



# Ordinary Meeting of Council

## AGENDA

18 December 2024

Commencing at 5.30pm

**National Theatre  
100 Wallace Street, Braidwood**

**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**

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

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**1 OPENING**

**2 ACKNOWLEDGEMENT OF COUNTRY**

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

**4 CONFIRMATION OF MINUTES**

4.1 Minutes of the Ordinary Meeting of Council held on 27 November 2024

**5 DISCLOSURES OF INTERESTS**

**6 ADJOURNMENT FOR PUBLIC FORUM**

**7 MAYORAL MINUTE**

**8 NOTICES OF MOTIONS OF RESCISSION**

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**Confidential - Not for Publication**

<b>16 REPORTS FOR CLOSED SESSION</b>	
16.1 Compulsory Acquisitions from Water NSW for Road Widening <i>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.</i>	
16.2 Memorandum of Understanding - QPRC, Homes NSW and TAFE NSW <i>Item 16.2 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
16.3 Award of RFT2024-56 Kerbside Waste Collection Contract <i>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.</i>	
<b>17 CONCLUSION OF THE MEETING</b>	

## **LIST OF ATTACHMENTS**

### **Open Attachments**

- Item 9.1 Public Exhibition of the Draft Braidwood Structure Plan  
*Attachment 1 Draft Braidwood Structure Plan (Under Separate Cover)*  
*Attachment 2 Amended Discussion Paper (Under Separate Cover)*
- Item 9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure  
*Attachment 1 S4.15 - Assessment Report - DA.2023.0511 - 460 Environa Drive (Under Separate Cover)*  
*Attachment 2 Draft conditions of consent - DA.2023.0511 - 460 Environa Drive (Under Separate Cover)*  
*Attachment 3 Architectural Plans - DA.2023.0511 - 460 Environa Drive (Under Separate Cover)*  
*Attachment 4 Landscape Plans - DA.2023.0511 - 460 Environa drive (Under Separate Cover)*
- Item 9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision  
*Attachment 1 S.4.15 Assessment Report (Under Separate Cover)*  
*Attachment 2 Architectural Plans (Under Separate Cover)*  
*Attachment 3 Strata Plans (Under Separate Cover)*  
*Attachment 4 Landscape Plan (Under Separate Cover)*  
*Attachment 5 Draft Conditions of consent (Under Separate Cover)*
- Item 9.4 Sunset Planning Proposal - 141 Googong Road, Googong  
*Attachment 1 Planning Proposal (Under Separate Cover)*  
*Attachment 2 Biodiversity Development Assessment Report (Under Separate Cover)*  
*Attachment 3 Flood Impact Assessment (Under Separate Cover)*  
*Attachment 4 Geotechnical Investigation (Under Separate Cover)*  
*Attachment 5 Aboriginal Cultural Heritage Assessment (Under Separate Cover)*  
*Attachment 6 Bushfire Strategic Study (Under Separate Cover)*  
*Attachment 7 Traffic Impact Assessment (Under Separate Cover)*  
*Attachment 8 Visual Impact Assessment (Under Separate Cover)*  
*Attachment 9 Infrastructure Capacity Statement (Under Separate Cover)*  
*Attachment 10 QPRC Heritage Adviser's Report\_Sunset Homestead (Under Separate Cover)*  
*Attachment 11 Preliminary Concept Plan (Under Separate Cover)*  
*Attachment 12 Proponent's Request to Review Fee (Under Separate Cover)*
- Item 9.5 Post Exhibition Report - Draft Solid Fuel Heater Policy  
*Attachment 1 QPRC Draft Solid Fuel Heater Policy (Under Separate Cover)*  
*Attachment 2 Full Submissions (Under Separate Cover)*  
*Attachment 3 Larger Submissions and Supporting Information (Under Separate Cover)*

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- Item 9.7 Request from Saint Demetrios Parish for Reimbursement of Development Application Fees  
*Attachment 1 Letter from St Demetrios Parish (Under Separate Cover)*  
*Attachment 2 Donations Policy (Under Separate Cover)*
- Item 9.8 Feedback on Naming of Council Chambers  
*Attachment 1 Feedback on Naming Queanbeyan Council Chambers (Under Separate Cover)*
- Item 9.9 Renewal of Licence Agreement with St John Ambulance Australia (NSW) 20-22 Kendall Avenue, Crestwood  
*Attachment 1 Draft Licence Agreement with St John Ambulance Australia (NSW) (Under Separate Cover)*
- Item 9.10 Appointment of Advisory Committees Delegates  
*Attachment 1 Terms of Reference - Queanbeyan Showground Advisory Committee (Under Separate Cover)*  
*Attachment 2 Terms of Reference - Floodplain Risk Management Committees (Under Separate Cover)*  
*Attachment 3 Terms of Reference - Youth Advisory Committee (Under Separate Cover)*  
*Attachment 4 Terms of Reference - Sporting Gallery Advisory Committee (Under Separate Cover)*  
*Attachment 5 Terms of Reference - Sports Council (Under Separate Cover)*  
*Attachment 6 Terms of Reference - Access Committee (Under Separate Cover)*  
*Attachment 7 Terms of Reference - Arts and Cultural Development Advisory Committee (Under Separate Cover)*  
*Attachment 8 Terms of Reference - Sustainability and Climate Change Advisory Committee (Under Separate Cover)*  
*Attachment 9 Terms of Reference - Heritage Advisory Committee (Under Separate Cover)*
- Item 9.11 Appointment of GM Performance Review Delegate  
*Attachment 1 GM's Performance Review Terms of Reference (Under Separate Cover)*
- Item 9.12 Policy Review  
*Attachment 1 Councillor and Staff Interaction Policy (Under Separate Cover)*  
*Attachment 2 Councillor Expenses and Facilities Policy (Under Separate Cover)*  
*Attachment 3 Councillor Induction and Professional Development Policy (Under Separate Cover)*  
*Attachment 4 Development Adjacent to Water, Sewer and Stormwater Mains Policy (Under Separate Cover)*  
*Attachment 5 Records Policy (Under Separate Cover)*
- Item 9.13 Audit, Risk and Improvement Committee Charter  
*Attachment 1 Mapping document - OLG Model (Under Separate Cover)*  
*Attachment 2 Draft ARIC Charter 2024 (Under Separate Cover)*  
*Attachment 3 ARIC Work Plan - Requirements (Under Separate Cover)*
- Item 9.14 Investment Report - November 2024  
*Attachment 1 Investment Report Pack - November 2024 (Under Separate*

**QUEANBEYAN-PALERANG REGIONAL COUNCIL  
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- Cover)*
- Item 9.15 Annual Report 2024  
*Attachment 1 2024 Annual Report (Under Separate Cover)*
- Item 10.3 Lease and Licence Register  
*Attachment 1 Lease and Licence Register (Under Separate Cover)*
- Item 10.5 Resolution Action Sheet  
*Attachment 1 Outstanding Actions Report - 12 December 2024 (Under Separate Cover)*
- Item 10.6 Funding of Mental Health Services in Queanbeyan Palerang  
*Attachment 1 QPRC letter to Minister for Health NSW re Funding of Mental Health Services in Queanbeyan Palerang (Under Separate Cover)*  
*Attachment 2 Response from Minister for Health and Aged Care (Under Separate Cover)*
- Item 11.1 Queanbeyan Showground Advisory Committee Meeting Minutes - 4 December 2024  
*Attachment 1 QSAC Meeting Minutes - December 2024 (Under Separate Cover)*
- Item 12.1 Notice of Motion - Naming of Bridge - Proposed Name: Ludwig Baumgardner Bridge  
*Attachment 1 Ludwig Baumgardner's Obituary (Under Separate Cover)*

**Closed Attachments**

- Item 9.11 Appointment of GM Performance Review Delegate  
*Attachment 2 General Manager's Performance Agreement 2024-25 (Under Separate Cover)*
- Item 16.1 Compulsory Acquisitions from Water NSW for Road Widening  
*Attachment 1 Diagram of Approximate Location of Part Lots to be Acquired (Under Separate Cover)*
- Item 16.2 Memorandum of Understanding - QPRC, Homes NSW and TAFE NSW  
*Attachment 1 Draft Memorandum of Understanding - QPRC, Homes NSW, TAFE NSW (Under Separate Cover)*
- Item 16.3 Award of RFT2024-56 Kerbside Waste Collection Contract  
*Attachment 1 QPRC Kerbside Waste Collection Review (Under Separate Cover)*  
*Attachment 2 Schedule of Rates (Under Separate Cover)*  
*Attachment 3 RFT 2024-56 Tender Evaluation Report (Under Separate Cover)*  
*Attachment 4 Correspondence received from JJ Richards & Sons relating to Resolution 113/24 (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and in the Council Chambers, Nellie Hamilton Centre, 257 Crawford Street, Queanbeyan on Wednesday, 27 November 2024 commencing at 5:30pm.

## ATTENDANCE

**Councillors:** Cr Winchester (Chairperson)  
Cr Broadbent  
Cr Grundy  
Cr Livermore  
Cr Macdonald  
Cr Preston  
Cr Schweikert  
Cr Taskovski  
Cr Waterhouse (via Zoom)  
Cr Willis

**Staff:** R Ryan, General Manager  
M Duff, Director Infrastructure Services  
K Monaghan, Director Corporate Services  
R Ormella, Director Development and Environment  
M Goiser, 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 the application for leave of absence from Cr Wilson was approved at the 13 November 2024 meeting.

There were no apologies.

**4. CONFIRMATION OF MINUTES****4.1 Minutes of the Ordinary Meeting of Council held on 13 November 2024**

516/24

**RESOLVED (Winchester/Taskovski)**

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 13 November 2024 be confirmed.

The resolution was carried unanimously.

Note: The Public Forum minutes from 13 November 2024 be amended by adding Guide Consulting to the list of presenters.

**5. DISCLOSURES OF INTERESTS**

517/24

**RESOLVED (Winchester/Macdonald)**

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

The resolution was carried unanimously.

There were no disclosures.

**6. ADJOURNMENT FOR PUBLIC FORUM**

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

518/24

**RESOLVED (Winchester/Taskovski)**

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

**ADJOURNMENT:**

The meeting adjourned for the Public Forum at 5.33pm and resumed at 5.49pm.

**7. MAYORAL MINUTE**

There was no Mayoral Minute.

**8. NOTICES OF MOTIONS OF RESCISSION**

There were Notices of Motions of Rescission.

**PROCEDURAL MOTION**

519/24

**RESOLVED (Winchester/Macdonald)**

That Item 12.2 be brought forward for consideration at this juncture.

The resolution was carried unanimously.



**12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell**

520/24

**RESOLVED (Willis/Macdonald)**

That Council:

1. Note the NSW Government has offered private landholders at Captains Flat limited access to the containment cell for disposal of contaminated soil from their own properties.
2. Reject the timeframes for the disposal of contaminated soil at the containment cell as unreasonable, unrealistic and, therefore, unacceptable.
3. Request an urgent meeting with the Premier's Department and Legacy Mines to agree on a more realistic timeframe for access to the containment cell or the construction of a second containment cell that will be available to residents under more realistic timeframes.

The resolution was carried unanimously.

**9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION****9.1 DA.2024.0368 - Boundary Adjustment - 114 Duncan Street Braidwood**

521/24

**RESOLVED (Preston/Taskovski)**

That development application DA.2024.0368 for a Boundary Adjustment on Lot 13 DP 829963, No. 114 Duncan Street Braidwood and Lot C DP 158060, part of 110 Duncan Street Braidwood be granted conditional consent.

The resolution was carried unanimously.

**9.2 Planning Proposal to Reclassify 88 Wallace and 41 Ryrie Streets, Braidwood from Community Land to Operational Land, and Rezone Council Depot Land and Part of 88 Wallace Street, Braidwood**

522/24

**RESOLVED (Macdonald/Taskovski)**

That Council:

1. Endorse the updated planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022:
  - a. Reclassify Lots 4 and 7 DP 240640, 88 Wallace Street, Braidwood and Lot 5 DP 835748, 41 Ryrie Street, Braidwood from community land to operational land under the Local Government Act 1993.
  - b. Rezone part of Council-owned operational land, part of Lot 1 DP 212019 and part of Lot 3 DP 240640, 41A Ryrie Street, Braidwood from Zone SP1 - Depot to Zone SP2 Infrastructure – Public Car Park.

