heritage Update (Author: Ryan/De Vries)

File Reference: 24.4.1-36

Recommendation

That the report be received for information.

Report

At the meeting held on 13 March 2024, Council determined to write to the relevant NSW Government Minister/s requesting that, prior to the demolition of any heritage-listed item in Captains Flat, a Conservation Management Plan or similar document is developed for the Captains Flat mine site and associated railway infrastructure (**Resolution No 101/24**).

The attached letter was sent to the Minister for Environment and Heritage and the Executive Director, Office of the Environment and Heritage on 25 March 2024.

A response, attached was received from the Minister for Regional Transport and Roads.

Attachments

- | | |
|--------------|--|
| Attachment 1 | Letter to NSW Minister for Environment and Heritage - Heritage Listed Items in Captains Flat (<i>Under Separate Cover</i>) |
| Attachment 2 | Letter of Response - Minister for Regional Transport and Roads (<i>Under Separate Cover</i>) |

10.8 Councillor Workshops (Ref: ; Author: Ryan/De Vries)

File Reference: 12 June 2024 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 16 May to 5 June 2024, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
28/5/2024	1. Monaro Rock Quarry Update 2. Wamboin Welcome Wall Lighting 3. QSTP Tender Process	Nick Warren from RW Corkery & Co N/A N/A
29/5/2024	1. Presentation on Proposed New Registered Club Jerrabomberra - Poplars North - DA.2023.0635 2. Crawford Street Properties - LEP and Zoning Matters	From Knight Frank Australia: Nicholas Cavallo and Mark Grayson; from Benson McCormack Architecture: Glenn McCormack; from Construction Consultants: Sean Richards; from Le Hunte Properties: David Harper; from The Riverview Group: David Maxwell; and from Vikings Group: Anthony Hill and Ron Kent. N/A
4/6/2024	1. Lead Contamination and Remediation in Captains Flat 2. 2024/2025 Operational Plan Recap	Anthony Body from Department of Regional NSW N/A

Attachments

Nil

11.1 Cultural Development & Public Art Advisory Committee - meeting minutes
(Ref: ; Author: Ryan/Byrne)

File Reference: 52.3.3

Recommendation

That Council note:

1. The minutes of the Cultural Development & Public Art Advisory Committee meeting held 26 October 2023
 2. Recommendations No 1-3
 1. That the Council develops a Cultural Gifts Donation Policy and that the CDPA Committee reviews and gives recommendations on gifts prior to Council accepting them.
 2. The CDPA unanimously agreed that the new Civic Building was an incompatible site for the placement of the Freebody Sculpture in view of the First Nations artwork already chosen to welcome visitors to its interior.
 3. The CDPA Committee recommends that the QPRC Council choose between Option 2, the Historic Council Chambers and Option 5, Queanbeyan Park, should both be considered for the siting of the Freebody sculpture
-

Summary

The Cultural Development and Public art Advisory Committee have submitted minutes of Meeting held 26 October 2023.

In considering the location for the WB Freebody sculpture, the Committee recommended that Council select between the Historic Council Chambers (now Heritage Library) and Queanbeyan Park as options for installation.

Attachments

Attachment 1 CDPA - Committee Meeting Minutes 26 Oct 2023 (*Under Separate Cover*)

11.2 Audit, Risk and Improvement Committee Minutes March 2024 (Ref: ; Author: Ryan/Cakalic)

File Reference: 45.3.1

Recommendation

That Council note the minutes of the Audit, Risk and Improvement Committee held on 18 March.

Summary

This report provides the minutes of the Audit, Risk and Improvement Committee (ARIC) meeting of 18 March 2024, as confirmed by ARIC members out of session. The agenda is set by the ARIC Work Plan which is reviewed annually to ensure coverage of items as required by legislation (Local Government Act section 428A).

The following is a summary of the reports received by the ARIC at its meeting held on 18 March 2024.

- Verbal update on external audit activities by the Audit Office of NSW
- Internal audit activity report by O'Connor Marsden
- Completed Internal Audit Reports:
 - Contract Management
 - Procurement of Materials
 - Climate Change Adaptation
- Status of Audit actions
- Financial Statements Sub-Committee Minutes
- Chief Financial Officer status update
- Quarterly Budget Review Statement for quarter ending 31 December 2023
- ICT Report and Risk Assessment
- Update on Public Events Management agreed actions and Bungendore Sports Hub
- Local Roads and Community Infrastructure Program Phase 4
- ARIC Meeting Planner annual review
- Local Government (General) Amendment (ARICs) Regulation – demonstration of compliance
- Internal Audit Charter annual review
- Complaint Management report
- Regulator Activities – external reports of interest
- Compliance Reporting
- Legal Update: July – December 2023 (closed session)

All information and documents pertaining to the Committee are confidential, with the exception of the minutes. If Council wishes to receive further information in relation to any of the agenda items, the request needs to be formalised through a Council resolution. The resolution and release of information must be considered and determined by the Chair of the ARIC.