- c. Rezone various adjoining public sealed roads from Zone R2 – Low-Density Residential to Zone SP2 Infrastructure – Public Car Park.
  - d. Rezone Lot 4 DP 240640 and part of Lot 7 DP 240640 – 88 Wallace Street, Braidwood from Zone R2 – Low Density Residential to Zone SP2 Infrastructure – Public Car Park.
2. Forward the updated planning proposal to the NSW Department of Planning Housing and Infrastructure (DPHI) requesting an amended Gateway determination.
  3. Request delegation of Plan Making Powers, for this planning proposal.
  4. Undertake agency consultation and public exhibition according 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 Regional Local Environmental Plan 2022.

The resolution was carried unanimously.

### 9.3 QPRC Local Heritage Place Grants 2024-2025

523/24

#### **RESOLVED (Willis/Taskovski)**

That Council endorse the recommended applications for the QPRC Local Heritage Grant Program 2024/25 which total \$25,000.

The resolution was carried.

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

Against: Crs Broadbent, Grundy, Macdonald and Schweikert

### 9.4 Request for Donation Bungendore Park Tennis Club

#### **MOVED (Preston/Taskovski)**

That Council provide a donation of \$9,355 to Bungendore Park Tennis Club for essential items identified in the report.

#### **AMENDMENT (Willis/Broadbent)**

That Council:

1. Note the request for Council to provide a donation of \$9,355 to Bungendore Park Tennis Club for items identified in the report.
2. Consider the request when it receives the second Quarterly Budget Review Statement.

The amendment (of Crs Willis and Broadbent) was put.

For: Crs Broadbent, Grundy, Macdonald, Schweikert and Willis

Against: Crs Livermore, Preston, Taskovski, Waterhouse and Winchester

With the vote being five-all, the Mayor exercised his casting vote and declared the amendment lost.

The motion (of Crs Preston and Taskovski) was brought forward and put.

524/24

**RESOLVED (Preston/Taskovski)**

That Council provide a donation of \$9,355 to Bungendore Park Tennis Club for essential items identified in the report.

The resolution was carried.

For: Crs Livermore, Macdonald, Preston, Schweikert,  
Taskovski, Waterhouse and Winchester  
Against: Crs Broadbent, Grundy and Willis

525/24

**9.5 Application for a Council Cultural Grant**

**RESOLVED (Willis/Schweikert)**

That Council approve a Cultural Grant of \$500 to Roz Townsend towards costs for a podcast on healthy ageing.

The resolution was carried unanimously.

526/24

**9.6 Post Exhibition Report - New Fee-Electric Vehicle Charging Fee**

**RESOLVED (Willis/Macdonald)**

That Council:

1. Adopt the fee for Electric Vehicle Charging of \$0.55 per kWh (inc. GST), which is based on a user / beneficiary pays principle.
2. Approve the supplementary vote of \$40,000 income generated by EV Charging Station fees and \$40,000 for EV Charging Station costs; which is assumed a net zero impact on the 2024/25 Operational Plan.

The resolution was carried unanimously.

527/24

**9.7 Post Exhibition Report - Draft Climate Change Resilience Policy**

**RESOLVED (Willis/Schweikert)**

That Council adopt the Climate Change Resilience Policy.

The resolution was carried unanimously.

528/24

**9.8 Appointment of Statutory Committees Delegates**

**RESOLVED (Macdonald/Taskovski)**

That Council nominate Councillor delegates for each Statutory Committee as listed in the report.

The resolution was carried unanimously.

Statutory Committees with appointed Councillor delegates as determined:

Committee	Councillor Delegate	Alternate
Dargues Reef Community Consultative Committee	Cr Waterhouse	Cr Macdonald
Dangerous Dog Panel	Cr Wilson	Cr Macdonald
Integrated Water Cycle Management Project Reference Group	Cr Schweikert	Cr Preston
Lake George Bush Fire Management Committee	Cr Preston	Cr Schweikert
Lake George District Liaison Committee	Cr Schweikert	Cr Broadbent
Lake George Emergency Management Committee	Cr Preston	Cr Livermore
Old Cooma Road Holcim Quarry Consultative Committee	Cr Broadbent	Mayor
Woodlawn Community Liaison Committee	Cr Preston	Cr Livermore

#### 9.9 Appointment of Regional/External Committees Delegates **MOVED (Preston/Livermore)**

That Council endorse the staff representatives and nominate Councillor delegates for each Regional/External Committee as listed in the report.

#### **AMENDMENT (Broadbent/Grundy)**

That Council:

1. Appoint two Councillors as representatives to the Southern Regional Planning Panel.
2. Appoint four alternate Council members to the Southern Regional Planning Panel.
3. Develop and implement a rotation schedule for the appointees to the Southern Regional Planning Panel, in accordance with the *Sydney District and Regional Planning Panels Operational Procedures* established by the NSW Department of Planning, Housing and Infrastructure.
4. Appoint the Councillor/s and staff delegates, as nominated, to all other committees as listed in the report.
5. Update the relevant Council documentation, including the website, with details of appointments and rotation arrangements.

#### **PROCEDURAL MOTION**

529/24

#### **RESOLVED (Winchester/Macdonald)**

That the meeting adjourn for a five minute break.

The resolution was carried unanimously.

**ADJOURNMENT:** The meeting adjourned for a short break at 6.54pm and resumed at 7.00pm.

The amendment (of Crs Broadbent and Grundy) was put and carried unanimously.

The amendment became the motion.

530/24

**RESOLVED (Broadbent/Grundy)**

That Council:

1. Appoint two Councillors as representatives to the Southern Regional Planning Panel.
2. Appoint four alternate Council members to the Southern Regional Planning Panel.
3. Develop and implement a rotation schedule for the appointees to the Southern Regional Planning Panel, in accordance with the Sydney District and Regional Planning Panels Operational Procedures established by the NSW Department of Planning, Housing and Infrastructure.
4. Appoint the Councillor/s and staff delegates, as nominated, to all other committees as listed in the report.
5. Update the relevant Council documentation, including the website, with details of appointments and rotation arrangements.

The resolution was carried unanimously.

Regional and External Committees with appointed Councillor delegates as determined:

<b>Committee</b>	<b>Councillor Delegate(s)</b>	<b>Alternate(s)</b>
Canberra Airport Community Aviation Consultation Group	Cr Schweikert	Cr Macdonald
Canberra Region Joint Organisation	Mayor	Deputy Mayor
Community Safety Precinct Committee – Monaro Local Area Command	Mayor	Cr Schweikert
PCYC Advisory Committee	Mayor	Cr Macdonald
Queanbeyan-Palerang Library Service – NSW Public Library zone	Cr Macdonald	Cr Waterhouse
Regional Cities NSW	Mayor	Deputy Mayor
Country Mayors	Mayor	Deputy Mayor
South East Australia Transport Strategy (SEATS)	Cr Grundy	Cr Willis
Southern Regional Planning Panel	Cr Preston and Cr Broadbent	Director Development and Environment of Yass, Cr Grundy, Cr Wilson and Cr Schweikert

Southern Tablelands Arts Board	Cr Preston	Cr Waterhouse
Woodlawn Eco-Precinct Community Liaison Committee (Veolia)	Cr Preston	Cr Livermore

**9.10 Re-opening Queanbeyan Animal Management Facility**  
**MOVED (Willis/Livermore)**

That Council:

1. Approve the supplementary vote request of \$587,000 for emergency works critical for the re-opening of the Queanbeyan Animal Management Facility.
2. Receive a report from the Chief Financial Officer at the second QBRS identifying source of funds.

Cr Broadbent foreshadowed a contrary motion:

That Council defer Item 9.10 until Council receives a report that provides clear and detailed recommendations regarding the controls and mitigations appropriate to reduce the risk of future infectious outbreaks at the Queanbeyan Animal Management Facility so far as reasonably practicable.

The motion (of Crs Willis and Livermore) was put.

531/24

**RESOLVED (Willis/Livermore)**

That Council:

1. Approve the supplementary vote request of \$587,000 for emergency works critical for the re-opening of the Queanbeyan Animal Management Facility.
2. Receive a report from the Chief Financial Officer at the second QBRS identifying source of funds.

The resolution was carried.

For: Crs Livermore, Macdonald, Preston, Taskovski, Willis, Waterhouse and Winchester

Against: Crs Broadbent, Grundy and Schweikert

**9.11 Councillor Conduct and Meeting Practices Discussion Paper**  
**RESOLVED (Winchester/Taskovski)**

532/24

That Council authorise the General Manager to finalise and lodge a QPRC submission to the NSW Government's Councillor Conduct and Meeting Practices framework discussion paper.

The resolution was carried.

For: Crs Broadbent, Livermore, Macdonald, Preston, Schweikert, Taskovski, Willis, Waterhouse and Winchester

Against: Cr Grundy

**ADJOURNMENT:** The meeting adjourned for a short break at 7.30pm and resumed at 7.42pm.

**9.12 Quarterly Budget Review Statement for the Quarter Ending 30 September 2024**

533/24

**RESOLVED (Willis/Livermore)**

That Council:

1. Receive the September 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.

The resolution was carried unanimously.

**9.13 Investment Report - October 2024**

534/24

**RESOLVED (Schweikert/Livermore)**

That Council:

1. Receive the Investment Report for the month of October 2024.
2. Note the investment return for October 2024 was \$812,869.
3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.

The resolution was carried unanimously.

**9.14 Sale of Land for Unpaid Rates**

535/24

**RESOLVED (Macdonald/Schweikert)**

That Council:

1. Proceed with the sale of land for unpaid rates for eligible properties as attached to this report.
2. Delegate authority to the General Manager to take the following actions pertaining to the properties specified in the report:
  - a. To withdraw from sale of any property that, prior to commencement of the auction, has had all rates and charges payable (including overdue rates and charges) paid in full; or a suitable payment arrangement has been agreed to and entered into including a suitable upfront payment being made.
  - b. To withdraw any property from sale for technical or legal reasons.
  - c. To set reserve prices for sale of the properties at auction.
  - d. To negotiate by private treaty and accept offers for sale of any property that fails to sell at auction.

- e. To execute sale and purchase contracts, and property transfer documents, under Council's Common Seal.
- f. To write off residual rates outstanding due to shortfall in sale for individual properties.

The resolution was carried unanimously.

#### 9.15 Valuer General's Cancellation of Commonwealth Land

536/24

##### **RESOLVED (Willis/Schweikert)**

That Council:

1. Note the write-down of general rates income of \$85,283 for 2023/24 and \$100,642 for 2024/25 due to the NSW Valuer General decision to remove the rateable value of Commonwealth Land.
2. Note there are a further 28 Commonwealth properties that are expected to be affected by the same decision.
3. Write to the NSW Valuer General to request a review of the decision to apply the change retrospectively.
4. Write to the NSW Premier, NSW Minister for Local Government and the Federal Minister for Local Government, to request alternate funding to compensate Council for the lost general rates revenue estimated to be \$191,000 from 2025/26.

The resolution was carried unanimously.

#### 9.16 State of our Region Report 2021-2024

537/24

##### **RESOLVED (Willis/Livermore)**

That Council endorse the State of our Region Report 2021 to 2024.

The resolution was carried unanimously.

#### 9.17 Annual Report 2023-24

##### **MOVED (Taskovski/Preston)**

That Council:

1. Endorse the Annual Report 2023-24.
2. Notify the Minister for Local Government of Council's decision.

Cr Schweikert foreshadowed a contrary motion:

That consideration of this report be deferred to the 18 December 2024 meeting.

The motion (of Crs Taskovski and Preston) was put and lost.

For: Crs Livermore, Taskovski and Winchester

Against: Crs Broadbent, Grundy, Macdonald, Preston, Schweikert, Willis and Waterhouse



The foreshadowed contrary motion (of Cr Schweikert) was brought forward and put.

538/24

**RESOLVED (Schweikert/Waterhouse)**

That consideration of this report be deferred to the 18 December 2024 meeting.

The resolution was carried unanimously.

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

539/24

**10.1 Quarterly Rates and Charges Outstanding Report****RESOLVED (Willis/Livermore)**

That the report be received for information.

The resolution was carried unanimously.

540/24

**10.2 Implications for Council on Recent Announcements from State Government Regarding New Housing Delivery Authority****RESOLVED (Schweikert/Broadbent)**

That the report be received for information.

The resolution was carried unanimously.

541/24

**10.3 Waste Management Strategy Review - Commencing Community Consultation****RESOLVED (Grundy/Preston)**

That the report be received for information.

The resolution was carried unanimously.

542/24

**10.4 Post-Exhibition Report: Mobile Library Survey****RESOLVED (Schweikert/Willis)**

That the report be received for information.

The resolution was carried unanimously.

543/24

**10.5 Evaluation Report - Extended Hours Trial QPRC Libraries for HSC Students****RESOLVED (Livermore/Macdonald)**

That the report be received for information.

The resolution was carried unanimously.

544/24

**10.6 Councillor Workshops****RESOLVED (Preston/Grundy)**

That the report be received for information.

The resolution was carried unanimously.

**11. REPORTS OF COMMITTEES**

There were no Reports of Committees.

**12. NOTICES OF MOTIONS****12.1 Notice of Motion - Urban Forest and Cooling Strategy  
RESOLVED (Willis/Livermore)**

545/24

That Council:

1. Note:
  - a. The Urban Forest and Cooling Strategy (December 2021) was adopted by QPRC on 23 March 2022 (**Resolution 121/22**).
  - b. The strategy commits Council to work with the community to achieve its objectives.
  - c. Presently, there is no budget allocation to support implementation, monitoring and reporting on progress of the Urban Forest and Cooling Strategy.
2. Receive a report on opportunities for Council to work with established local groups to achieve the objectives of the Urban Forest and Cooling Strategy with particular reference to maximising staff and volunteer efforts through a more coordinated approach to on-ground work.

The resolution was carried unanimously.

**12.2 Notice of Motion - Access to the Captains Flat Lead Contamination Cell**

This item was considered was in earlier business.

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

There were no Delegates Reports.

**14. QUESTIONS WITH NOTICE****14.1 Questions on Notice - Accessible Commercial and Retail Premises  
RESOLVED (Willis/Livermore)**

546/24

That the report be received for information.

The resolution was carried unanimously.

**14.2 Questions With Notice  
RESOLVED (Willis/Winchester)**

547/24

That the report be received for information.

The resolution was carried unanimously.

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

At this stage of the proceedings Cr 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**

548/24

**RESOLVED (Winchester/Broadbent)**

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 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement**

*Item 16.1 is confidential in accordance with s10(A) (g) of the Local Government Act 1993 because it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.23pm to discuss the matters listed above.

**16.1 QPRC v Minister Education and Early Learning - Proposed Heads of Agreement**

549/24

**RESOLVED (Preston/Macdonald)**

That Council:

1. Approve the Heads of Agreement between QPRC and the Minister for Education and Early Learning.
2. Authorise the General Manager to prepare the Deed of Agreement that will give effect to the process outlined in section 71A of the Land Acquisition (Just Terms Compensation) Act for the return of the Council land and payment of compensation, and the payment of compensation in connection with the return of the Crown land, for Council consideration and approval.

The resolution was carried unanimously.

550/24

**RESOLVED (Winchester/Macdonald)**

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.37pm.

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

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

**17. CONCLUSION OF THE MEETING**

The time being 8.38pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER  
MAYOR  
CHAIRPERSON**

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

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

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

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

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

**Recommendation**

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

9.1 Public Exhibition of the Draft Braidwood Structure Plan (Ref: ; Author: Ormella/Adsett)

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File Reference: PJT0060-01-01

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**Recommendation**

**That the draft Braidwood Structure Plan be placed on public exhibition and agency consultation for a period of 28 days commencing 27 January 2025.**

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**Summary**

The purpose of this report is to obtain Council approval to undertake public exhibition and agency consultation on the draft Braidwood Structure Plan. The draft Braidwood Structure Plan builds on the Discussion Paper. It considers all submissions received, illustrates the current demographic situation and trends, identifies opportunities and constraints, and presents a plan to manage land use change and the future growth of Braidwood.

It is recommended that the 28 day consultation period commences at the end of January avoiding the main summer holiday period.

**Background**

The preparation of a Structure Plan to manage land use change and future growth in Braidwood is a strategic planning priority in Council's Local Strategic Planning Statement Towards 2030.

Council at its meeting on 22 November 2023 (**Resolution No 490/23**) received the Submissions Report on the Discussion Paper for the Braidwood Structure Plan noting the following:

- The Discussion Paper be updated to correct identified errors and provide clarification on specific matters identified in the Submissions Assessment.
- Consultation be undertaken with Aboriginal communities associated with the Braidwood area to ensure a greater understanding of sites of significance and First Nations associations to Country, to inform and input into the draft Braidwood Structure Plan.
- Preparation of the draft Braidwood Structure Plan commence, taking into consideration the issues raised in submissions from the Braidwood community and stakeholder agencies.

The above has been completed and the next step is public exhibition of the draft Braidwood Structure Plan.

The draft Braidwood Structure Plan and amended Discussion Paper form Attachments 1 and 2 to this report.

9.1 Public Exhibition of the Draft Braidwood Structure Plan (Ref: ; Author: Ormella/Adsett) (Continued)

**Report**

The draft Braidwood Structure Plan is the product of extensive consultation with the community and key agency stakeholders. Consultation included drop-in sessions with Council planners in Braidwood, Council-facilitated community workshops and information sessions in Braidwood, and an extended period for submissions on the advertised Discussion Paper.

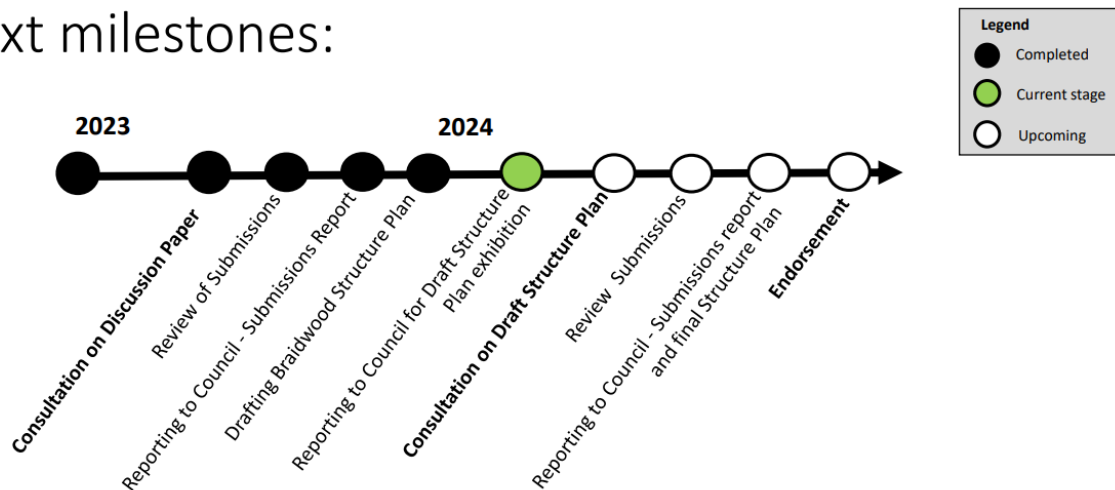
Highlights of the draft Structure Plan include population projections, assessment of future land needs, identification of opportunities and constraints to growth within Braidwood, and a Structure Plan Map indicating location and sequencing of future growth areas.

In submissions on the Discussion Paper, the public and Heritage NSW commented that there needed to be further input from the Aboriginal community and consideration of Aboriginal needs. Consultation was undertaken with the three Aboriginal communities associated with the Braidwood area. Council staff are currently working with the Local Aboriginal Land Council to implement outcomes in the draft Braidwood Structure Plan.

Additionally, staff ran two consultation sessions at Braidwood Central High School in September 2024 with students from Years 7 – 8 and Years 9 – 10 to ensure input was obtained from this segment of the community.

Exhibition of the draft Braidwood Structure Plan is the next milestone for the project. The diagram below outlines the main steps for the rest of the project.

## Braidwood Structure Plan Project - Next milestones:



**Risk/Policy/Legislation Considerations**

Preparation of the Braidwood Structure Plan has been identified as a priority in the QPRC Local Strategic Planning Statement (LSPS) and is consistent with the priorities and actions of the LSPS. It is also consistent with the objectives and strategies of the NSW South East & Tablelands Regional Plan (SETRP), and strategies of the QPRC Community Strategic Plan (CSP).

**9.1 Public Exhibition of the Draft Braidwood Structure Plan (Ref: ; Author: Ormella/Adsett) (Continued)**

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The draft Braidwood Structure Plan will be a policy of Council to guide land use planning decisions for the next 30 years for Braidwood. It is not a statutory document but rather a strategic plan that provides direction for growth and changing land use within the community.

**Financial, Budget and Resource Implications**

There are no financial implications as a result of Council approving this report for public exhibition. This is work undertaken by staff resources as part of day to day operations.

Future actions or studies recommended in the draft Braidwood Structure Plan would need resourcing and these would be the subject of further reports to Council.

**Links to QPRC/Regional Strategic Plans**

The draft Braidwood Structure Plan is consistent with the Community and Character Strategic Pillars of the Queanbeyan-Palerang Community Strategic Plan 2042.

Of relevance is Strategic Objective 3.2 of the Community Strategic Plan 2042 which states:

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

**Conclusion**

The Braidwood Structure Plan will deliver a strategic vision for the area which reflects community and government priorities, and a development framework to guide future planning initiatives and coordinate the efficient delivery of key infrastructure. It will set out the proposed future land uses, the mix and type of uses, staging and infrastructure delivery for the area. Once finalised, land within the Braidwood Structure Plan can be progressively rezoned to keep pace with demand. Until the land is rezoned, current planning controls remain in effect and existing lawful activities may continue.

It is recommended that the draft Braidwood Structure Plan be received by Council and be placed on public exhibition for a period of no less than 28 days, commencing 27 January 2025.

**Attachments**

Attachment 1      Draft Braidwood Structure Plan (*Under Separate Cover*)



Attachment 2      Amended Discussion Paper (*Under Separate Cover*)





## REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

- 9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang)
- 

File Reference: DA.2023.0511, PAN-378219

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### Recommendation

That development application DA.2023.0511 for the construction of buildings comprising of shops, neighbourhood supermarket, business premises, restaurants or café, take away food and drink premises, medical centre, recreation facility (indoor) (gymnasium), pub, car park, signage, associated earthworks, landscaping and infrastructure on Lot 68 DP 1302790 (Formerly Pt Lot 933 DP 1292514), No. 460 Environa Drive Environa NSW 2620 be granted conditional consent.

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### Summary

#### *Reason for Referral to Council*

This application has been referred to Council because it is for a major development exceeding \$5 million in value.

Proposal:	Construction of buildings comprising of shops, neighbourhood supermarket, business premises, restaurants or café, take away food and drink premises, medical centre, recreation facility (indoor) (gymnasium), pub, car park, signage, associated earthworks, landscaping and infrastructure
Applicant/Owner:	The Village Building Co. Limited
Subject Property:	Lot 68 DP 1302790 (Formerly Pt Lot 933 DP 1292514), No. 460 Environa Drive Environa NSW 2620
Zoning and Permissibility:	B1 Neighbourhood Centre (Deferred land use table QPRLEP 2022 December 1 2022 applies) and RE2 Private Recreation under Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)
Public Submissions:	1
Issues Discussed:	Planning Requirements
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made
Other Disclosures:	The Manager of Development declared a conflict of interest in relation to the applicant for DA.2023.0511 and has had no involvement in the assessment of the application or preparation of this report.