11.2 Audit, Risk and Improvement Committee Minutes March 2024 (Ref: ; Author: Ryan/Cakalic) (Continued)

It should be noted that there was an in-camera session with O'Connor Marsden (internal audit service provider) that was attended by all voting members prior to the commencement of the main meeting.

Attachments

Attachment 1 ARIC Meeting Minutes March 2024 (*Under Separate Cover*)

12.1 Notice of Motion - Financial Assistance Grants (Ref: ; Author:
Macdonald/Macdonald)

File Reference: 12 June 2024 motions

Notice

Councillor Ross Macdonald will move the following motion:

Motion

That Council:

- 1. Notes the Australian Local Government Association says the Albanese Government has broken its pre-election promise to provide fair increases to Financial Assistance Grants to Australia's 537 councils in the 2024-25 Federal Budget; and**
 - 2. Notes that Local Government NSW says the Albanese Government's budget had little in the way of good news for local government, with the Australian Government still yet to meet its pre-election commitment for fair increases to Financial Assistance Grants; and**
 - 3. Notes that Council is largely reliant on Federal and State Government grants to continue to deliver vital infrastructure for our communities; and**
 - 4. Joins with peak bodies and other Councils across Australia in advocating, by a letter to the Commonwealth Treasurer the Hon Jim Chalmers MP and the Minister for Local Government the Hon Kristy McBain MP, for a fairer deal for Councils by restoring the Financial Assistance Grants to 1 per cent of Commonwealth taxation revenue.**
-

Comment from Cr Macdonald in support of this Notice of Motion

The Albanese Government's budget was delivered on 14 May 2024.

The budget did not meet the Government's pre-election commitment to fairer funding for Local Government with the increase in Financial Assistance Grants only meeting the legislated indexation formula and far below the fair increase promised by the Government.

Attachments

Nil

NOTICE OF MOTIONS

12.2 Notice of Motion - All Electric Homes (Ref: ; Author: Willis/Willis)

File Reference: 12 June 2024 Motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council:

1. Notes:

- a. Gas appliances are a significant source of indoor air pollutants including nitrogen oxide, carbon monoxide, formaldehyde and PM^{2.5} particles, and have been linked to childhood asthma.
 - b. Electrifying all new homes and major renovations will deliver cost savings in construction and ongoing cost savings to residents of dwellings through reduced energy bills and connection costs.
 - c. Reducing gas use in all dwellings with access to the electricity grid will contribute to Queanbeyan-Palerang achieving the NSW Government's net zero emissions target with the progressive greening of grid-supplied electricity in NSW.
 - d. Lane Cove, Waverley, Parramatta and Newcastle councils have implemented changes to their Development Control Plans (DCPs) to require the electrification of new residential developments. Another eight councils, being Hornsby, North Sydney, City of Sydney, Inner West, Blue Mountains, Canada Bay, Ryde and Canterbury-Bankstown, are in the process of making similar changes to their DCPs to achieve the electrification of new homes.
- 2. Receives a report by 14 August 2024 outlining the process and timeframes for Council to implement DCP provisions that require the electrification of new residential developments. The report should include DCP changes that:**
- a. require all new dwellings and major renovations valued at over \$250,000 to install only electric appliances wherever access to the national electricity grid is available.
 - b. encourage all new dwellings without access to the national electricity grid to use electric appliances powered by on-site renewable energy systems.
-

Comment from Cr in support of this Notice of Motion

The amendments proposed in this notice of motion will eliminate the health risks associated with indoor gas use. These amendments will also deliver cost savings from avoiding installation of pipes and meters to provide a reticulated gas supply, eliminate a daily use charge for a second energy supply and avoid the cost of disconnection and meter removal

12.2 Notice of Motion - All Electric Homes (Ref: ; Author: Willis/Willis) (Continued)

fees in the event future homeowners choose to rely solely on electricity to meet their domestic energy needs.

A report by Energy Consumers Australia and the CSIRO published in July 2023 found that households that were fully electric, which includes the uptake of electric vehicles, would save up to \$2,250 per year on their annual energy bills compared with typical, fossil-fuelled homes.

Disconnecting from the ACT supply incurs a fee in addition to the cost of removing a meter, which is just under \$900 for residential customers in Queanbeyan and Bungendore, and \$1,600 for a business.