**9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)**

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### **Background**

#### ***Proposed Development***

The development application is for the construction of a shopping centre building (shell only) within the South Jerrabomberra Neighbourhood Centre comprising of a neighbourhood supermarket, shops including chemist, business premises such as hairdresser, barber, dry cleaners and nail salon, medical centre, a 24/7 access recreation facility - indoor (gymnasium), restaurant or café, take away food and drink premises, signage, essential infrastructure, on-grade car park, landscaping and associated earthworks and a pub. The proposed developments will be located on the recently approved Lot 1 under DA.2021.1285.A, yet to be registered with the NSW Land Registry Services.

The specific elements of the proposal are:

- No detailed floor plans have been submitted. Specific land uses for the proposed shops and business premises and internal layout/fitout of tenancies within the building such as neighbourhood supermarket, shops, restaurant or cafe, medical centre, gymnasium, business premises, pub and take away food and drink premises will be subject to future applications unless the proposed works or uses are exempted or assessed as complying development under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other relevant policy. A condition will be imposed accordingly.
- The building will be constructed of Colorbond Shale Grey roof with mixed materials and colours of the walls such as off white/ grey precast concrete, red and white/grey face brickworks, metal cladding with timber look, grey and dark grey metal/ FC cladding as shown on plan A202.
- Construction of 354 on-grade car parking, internal access together with associated infrastructure and landscaping.
- Installation of signage.
- The proposed hours of operation are stated in the conditions of consent.

#### ***Subject Property***

The subject site sits within the South Jerrabomberra Urban Release Area. The lot is located on the western side of Environa Drive. The subject site including South Jerrabomberra Neighbourhood Centre lot is currently vacant. The subject site is generally flat with no native vegetation due to the previous subdivision approval and associated bulk earthworks under DA395-2017 and DA.2021.1285 and subsequent modifications. Also the trees removal was approved and carried out under the separate approval RM.23.012321.

Existing development within the locality consists of an industrial estate to the northwest (Hume) on the opposite side of the ACT/NSW border, disused Goulburn-Bombala railway corridor marking the ACT/NSW boarder and public reserve to the north, south and east (noting that the east will consist of Stage 1 and primarily the residential area of the South Jerrabomberra Urban Release Area).

**9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)**

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***Planning Requirements***

Assessment of the application has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act (EPAA) 1979, as amended. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration (Attachment 1)*.

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

1. State Environmental Planning Policy (Planning Systems) 2021
2. State Environmental Planning Policy (Biodiversity & Conservation) 2021
3. State Environmental Planning Policy (Resilience and Hazards) 2021
4. State Environmental Planning Policy (Transport and Infrastructure) 2021
5. State Environmental Planning Policy (Industry and Employment) 2021
6. Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022).
7. Queanbeyan Development Control Plan 2012 (QDCP)
8. South Jerrambomberra Development Control Plan 2015 (SJDGP)

The development generally satisfies the requirements and achieves the objectives of these planning instruments as stated below:

***(a) Compliance with SEPPs***

The proposed development is generally consistent with the objectives and controls contained within the relevant SEPPs. (Refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

***(b) Compliance with QPRLEP 2022***

The proposed development is consistent with the aims of the QPRLEP 2022 and satisfies the relevant objectives of the zone. It provides for a range of commercial uses and other suitable land uses to serve the needs of people who live, work or are visiting the area, encourage investment in local commercial development that generates employment opportunities and economic growth, encourage development that is consistent with the character and amenity of the locality and support business development by providing parking and other civic facilities within urban release area.

The proposal is considered suitably located within easy walking distance to public transport and facilities. The subject site is relatively unconstrained and is considered to be suitable in its current state for the purposes of the proposed development. (Refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

**9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)**

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**(c) Compliance with DCP**

The proposed development is generally consistent with the objectives and controls contained within the Queanbeyan DCP 2012 and South Jerrabomberra DCP 2015. (refer to Section 4.15 Table – matters for Consideration for a detailed assessment).

**Other Comments**

Internal Referrals

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

Council's Development Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent. Refer to s4.15 for further comment.

**(b) Environmental Health Comments**

Council's Health Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

**(c) Waste Officer Comments**

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent related to waste management.

**(d) Trade Waste Officer Comments**

Council's Trade Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent requiring liquid trade applications to be submitted and approved by Council prior to the issue of a Construction Certificate (Building).

**(e) LIS Officer Comments**

Relevant conditions will be imposed regarding road naming and that appropriate street address to be obtain from Council.

External Referrals

**(a) Transport for NSW (TfNSW)**

TfNSW has reviewed the application and granted its concurrence on 28/3/2024 for the proposed work adjacent to the rail corridor, subject to conditions which will form part of the consent. TfNSW have made no additional comments in relation to the traffic generating aspects of this development as the recently completed intersection upgrade of Tompsitt and Lanyon Drive considered cumulative growth from this area in the analysis during design phase.

**9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)**

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**(b) NSW Police**

The Monaro Police District does not object to the shopping complex development and made a number of recommendations in regards to the shopping centre complex based on the Crime Prevention Through the Environmental Design Principles. Due to no detailed floor plan/information provided for the proposed pub, no further consideration or comments have been made for the pub.

**(c) Essential Energy**

The site is located within close proximity of existing Essential Energy's infrastructure, therefore the proposal was referred to Essential Energy for comment in accordance with Section 2.48 of the *SEPP (Transport and Infrastructure) 2021* and an email response was received on 31/1/2024 providing comments for the development; these comments will be placed on the development consent as advisory notes.

**(d) Canberra Airport**

The DA was notified to Canberra Airport on 30/11/2023 pursuant to Clause 7.8 of the QPRLEP 2022. No comment is required from Canberra Airport.

**Financial Implications**

There are no financial implications to Council as a result of determining this application.

**Engagement**

The application was notified and advertised in accordance with the QPRC Engagement and Participation Plan from 01/12/2023 to 19/12/2023, with **one** submission received, raising the following concerns:

1. *The proposed leasable area of the neighbourhood supermarket exceeds the maximum gross floor area (GFA) of 1000m<sup>2</sup> allowed under Clause 5.4 (7 AA) of the QPRLEP 2022.*

Assessing officer's comments: The plan has been amended to ensure the maximum GFA of each neighbourhood supermarket major (Tenancy 1) and supermarket minor (Tenancy 4) does not exceed 1000m<sup>2</sup>. The proposed GFA of supermarket major is 999.95m<sup>2</sup> and the GFA of supermarket minor is 111.15m<sup>2</sup>. Both supermarkets meet the requirement under Clause 5.4(7AA) of the QPRLEP 2022.

2. *Concern was raised regarding categorisation of the proposed supermarket and how is defined.*

Assessing officer's comments: The proposed supermarket is defined as "Neighbourhood Supermarket" under the QPRLEP 2022 and is permissible in the zone.

3. *Under Schedule 6 of the SEPP (Planning Systems), development application with a Capital Investment Value (CIV) of more than \$30 million is considered as Regionally Significant Development which requires to be determined by the Southern Regional Planning Panel. Council shall be satisfied that the CIV of \$ 30 million has not been exceeded.*

**9.2 DA.2023.0511 - 460 Environa Drive Environa - Construction of Buildings Comprising of Shops, Neighbourhood Supermarket, Business Premises, Restaurants or Café, Takeaway Food and Drink Premises, Medical Centre, Recreation Facility (indoor) (gymnasium), Pub, Car park, Signage, Associated Earthworks, Landscaping and Infrastructure (Ref: ; Author: Ormella/Kunang) (Continued)**

Assessing officer's comments: Based on the submitted CIV prepared by James Osenton (WT Partnership) dated 4/10/2023, the CIV for the proposed development excluding GST is \$26,679,371, which is below the \$30 million threshold. Therefore the DA is not considered as Regionally Significant Development under SEPP (Planning System) and can be determined by Council.

### **Conclusion**





The submitted proposal for the construction of buildings comprising of shops, neighbourhood supermarket, business premises, restaurants or café, take away food and drink premises, medical centre, recreation facility (indoor) (gymnasium), pub, car park, signage, associated earthworks, landscaping and infrastructure on Lot 68 DP 1302790 (Formerly Pt Lot 933 DP 1292514), No. 460 Environa Drive Environa NSW 2620 is a Local Development and is supported by a Statement of Environmental Effects. The proposal was notified to adjoining owner/occupiers and one submission was received.

The proposal has been assessed under Section 4.15 of Environmental Planning & Assessment Act 1979 including the relevant provisions of Queanbeyan-Palerang Regional Local Environmental Plan 2022, Queanbeyan Development Control Plan 2012 and South Jerrabomberra Development Control Plan 2015.

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

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

### **Attachments**

- |   |   |
|---|---|
| Attachment 1<br> | S4.15 - Assessment Report - DA.2023.0511 - 460 Environa Drive ( <i>Under Separate Cover</i> )   |
| Attachment 2<br> | Draft conditions of consent - DA.2023.0511 - 460 Environa Drive ( <i>Under Separate Cover</i> ) |
| Attachment 3<br> | Architectural Plans - DA.2023.0511 - 460 Environa Drive ( <i>Under Separate Cover</i> )         |
| Attachment 4<br> | Landscape Plans - DA.2023.0511 - 460 Environa drive ( <i>Under Separate Cover</i> )             |

9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner)

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File Reference: DA.2023.0361

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**Recommendation**

That development application DA.2023.0361 for the construction of multi dwelling housing comprising 39 dwellings, strata subdivision, earthworks, landscaping, and associated services on Lot 667 DP1289740, No. 21 Kythera Street Googong be granted conditional consent.

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**Summary**

***Reason for Referral to Council***

This application has been referred to Council because it is for a major development exceeding \$5 million in value and the application involves variations to requirements in the Googong Development Control Plan.

Proposal:	Construction of multi dwelling housing comprising 39 dwellings, Strata Subdivision, earthworks, landscaping and associated services
Applicant/Owner:	Planned / Bg Projects No 2 Pty Limited
Subject Property:	Lot 667 DP1289740, No. 21 Kythera Street Googong NSW 2620
Zoning and Permissibility:	R1 – General Residential QPRLEP 2022
Public Submissions:	Nil
Issues Discussed:	Variations: <ul style="list-style-type: none"><li>• The principal open space of dwellings in Blocks 3 and 4 are located forward of the building line</li><li>• Floor plans do not meet the adaptable housing requirements.</li><li>• Area requirements of communal open space are not met</li><li>• Driveway widths exceed 4.5m</li><li>• Fencing</li></ul>
Disclosure of Political Donations and Gifts:	Applicant Declared no Donations or Gifts to any Councillor or Staff have been made.

9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner)

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**Background**

The original proposal included a residential flat building and multi dwelling housing comprising 64 dwellings. The development presented as an overdevelopment of the site. A revised proposal was received removing the residential flat building component, amending the proposal to multi dwelling housing comprising 39 dwellings. This assessment is based on the revised proposal.

***Proposed Development***

The development application is for:

- Construction of multi dwelling housing comprising 39 dwellings (mix of single and two storey dwellings), earthworks, landscaping and associated services. The development is proposed to be constructed in four (4) separate blocks as follows:
  - Block 1-eleven (11) attached dwellings fronting James Street
  - Block 2-eight (8) attached dwellings fronting the internal access driveway
  - Block 3-eleven (11) attached dwellings fronting Kythera Street
  - Block 4-nine (9) attached dwellings fronting Golden Way
- The proposed development includes Strata Subdivision,
- 5 of the dwellings have ability to be adaptable dwellings,
- Onsite carparking includes a mix of covered and uncovered spaces and double and single garages, and
- 1 on site and 7 on street visitor spaces.