The ACT Government intends to switch off its gas supply by 2045, making the infrastructure to support a domestic gas supply in Queanbeyan and Bungendore redundant. It makes more economic sense to avoid this cost.

The draft South Jerrabomberra Regional Job Master Plan acknowledges the declining demand for gas use and proposes no gas connection to the precinct:

The user profile within the South Jerrabomberra precinct is unlikely to require gas connections for industrial heating and manufacturing purposes and as gas supply and the establishment of new gas networks is on the decline in Australia, the provision of gas is not proposed. (page 73 of the draft Master Plan)

The Victorian Government banned gas connections in new homes and sub-divisions from 1 January 2024.

Staff Comment

Officers note that new communities such as Googong Neighbourhood 3 have opted to not install gas infrastructure as part of the development, as there is a transition away from gas to house. As noted above, some local government areas are taking a proactive stance on electrification through planning controls, being their DCP's.

A DCP is a guidance document and where it is consistently implemented and used in decision making, it can have weight. Many of the DCP's which QPRC have are in need of updating. The work to prepare a DCP can be undertaken internally when there is adequate resources.

Our Land Use Planning Branch has a comprehensive work programme, with planning proposals and contribution plans, as well as some DCP work.

Consideration as to the priorities of the Local Strategic Planning Statement would come forward with the new Council following their adoption of a Community Strategic Plan.

The priorities will be set at that time.

Prior to 14 August 2024 a report can be provided to set out the timeframes involved in preparing a DCP relating to the creation of land and subdivisions which is the point in the development process that an electrification policy would need to be implemented.

Attachments

Nil

12.3 Notice of Motion - Tobacconists in NSW (Ref: ; Author:
Macdonald/Macdonald)

File Reference: 12 June 2024 motions

Notice

Councillor Ross Macdonald will move the following motion:

Motion

That Council:

1. **Seeks a change of regulations to require a development application to open a tobacconist or vape store in the Queanbeyan-Palerang Local Government Area; and**
 2. **Writes to the NSW Government requesting a ceiling of tobacco and vape retailers for NSW and a plan for a phased reduction in the number of tobacconist and vape stores authorised to operate in NSW; and**
 3. **Write to the Federal and State Ministers for Health seeking a commitment for further investment for a campaign aimed to inform the community about the health impacts of vaping and e-cigarette products.**
-

Comment from Cr in support of this Notice of Motion

There are currently more than 19,000 registered tobacconists in NSW.

E-cigarettes have not proven to be an effective smoking cessation tool and rather have attracted a new cohort of nicotine users, including in young people. The percentage of people over 14 reported having used e-cigarettes has dramatically increased with 11.3% having ever used e-cigarettes in 2019 reaching 19.8% in 22/23.

Laws have recently changed to tighten the availability of e-cigarettes though some retailers have sought to circumvent the changes through stockpiling and 'black market' trading.

A limit in the number of tobacconists will complement a range of measures aimed to reduce smoking and smoking uptake whilst a requirement that a development application be lodged will ensure the application is scrutinised sufficiently.

Staff Comment

The NSW Planning System allows for an exempt change of use from retail to retail. This means that any existing retail premises could become a tobacconist without further approval.

Exempt land use classes and change of use enables development which is regulated by other means.

NSW Health have a role in the regulation of sale of these items.

Attachments

Nil

13.1 Delegate Report - CRJO Meeting 16 May 2024 (Ref: ; Author: Ryan/De Vries)

File reference: 52.8.1

Recommendation

That the report be received for information.

Summary

The following Delegate Report has been submitted by Mayor Kenrick Winchester, who attended the Canberra Region Joint Organisation (CRJO) meeting held at NSW Parliament House, Sydney on Thursday 16 May 2024. Various Members of Parliament addressed the Board, on matters relevant to their portfolios. Minutes are attached.

Briefings

Briefings were received and noted from:

- ACT Government
- Department of Regional NSW
- NSW Cross Border Commissioner; and
- Office of Local Government

Reports: For Decision

2024-25 Budget

Joint organisations are required by legislation to have an annual budget. The CRJO budget was presented for adoption with a total consolidated operating result of an operating deficit of \$57,000. With all grant-funded projects assumed to be fully spent within the financial year, this equates to an operating deficit within CRJO Operations of \$57,000, comparing favourably with 2023-24 forecasted CRJO Operations deficit of \$399,000. With one-off costs in 2024-25, it is expected that CRJO Operations will break even or achieve a modest operating surplus in future years.

Statement of Revenue Policy

Joint organisations are required by legislation to have an annual statement of revenue policy. The CRJO statement of revenue policy was presented and adopted.

Financial Policies Review

Reviewed and updated Expenses and Facilities Policy and Procurement Policy was presented and adopted.

Internal Audit Charter

Joint organisations are required to have a compliant internal audit function under new regulations effective 1 July 2024. The internal audit charter was presented and adopted.

Audit Risk and Improvement Committee Terms of Reference

Joint organisations are required to have a compliant audit, risk and improvement committee under new regulations effective 1 July 2024. Audit, Risk and Improvement Committee terms of reference was presented and adopted.

**13.1 Delegate Report - CRJO Meeting 16 May 2024 (Ref: ; Author: Ryan/De Vries)
(Continued)**

Circular Economy Business Cases and Roadmap

State government-funded project to develop business cases for circular economy projects is nearing completion. A circular economy roadmap was presented for endorsement following a development process involving general managers and water managers from member councils. Work will continue on the roadmap before presentation for ACT Government, NSW Government and CRJO on behalf of member Councils adoption in 2025.

2024 Future Board Meetings

A new board meeting date of 2 August 2024, hosted by Snowy Valleys for the third meeting in 2024 was endorsed.

Executive Officer Performance Plan

An initial performance plan to 30 June 2024 for the Executive Officer was presented for endorsement and for establishment of the Executive Officer review panel.

Reports: For Noting**CRJO Executive Officer Status Report**

Report prepared by CRJO CEO covering Executive Officer activities for the quarter was received and noted. Activities have focussed on advocacy submissions; acquittals of grant-funded project completions; and completing the joint organisation's compliance requirements for the previous year.

2024-25 budget preparation was also completed this quarter and 2023-24 member contributions were agreed towards development of councils' community strategic plans and shared arrangements for internal audit function and shared audit, risk and improvement committee (for participating member councils).

Submissions were made to NSW parliamentary inquiries into the ability of councils to fund infrastructure and assets and into assets, premises and funding of the Rural Fire Service as well as the NSW Productivity Commission's review of alternative funding models for local water utilities.

Audit of 2022-23 Financial Statements

2022-23 audited financial statements, independent auditor's report and report on conduct of the audit were presented to the board, enabling the completion of end of year audit and noting of the Management Representation Letter.

Finance Report

Report prepared by CRJO Chief Financial Officer covering CRJO budget versus actuals as at 31 March 2024 was presented. CRJO achieved a total consolidated operating result of operating surplus of \$767k due mainly to timing of payments for grants with payments coming in prior to expenditure on grant-funded projects. The year-to-date operating result for CRJO Operations is an operating deficit of \$303,000. The 'target' operating deficit for CRJO Operations for 2023-24, as presented to the board on 1 March 2024 is \$538,000 and the full year forecast as at end March is \$399,000.

Governance and Compliance

Report advised there were no new code of conduct complaints, public interest disclosures, referrals to integrity bodies, government information (public access) act requests or the like

**13.1 Delegate Report - CRJO Meeting 16 May 2024 (Ref: ; Author: Ryan/De Vries)
(Continued)**

for the quarter, with a closed session item reporting on outcome of investigation of governance matters previously reported to the board.

Disclosure by Councillors and Designated Persons Return 2022-23

Required compliance report on the lodgement of annual disclosures by designated positions for 2022-23.

Reporting Statistics on Code of Conduct Complaints about Councillors and Executive Officer

Required compliance report, reporting no code of conduct complaints against Board members or the Executive Officer for 2022-23.

CRJO Program Status Report

Report covering current CRJO projects status presented to board, summarising progress of 14 currently underway externally- projects across program areas of sustainability, resilience, learning and development, waste resource and recovery and regional and council community strategic plans.

Audit Risk and Improvement Committee Meeting Minutes

Provided copy of minutes of CRJO audit, risk and improvement committee from meetings held in quarters 3 and 4 of 2023 and quarter 1 of 2024.

NSW Joint Organisations Chairs Forum Minutes

Provided copy of minutes of the statewide joint organisations chairs forum held in March 2024.

Attachments

Attachment 1 Minutes Board Meeting 16 May 2024 (*Under Separate Cover*)

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 Compulsory Acquisition of land for road widening - Nerriga Road

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 Renewal of Licence Agreement to TPG Telecom Ltd over Tompsitt Drive, Jerrabomberra

Item 16.2 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 16.3 Tender REGPRO042425 - Contract for the Supply and Delivery of Bulk Water Treatment Chemicals

Item 16.3 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.

Item 16.4 Contract 2023-26 – Tender for Water Main Replacement Works – Cooma Street area Queanbeyan

Item 16.4 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.