BLOCK 3, KYTHERA ST ENTRY



9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)

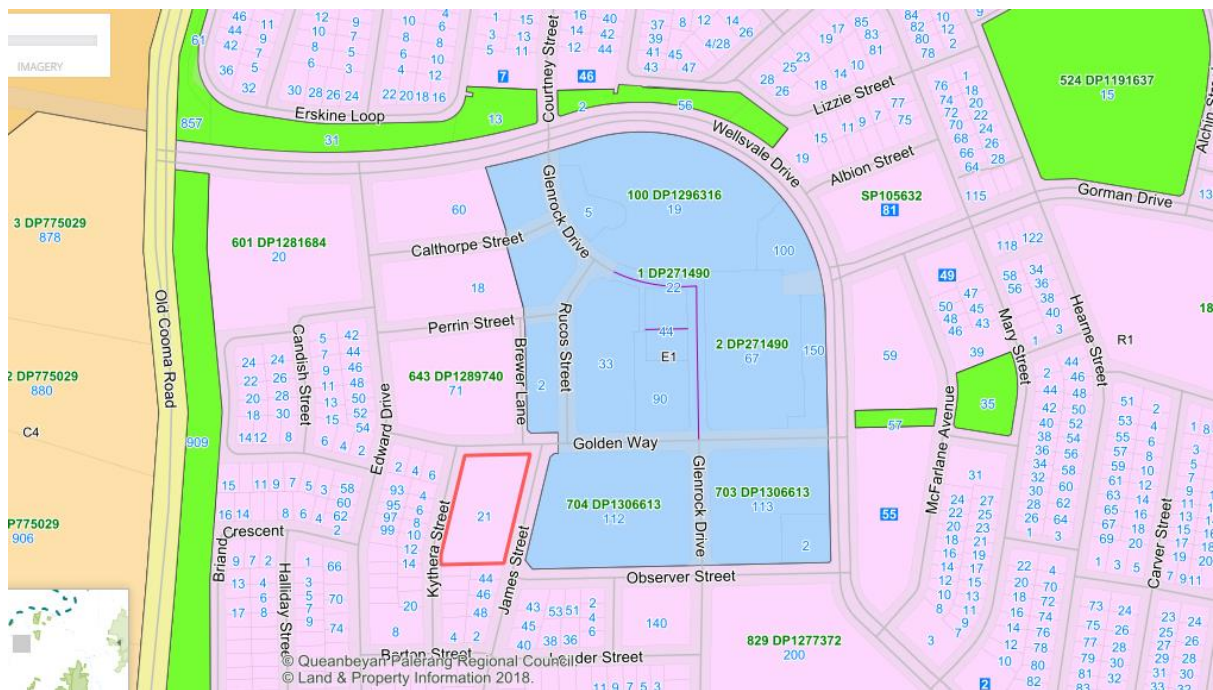
**Subject Property**

The site is legally described as Lot 667 DP1289740 and commonly known as 21 Kythera Street Googong (the site). It is zoned R1 General Residential pursuant to the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP).

The site is located within the Googong Township approximately 8km south of the Queanbeyan Central Business District.

Existing development within the locality consists of dwelling houses and other multi dwelling developments. The future Googong Town Centre is immediately east of the subject site (Figure 1).

The site is currently vacant and has an area of 7422m<sup>2</sup>. It is bounded by Kythera Street, Golden Way, and James Street (Figure 2). Site levels fall 6m from the southwest to the northeast.



**Figure 1: Locality plan**

9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)



**Figure 2: Site plan**

### **Planning Requirements**

Assessment of the application has been undertaken in accordance with Section 4.15 of the *Environmental Planning and Assessment Act (EPAA) 1979, as amended*. The matters that are of relevance under Section 4.15 are summarised in the attached *Section 4.15 Table – Matters for Consideration (Attachment 1)*.

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

1. *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
2. *State Environmental Planning Policy (Building Sustainability Index) 2004*
3. *State Environmental Planning Policy (Resilience and Hazards) 2021*
4. *State Environmental Planning Policy (Transport and Infrastructure) 2021*
5. *Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)*.
6. *Queanbeyan Development Control Plan 2012 (QDCP 2012)*
7. *Googong Development Control Plan 2010 (GDGP 2010)*

**9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)**

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

**(a) Compliance with Queanbeyan-Palerang Regional Local Environmental Plan 2022**

The proposed development is consistent with the aims of the QPRLEP 2022 and satisfies the relevant objectives of the zone. The proposal provides for a diversity of housing to meet the needs of the community within the urban release areas without unreasonably increasing the demand for public services or public facilities. The new dwellings have been designed to complement the character and amenity of existing development in the locality. Given the proximity to the future Googong Town Centre, the proposal is considered suitably located within easy walking distance to public transport and facilities. The subject site is relatively unconstrained and is suitable in its current state for the purposes of the proposed development.

**(b) (refer to Section 4.15 Table – Matters for Consideration for a detailed assessment). Compliance with DCP**

The proposed development is generally consistent with the general provisions of the *Queanbeyan DCP 2012* (QDCP 2012) except for several variations to the *Googong DCP 2010* (GDCP) as follows:

- a. The principal private open space for dwellings in Blocks 3 and 4 is located forward of the building line.
- b. Floor plans do not meet the adaptable housing requirements.
- c. Area requirements of communal open space are not met.
- d. Driveway widths exceed 4.5m, and
- e. Height of fencing.

(refer to *Section 4.15 Table – Matters for Consideration* for a detailed assessment).

**a) The principal open space for dwellings in Blocks 3 and 4 is located forward of the building line.**

Under Clause 7.10(b) of the GDCP - *The principal private open space is to be:*

- o *Located behind the building line to the main street frontage, unless specifically permitted otherwise by a Neighbourhood Structure Plan.*

The principal private open space (PPOS) for dwellings in Blocks 3 and 4 is located forward of the building line. The Googong Neighbourhood 2 (NH2) Structure Plan provides for PPOS to the north of dwellings. As there is no provision in NH2 Structure Plan (Map 22) for west facing PPOS forward of the building line, the applicant requests a variation to vary Clause 7.10(b) of the GDCP for Block 3 PPOS. The variation is supported for the following reasons:

The PPOS will provide attractive courtyard frontages to Kythera Street, the fenced courtyards will provide security and clear boundaries between public, private and communal land and allows casual surveillance of the street. The PPOS forward of the dwellings provide visual interest and complements the existing character of the streetscape.

**9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)**

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**b) The floor plan does not meet the adaptable housing requirements.**

Under Clause 7.8 of the GDCP, pre and post adaptable floor plans have been submitted. The post adaptable floor plans show kitchen, living and bathroom area on ground floor including access and circulation space. The laundry and bedroom are on 1st floor which does not comply with the *GDCP Clause 7.8 (h) Bedroom space (on ground/entry level) is to be large enough for a queen size bed and include wardrobe and circulation space (i.e. 3.5 x 3.2m/3.7 x 3.0m).*

The floor plan arrangements are supported as the lift provides suitable access to first floor and the living area is capable of being used as a bedroom under *GDCP Clause 7.8 (f) - A living/family room; a room/space capable of being used as a bedroom; and a bathroom are to be located on the ground/entry level ...*

The adaptable dwellings are provided with an integrated garage and circulation space and the adaptable dwellings meet the relevant objectives of the clause. Further assessment will be carried out as part of the Construction Certificate.

**c) Area requirement of communal landscaped area**

Under Clause 7.14 (Table 2) of GDCP *a minimum of 20% of site area is to be communal landscaped area (60% of communal open space to be landscaped as permeable surface, grasses, trees, etc).* The applicant submits: 20% (or 1,500.1sqm) of the subject site is proposed to comprise communal landscaped area and 86% (or 1,304.05sqm) of the communal open space is proposed to comprise deep soil landscaping. This is agreed. However, it is not agreed that the landscaped area forward of dwellings in Block 1 fronting James Street should be calculated as communal. These areas are long, narrow strips with an individual area of 14m<sup>2</sup> and cumulative 200m<sup>2</sup>. The space is not conducive to communal use but does provide a softening to each dwelling entrance (highlighted in image below).

An improved outcome is to include the landscaped area and entrance as principal private open space (PPOS) forward of the dwellings in Block 1 and incorporate this area into the strata plan.

This would result in noncompliance with the 20% of communal landscape area, by 200m<sup>2</sup> representing 17.5% of site area. A variation of the 20% is supported. A condition of consent requires the strata plan of subdivision to be amended at final certificate stage to incorporate the extended open space area for each dwelling in Block 1.

9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)



BLOCK 1, JAMES ST ENTRY

**d) Driveway widths exceed 4.5m**

Under Clause 7.11 (q) the maximum width of a driveway at the property boundary is to be 4.5m.

The applicant requests a variation to the GDCP Clause 7.11 (q) as the width will facilitate two-way access/egress from the site to avoid any instances of conflict and/or unreasonable queuing.

The variation is supported and agreed by Council’s Development Engineer. The driveway widths along James Street and Kythera Street require a minimum of 6.0m wide for safe entry/exit and two-way manoeuvrability of vehicles.

**9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)**

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**e) Fencing**

- i) Under Clause 7.2 (h) of GDCP front fences/walls are to be a maximum height of 1.2m to the primary street frontage

The applicant requests a variation to the primary street frontage fencing height to the western extent of the principal private open space (PPOS) and private open space (POS) of Dwelling No. 19. The fencing proposed to the rear POS area (adjacent to Kythera Street) is a maximum height of 1.55m.



The variation is supported as the fencing aligns with the proposed brick fence theme fronting Kythera Street. The fence provides visual privacy to Dwelling 19, is setback behind the fencing alignment associated with Block 3 and will not result in a detrimental impact to the street character.

- ii) Under Clause 7.2 (j) the maximum height of fences to a secondary street frontage is 1.8m. A fence on a secondary street frontage that is 1.8m must not extend more than 50% of the lot depth.

The applicant requests a variation to the 1.8m fencing height to the secondary frontage of Block 4 Golden Way. Due to the gentle sloping topography and stepped finished site levels along the Golden Way frontage, the height of the front fencing combined with the respective retaining walls ranges between 1.658m up to 2.358m.

The variation is supported as the proposed fencing steps down together with the individual dwellings and does not present as a continuous line of front fencing. The fencing will not impede the passive surveillance of the street or have a detrimental impact to the streetscape character. The proposed fencing provides for a good level of privacy and security to the PPOS and dwellings. Similar variations have been supported previously for sloping and corner lots within multi dwelling housing developments in Googong for the same reasons. The fencing to Golden Way generally satisfies the fencing controls.








**9.3 DA.2023.0361- 21 Kythera Street Googong - Multi Dwelling Housing and Strata Subdivision (Ref: ; Author: Ormella/Tonner) (Continued)**

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

The proposed development is considered suitable for the site, is compatible with the neighbourhood and can be conditioned to mitigate any potential impacts.

**Attachments**

- Attachment 1  S.4.15 Assessment Report (*Under Separate Cover*)
- Attachment 2  Architectural Plans (*Under Separate Cover*)
- Attachment 3  Strata Plans (*Under Separate Cover*)
- Attachment 4  Landscape Plan (*Under Separate Cover*)
- Attachment 5  Draft Conditions of consent (*Under Separate Cover*)



9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan)

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File Reference: PP.2024.0010

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**Recommendation**

That Council:

1. **Endorse the planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022:**
    - a. **Amend land use zoning of part of Lot 39 DP 1257837, 141 Googong Road, Googong from C2 Environmental Conservation to R1 General Residential and rezone part of land currently zoned R1 General Residential having EPBC Box-Gum Woodland to C2 Environmental Conservation.**
    - b. **Amend minimum lot size of part of Lot 39 DP 1257837, 141 Googong Road, Googong as follow:**
      - I. **from 10 hectares to 1,000 m<sup>2</sup> for land rezoned from C2 to R1.**
      - II. **from 1,000 m<sup>2</sup> to 10 hectares for land rezoned from R1 to C2.**
      - III. **from 1,000 m<sup>2</sup> to 600 m<sup>2</sup> for a portion of existing R1 zoned land.**
    - c. **Apply 8.5 m building height to the land rezoned R1.**
    - d. **Amend heritage curtilage of McCawley “Sunset” Homestead Complex.**
    - e. **Amend associated planning control maps that include additional permitted uses, secondary dwelling and dual occupancy to align with new zone boundaries.**
  2. **Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.**
  3. **Request delegation of Plan Making Authority, for this planning proposal.**
  4. **Undertake agency consultation and public exhibition according to the requirements of the Gateway determination.**
  5. **Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Regional Local Environmental Plan 2022.**
  6. **A payment of fee outlined in Council’s Fees and Charges 2024-25 for a standard Planning Proposal be made by the proponent.**
- 

**Summary**

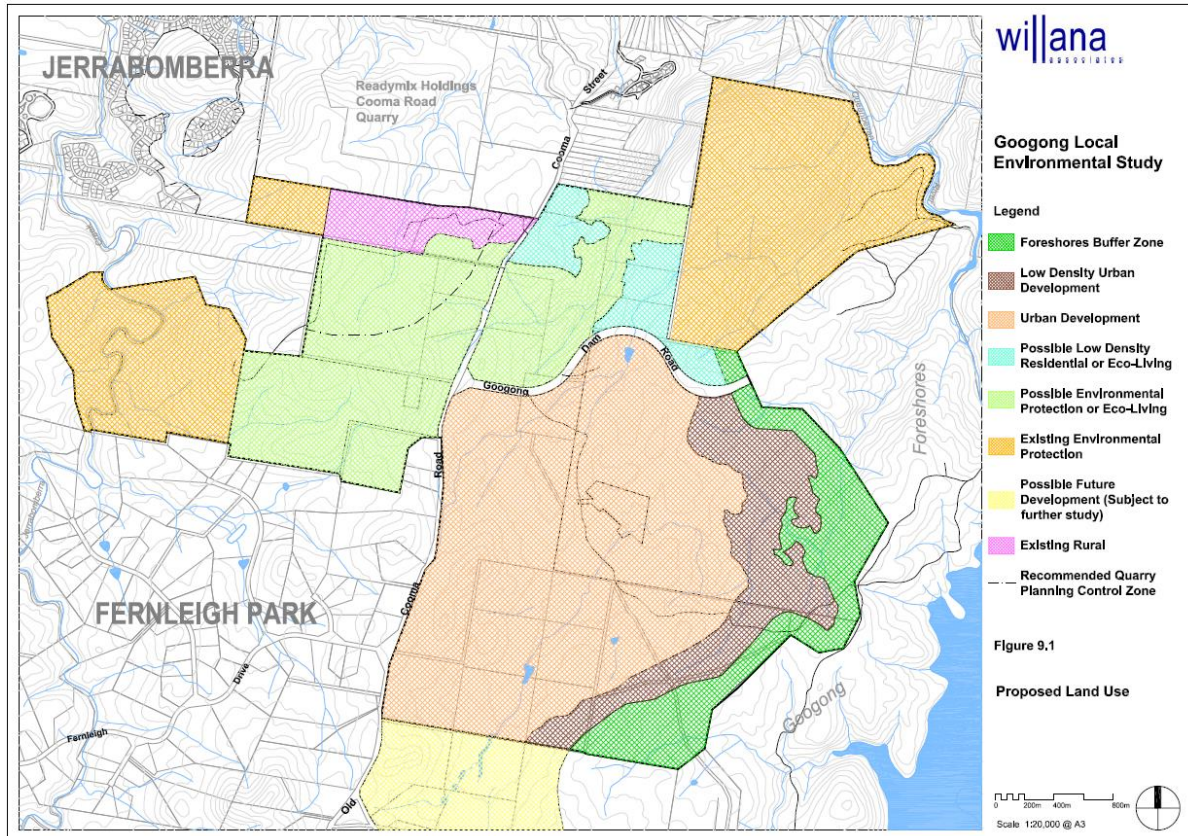
On 22 February 2023, Council resolved (**Resolution No 043/23**) to progress a scoping proposal for rezoning of part of Lot 39 DP 1257837, 141 Googong Road, Googong (site) to a planning proposal. Following agency consultation Council informed Binowee Pty Ltd (proponent) of the matters to be addressed and further technical advice required to inform the preparation of a future planning proposal.

A planning proposal has now been prepared addressing the agency concerns. Council approval is now sought to forward the planning proposal to the Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.

9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)

**Background**

A Local Environmental Study (LES) 2007 was prepared by Willana Associates to support rezoning for Googong township. The LES also considered the site for a possible low density residential, environmental protection or eco-living (refer Figure 1) based on geological and ecological assessment. The assessments covered 1390 hectares of land that formed the original study area for rezoning for Googong township. The LES also contributed to inform the existing boundaries of R1 General Residential and C2 Environmental Protection zones of the site.



**Figure 1** Proposed Land Use in the Local Environmental Study 2007 for the site

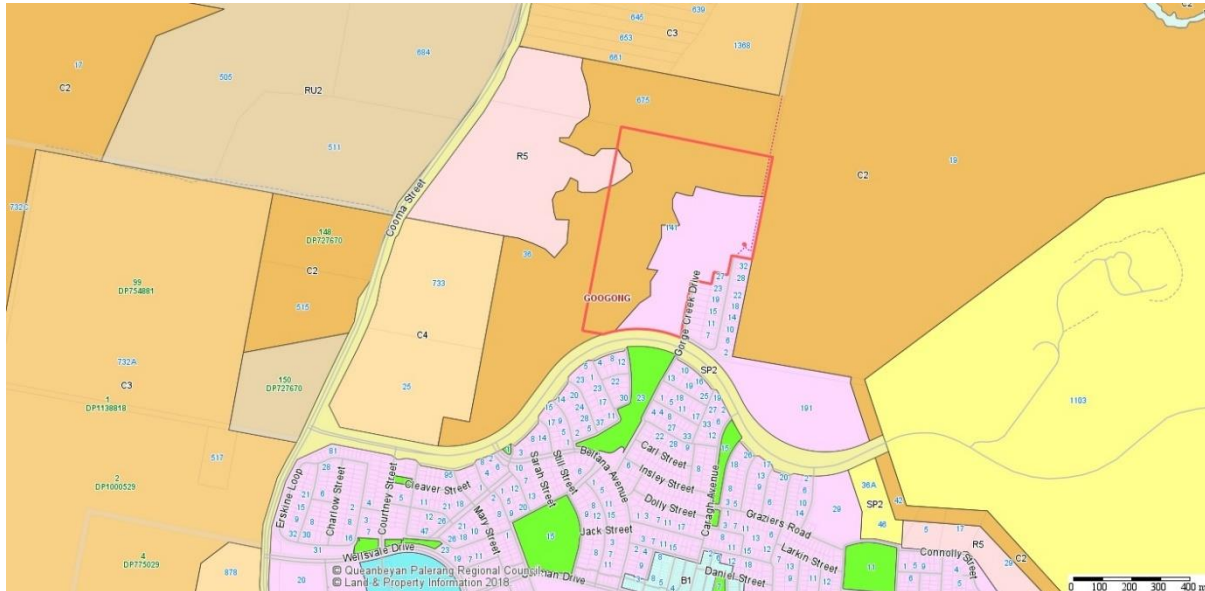
The proponent undertook detailed biodiversity and geotechnical assessments of the site and identified low instability risk and minimal threatened species and ecological communities (TECs).

The proponent prepared a scoping proposal that was submitted to Council on 30 March 2022. On 22 February 2023, Council resolved (**Resolution No 043/23**) to progress the scoping proposal. The proponent has now prepared a planning proposal for Sunset Stage 2, incorporating Council and agency advice and has submitted it to Council for consideration.

## 9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)

### Report

The proponent-led planning proposal is seeking to rezone land and amend associated planning controls on Lot 39 DP 1257837, as shown outlined red in Figure 2 below. The site has an area of 30.71 ha and is also known as Sunset Stage 2. The land abuts to southeast of the site is known as Sunset Stage 1 and is zoned R1 General Residential with approved 38 lots subdivision for residential development.



**Figure 2** Map showing site outlined red and current land use zoning under QPRLEP 2022

The site is currently zoned part R1 General Residential, C2 Environmental Conservation and R5 Large Lot Residential under QPRLEP 2022. The planning proposal is seeking to:

1. Amend the Land use zoning from C2 Environmental Conservation to R1 General Residential and rezone part of land currently zoned R1 General Residential having EPBC Box-Gum Woodland to C2 Environmental Conservation.
2. Amend minimum lot size of the site as follow:
  - a. from 10 hectares to 1,000 m<sup>2</sup> for land rezoned from C2 to R1.
  - b. from 1,000 m<sup>2</sup> to 10 hectares for land rezoned from R1 to C2.
  - c. from 1,000 m<sup>2</sup> to 600 m<sup>2</sup> for a portion of existing R1 zoned land.
3. Amend building height to 8.5 m of the land rezoned R1.
4. Amend the extent of curtilage of McCawley "Sunset" Homestead Complex.
5. Associated planning control maps that include additional permitted uses, secondary dwelling and dual occupancy to align with new zone boundaries.

The proposed changes are map related amendments. The proposal does not seek to amend any clause within QPRLEP 2022 (written instrument). As such, additional changes are included in the planning proposal in consideration of Council and agencies' technical advice resulting from the review of scoping proposal. The changes are introduced to align with applicable planning controls to similar land use zones within Googong township.

9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)

There is a reduction in developable residential zoned land (11.79 ha to 11.46ha) resulting from adjustment of zones boundary to ensure EPBC Box-Gum Woodland and areas of biodiversity value under BC Act are conserved.

The proposed map changes are identified in the planning proposal (refer Attachment 1) on page 44 to 49. A map showing the cumulative changes is shown in Figure 3.

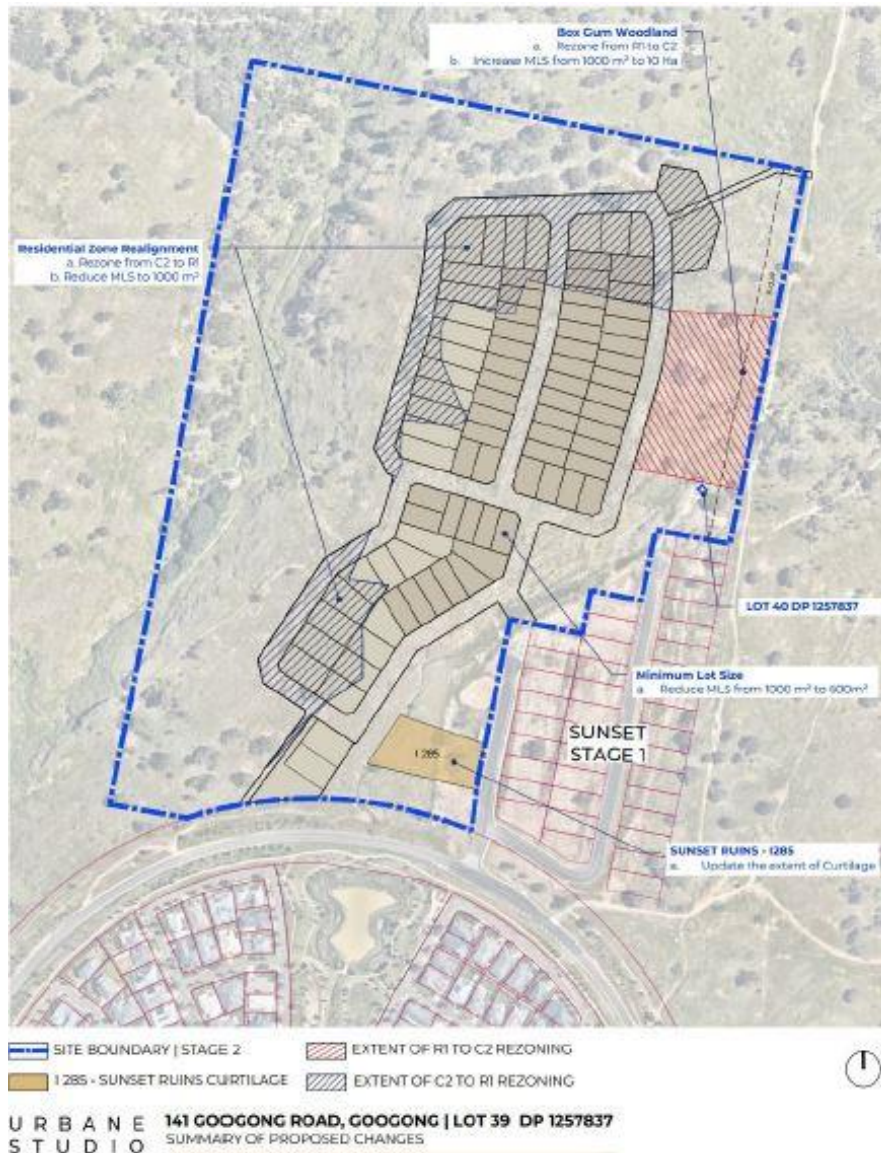


Figure 3 Proposed changes to the site

#### 9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)

Table 1 below shows the current and proposed zone land areas.

State of zoning / Land area (ha)	Environmental Conservation C2	General Residential R1	Large Lot Residential R5	Total	Land dedicated to Council
Current	18.39	11.79	0.53	30.71	Nil
Proposed	15.62	14.56 (11.46 ha taking into account the 3.10 ha to be dedicated to Council)	0.53	30.71	3.34 (R1 - 3.10 ha and C2 - 0.24 ha)

**Table 1** Detail of land area for each zone pre and post amendment

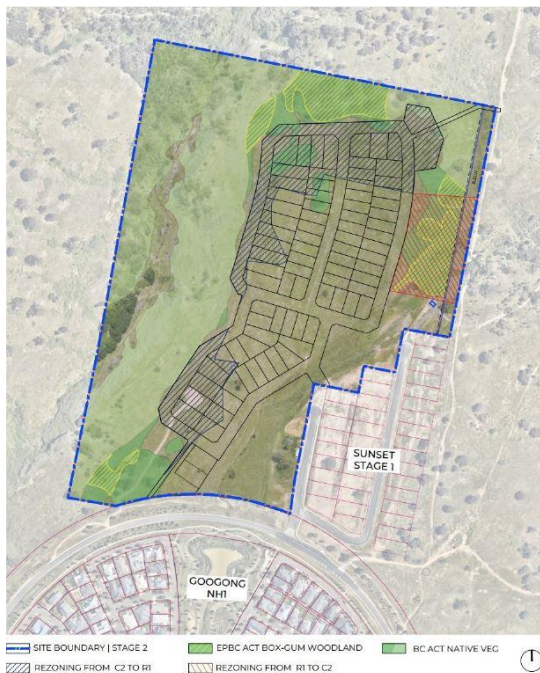
The 3.34 ha of land to be dedicated to Council through a voluntary planning agreement (VPA) in accordance with Council resolution (**Resolution No 043/23**) includes a riparian corridor and heritage item (Sunset Homestead). The exact boundary of this land will be confirmed upon registration of plan of subdivision and will be rezoned appropriately for public use through a site-specific or housekeeping planning proposal.

#### Biodiversity

A Biodiversity Survey Report (22 April 2022) by Capital Ecology documented the occurrence of biota listed as threatened under the NSW *Biodiversity Conservation Act 2016* (BC Act) and Matters of National Environmental Significance (MNES) pursuant to the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

The Biodiversity Development Assessment Report (BDAR) mapped the ecological communities observed during the site surveys (refer Figures 5 to 10 in Attachment 2). The EPBC Box-Gum Woodland and BC Act native vegetation observed on the site are shown in Figure 4.

9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)



**Figure 4** Biodiversity Value noted on the site (Capital Ecology 2024)



**Figure 5** Proposed development's impact on biodiversity value (Capital Ecology 2024)

The report noted that no threatened ecological community, threatened species habitat or BC Act native vegetation were observed in the central and southeastern parts of the site. The report further advises that the extensive loss of native vegetation and threatened species habitat is a result of significant land modification due to its current and past land uses, being primarily livestock grazing.

The proposed development is located on the central and southeastern parts of the site that lack significant biodiversity values, therefore, the impact of proposed development on the biodiversity value of the site is minimal (refer Figure 5).

**Flooding**

The planning proposal is accompanied by the Flood Impact Assessment (refer Attachment 3, Spiire October 2024) which addresses the concerns raised by DCCEW. The flood assessment includes hydraulic modelling to determine the flood extent within Googong Creek and the site up to probable maximum flood (PMF) levels. The assessment notes (refer Figure 6):

- The extent of 1% AEP flood does not impact the site. There is sufficient freeboard (0.65m) from the 1% AEP flood water surface elevation to proposed culvert crossing at Googong Creek.
- The 1% AEP plus climate change, 0.5% AEP and 0.2% AEP flood extents are contained within the Googong Creek with no impact to the site.
- The PMF flood extent does hit the road directly adjacent to the Googong Creek and overtops the proposed culvert crossing at Googong Creek. However, evacuation can be provided through direct access to Googong Rd south of the site.

#### 9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)

- The PMF hazard classification is considered high (H5 to H6) within Googong Creek, however, the hazard classification is not high in areas for proposed residential use.
- PMF velocities greater than 2m/s are generally contained within the Googong Creek Corridor.

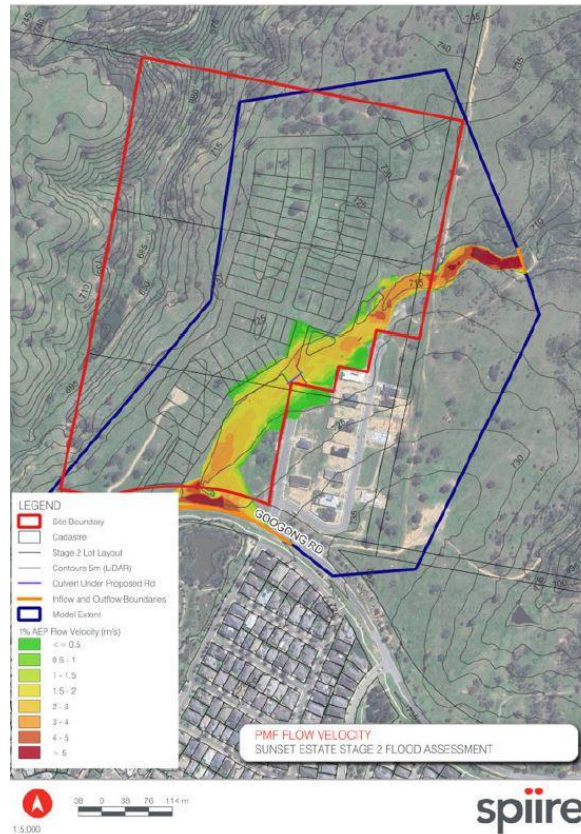


Figure 6 PMF Impact on the site (Spiire 2024)

#### Geotechnical Investigation

The Local Environmental Study (LES) 2007 recommended that land with more than 20% slope is unsuitable for dwellings. The slope across the site is generally less than 10%. The geotechnical investigation (refer Attachment 4) concludes that the site has very low to low risk of slope instability which makes it suitable for rezoning for future residential use. Areas with moderate slope should consider appropriate dwelling design and effective erosion control measures during the DA stage.

#### Aboriginal Heritage

The Aboriginal Cultural Heritage Assessment by Past Traces Heritage Consultants (refer Attachment 5) has identified five heritage sites with two areas of Potential Archaeological Deposit (PAD). Further assessment of these PADs revealed 37 artefacts, highlighting a low density across the site. The report notes that the proposed rezoning does not warrant conservation of these areas and no further action is required. The report concludes that, no significant items were found that would prevent development on the site.

**9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)**

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**Bushfire**

The site's topography and existing and anticipated vegetation indicate a moderate to high bushfire threat in surrounding areas. These risks can effectively be mitigated through implementation of standard protective measures including proposed edge roads and Asset Protection Zones (APZs) to ensure adequate separation from hazardous vegetation and reducing exposure to radiant heat (refer Bushfire Strategic Study - Attachment 6).

**Traffic**

The proposed development will not have any significant adverse impact on the surrounding area and broader road network as noted in the Traffic Impact Assessment by SCT Consulting (refer Attachment 7). It also notes that proposed road network is suitable and traffic volumes comply with maximum loading criteria for each street type within the site and surroundings.

SIDRA intersection modelling confirms that Level of Service remains unchanged for Old Cooma Road/Googong Road and Gorge Creek Road/Googong Road intersection. The existing and planned transport infrastructure can adequately be accommodated without any infrastructure changes.

**Visual Impact**

The Visual Impact Assessment *report* by Urbaine Design Group (August 2024) (refer **Attachment 8**) analysed the views from various vantage points within the subject site and noted that the extent of R1 zone integrates well with the broader locality context with no disruption. The new housing lots will primarily be visible in the gaps between the existing R1 zone lots and distant views are largely obstructed by the site topography. Existing mature trees and landscaping collectively minimize the visual impact of proposed development.

**Infrastructure**

The infrastructure report for the DA of Sunset Stage 1 (refer Attachment 9) states, 'The infrastructure installed within the first stage has the residual capacity to readily extend for the future subdivision as provided within the planning proposal'.

High level infrastructure needs and requirements will be assessed during the consultation periods following a Gateway determination. A follow up development application lodged for land subdivision that will require a detailed infrastructure design.

**Environmental Heritage Assessment**

The historic ruin situated to the southeast of the site is listed in Schedule 5 of QPRLEP 2022 as Item 285 - McCawley "Sunset" Homestead Complex. On the heritage map, the heritage curtilage of heritage item extends out onto lots created in Sunset Stage 1 due to historical lot boundaries. Council's former Heritage Adviser assessed the extent of heritage item and advised that the area should be reduced (refer Attachment 10) and recommended that heritage map be amended to reflect the correct heritage curtilage.

**Risk/Policy/Legislation Considerations**

The planning proposal has been reviewed in accordance with Council's procedures and the relevant provisions of Environmental Planning and Assessment Act 1979 and the Minister's Direction.



**9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)**

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**Financial, Budget and Resource Implications**

Staff resources have been expended in the review of the planning proposal. Any recommendation to progress to Gateway determination to further assess the Planning Proposal will attract appropriate fees as listed in Council's Fees and Charges 2024-25.

Officers previously assessed the proponent led planning proposal to be a complex one, recommending the fee to be \$51,000 based on Council's Fees and Charges. The proponent (refer Attachment 12) submits that the planning proposal should not be defined as a complex proposal under the Departments categories rather it should be categorised as a standard proposal.

The planning proposal is seeking to adjust the land use zone boundaries that will result in reduction of developable land in response to the environmental constraints. Considering the nature and scope of the planning proposal, staff agree with the applicant's submission that the planning proposal should be classified as a standard planning proposal rather a complex planning proposal. Therefore, it is recommended that \$25,854 should be charged for the planning proposal.

**Links to QPRC/Regional Strategic Plans**

The planning proposal is consistent with the Local Strategic Planning Statement - Towards 2040 and the Queanbeyan-Palerang Community Strategic Plan – Towards 2042 which outlines that proposed development should align with QPRC's long-term planning goals for sustainable development and community growth.

The planning proposal is also consistent with the Draft South East and Tablelands Regional Plan 2041 and the South East and Tablelands Regional Plan 2036 which plan for the supply of housing in appropriate locations and plan for more affordable low-cost and social housing together with environmentally sustainable housing choices.

**Conclusion**













The planning proposal is seeking to amend the land use zoning and associated planning controls for the site. The planning proposal is consistent with the local and regional strategic directions. The planning proposal is generally consistent with the applicable Minister's Directions and any inconsistency has been addressed. Should council support the progression of the planning proposal, the planning proposal will be referred the DPHI for a Gateway determination and subsequently to the relevant stage agencies.

It is recommended that Council support progressing the planning proposal to Gateway determination and requesting delegation as local plan-making authority.

**9.4 Sunset Planning Proposal - 141 Googong Road, Googong (Ref: ; Author: Ormella/Chohan) (Continued)**

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**Attachments**

- Attachment 1  Planning Proposal (*Under Separate Cover*)
- Attachment 2  Biodiversity Development Assessment Report (*Under Separate Cover*)
- Attachment 3  Flood Impact Assessment (*Under Separate Cover*)
- Attachment 4  Geotechnical Investigation (*Under Separate Cover*)
- Attachment 5  Aboriginal Cultural Heritage Assessment (*Under Separate Cover*)
- Attachment 6  Bushfire Strategic Study (*Under Separate Cover*)
- Attachment 7  Traffic Impact Assessment (*Under Separate Cover*)
- Attachment 8  Visual Impact Assessment (*Under Separate Cover*)
- Attachment 9  Infrastructure Capacity Statement (*Under Separate Cover*)
- Attachment 10  QPRC Heritage Adviser's Report\_Sunset Homestead (*Under Separate Cover*)
- Attachment 11  Preliminary Concept Plan (*Under Separate Cover*)
- Attachment 12  Proponent's Request to Review Fee (*Under Separate Cover*)

9.5 Post Exhibition Report - Draft Solid Fuel Heater Policy (Ref: ; Author: Ormella/Corey)

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File Reference: 2710456

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**Recommendation**

That Council, in noting the community feedback received:

1. Not adopt a Solid Fuel Heater Policy at this time.
  2. Receive a report outlining further options for restriction of solid fuel heaters in certain parts of the Local Government Area.
- 

**Summary**

At its meeting of 14 August 2024, Council resolved to place the Draft Solid Fuel Heater Policy on Public Exhibition for a period of 42 days. The policy was exhibited from 4 September 2024 to 16 October 2024 (**Resolution 379/24**).

Notable findings from the public exhibition included:

- 569 visits to the Your Voice - Draft Solid Fuel Heater Policy exhibition page
- 237 submissions on the Your Voice exhibition page (included as attachment 1 to this report)
- Three larger and more detailed submissions containing attachments (included as attachment 2 to this report)

The public response to the draft policy is clear. 82.5% of respondents to the community consultation do not support the draft policy. The consultation report contains extensive comments, for which individual responses have not been formulated. The themes of the submissions against the policy are addressed in the body of this report.

To progress the policy to adoption in its current form, with the majority of submissions not supporting the draft policy, would not be in the wider community interest. The consultation results signal that further work is needed.

**Background**

The Draft Solid Fuel Heater Policy has been prepared to restrict the installation of solid fuel heaters in specific parts of the Local Government Area. The policy aims to improve air quality and protect public health by reducing exposure to wood smoke, a known contributor to respiratory problems and premature death.

The draft policy only applies to new heaters in the restricted area. It does not relate to existing heaters which have been installed with Council approval. It requires designers of new developments to adopt cleaner and more sustainable heating solutions. The draft policy has been developed to provide guidance on where a solid fuel heater can be installed.

**9.5 Post Exhibition Report - Draft Solid Fuel Heater Policy (Ref: ; Author: Ormella/Corey) (Continued)**

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**Report**

The community consultation period resulted in 237 submissions, 191 submissions against the policy and 44 submissions in support of the policy.

Those who supported the policy mainly cited health and environmental reasons as well as amenity issues including inability to hang out washing or spend time outdoors in the winter months.

Those who were against the policy had various reasons which have been grouped into categories and addressed below.

**Freedom of Choice:**

The most significant concern raised is that the policy was a restriction in choice. Responders to the survey want to be able to make a choice about the type of heating they use in their homes, and for their options to include solid fuel heating.

**Cost of Living:**

Many responders raised the current cost of living pressures as a reason to not progress the policy. Wood heating is seen as a more cost-effective heating alternative by a large section of the community.

The actual costs of wood heating are extremely difficult to quantify as the efficiency of wood heaters is dependent on many variables (<https://www.choice.com.au/home-and-living/heating/home-heating/articles/should-you-switch-from-a-wood-fired-heater>)

The rising cost of gas and electricity was raised as a reason why people are using wood heating. Issues with grid security and power availability were also raised.

Regardless of the varying research around costs it is important to recognise the communities view that wood heating is more cost effective than many other forms of heating in their specific circumstances.

**Manufacturers Standards and Emission Requirements:**

Many of the submissions raised the fact that Solid Fuel Heaters sold in Australia must meet the requirements of AS4013- 2014. This standard requires heaters to be tested to Australian standards with an emission limit of 1.5 g/kg or less and a heating efficiency of 60% or greater.

The units are certified as compliant with this standard after being tested in a controlled environment. Emissions from wood heaters in actual use may differ from test results because of different fuels used and because householders operate heaters differently to the standard test method.

**Different Areas of the LGA should have different requirements:**

Many submissions raised the concern that the QPRC local government area is varied and diverse and should not be subject to a blanket regulatory approach. Many people who were against the policy in its current form did raise concerns about solid fuel heaters on small lots in densely populated areas.

**9.5 Post Exhibition Report - Draft Solid Fuel Heater Policy (Ref: ; Author: Ormella/Corey) (Continued)**

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**Risk/Policy/Legislation Considerations**

Council's Compliance and Enforcement Policy that was adopted in June 2024 includes in the medium risk category matrix, smoke nuisance from domestic heaters. That means that the category of compliance investigation from smoke nuisance can involve everything from a letter to a Penalty Notice. Environmental Health Officers always seek to engage with the property owner to provide advice and support to resolve the smoke nuisance matter. This would not change should the draft policy not be adopted.

There is the possibility that some residents impacted by wood heaters will be exacerbated by installation of new heaters in the area.

The Draft Solid Fuel Heater Policy intended to provide a method of management for solid fuel heaters, to restrict the installation of new heaters in specific parts of the LGA. The draft policy did not reflect the majority of community submissions. There are implementation risks when adopting a policy which does not have community support or alignment.

**Financial, Budget and Resource Implications**

There are no financial, budget or resource implications from not adopting the policy in its current form. Council will continue to regulate smoke nuisance using the provisions of the Protection of Environment Operations Act 1997. This work will be undertaken as part of the normal duties of the Environmental Health Team.

**Links to QPRC/Regional Strategic Plans**

Promotion of health and sustainable forms of heating for new developments aligns with various objectives from the community strategic plan.

3.1 We acknowledge climate change, and we work towards reducing our region's carbon footprint.

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

Council will investigate options for progressing an amended policy that also aligns with these objectives.

**Conclusion**

To progress the policy to adoption in its current form, with the majority of submissions not supporting the draft policy, would not be in the wider community interest. Based on the submissions received during the exhibition period, the community do not support the adoption of the policy in its current form.

It is recommended that the policy not be adopted at this stage and that a further report be provided outlining other options for restricting solid fuel heaters in some parts of the Local Government Area.

**Attachments**

Attachment 1  QPRC Draft Solid Fuel Heater Policy (*Under Separate Cover*)

Attachment 2  Full Submissions (*Under Separate Cover*)

Attachment 3  Larger Submissions and Supporting Information (*Under Separate Cover*)

**9.6 Road Naming - Proposed Names: Soares Road and Rattler Close (Ref: ; Author: Ormella/Lamont)**

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**File Reference:** 26.4.1-4 & DA-210-2012/B

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**Recommendation**

**That Council:**

- 1. Adopt in principle the road names Soares Road and Rattler Close as the proposed names for two new roads located off Wanna Wanna Road, Carwoola created under subdivision Development Consent DA-210-2012/B.**
  - 2. Exhibit the proposed road names for public comment for 28 days.**
  - 3. Publish a notice in the NSW Government Gazette for the road names listed above if no objections are received.**
- 

**Summary**

This report seeks Council support to adopt the road names Soares Road (*sw-ah-rez*) and Rattler Close for use to service a 13-lot subdivision off Wanna Wanna Road, Carwoola as per conditions of consent, for public exhibition.

**Background**

The developer undertook research to name two new roads created as part of a 13 lot subdivision off Wanna Wanna Road, Carwoola, as required under of Development Consent DA-210-2012/B. The two proposed road names 'Soares Road' and 'Rattler Close' are unique and meet the criteria set down by the NSW Geographical Names Board (GNB). These road names also meet the requirements of the QPRC Road Names Policy and are recommended to be supported by Council and exhibited for public comment.

**Report**

Condition 21 of development consent DA.210-2012/B, 13 lot subdivision at 25 Wanna Wanna Road, Carwoola requires Council approval of two road names.

The proposed names: Soares Road and Rattler Close have been researched and proposed by the developer. In accordance with Clause 6.1.3 of Council's Road Names Policy. Council has worked with the developer and the NSW GNB to arrive at these two names which differ from those elsewhere in the local government area and meet the criteria for road naming set down by the GNB.

The developer has chosen two names that have a rich historic connection to the Carwoola locality, these names will also be commemorated at the entrance of the subdivision with a plaque detailing the background of this local history; as shown in the following map and road layout.

9.6 Road Naming - Proposed Names: Soares Road and Rattler Close (Ref: ; Author: Ormella/Lamont) (Continued)



The following information was submitted by the developer.

**Soares Road:** (*sw-ah-rez*) The Reverend Canon Alberto Dias Soares was a prominent Anglican clergyman who designed over 30 churches, parsonages, schoolhouses and halls from the mid to late 1800s, throughout NSW. Many of Rev Soares buildings still stand in the Canberra region including St Thomas the Apostle Church at Carwoola. St Thomas the Apostle Church at Carwoola was the fourth Anglican church in the district (St John's, Queanbeyan's Christ Church 1844, St Philip's Bungendore 1865), which was the clergyman's sixth commission.

St Thomas the Apostle Church at Carwoola commenced construction in 1872 and took two years to build, making use of the nearby coppery-tinged stone. With its octagonal tower, belfry, buttresses, and carved dripstones keeping the rain from its numerous ornamental windows, it added considerable grandeur to the essentially solitary surrounds.

*Sources – God's Architect - the Churches and Parsonages of Alberto Dias Soares - Graeme Barrow, 2015. From Here to Eternity – Nicole Overall.*

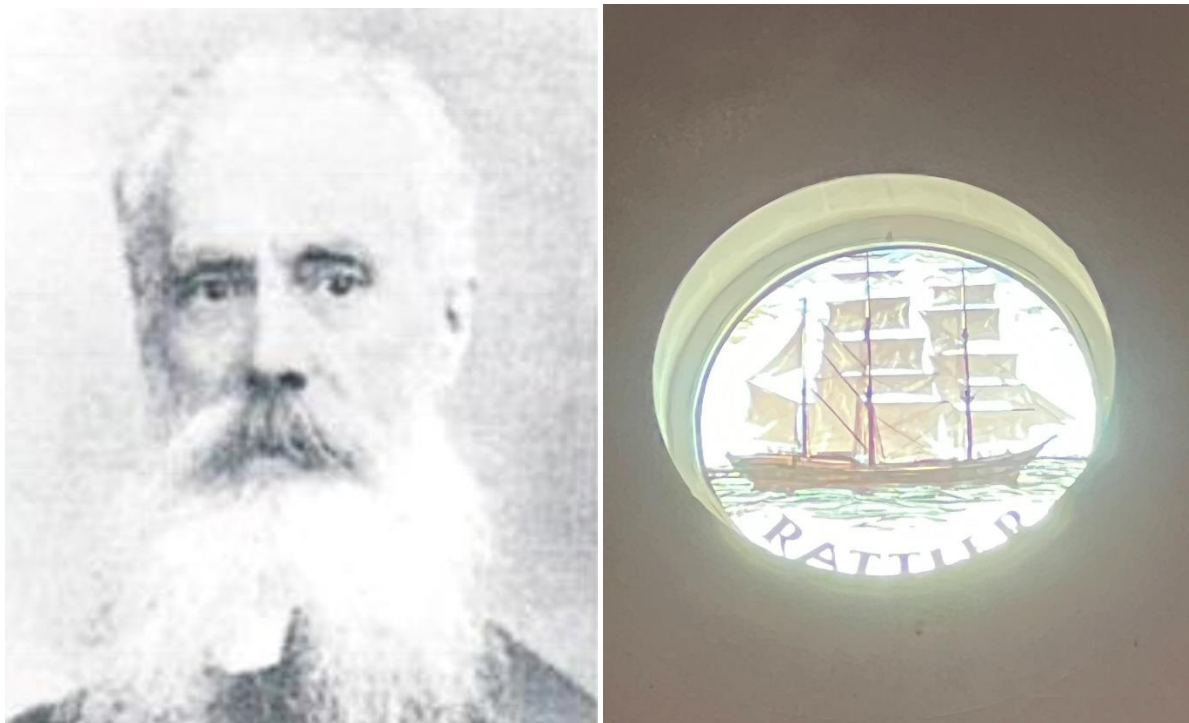
**Rattler Close:** The Rattler was a barque (a barque is a sailing ship with at least three masts, where the foremast, mainmast, and additional masts are rigged square, and the aftmost mast is rigged fore and aft) which sailed from England in September 1852 to Port Jackson arriving

**9.6 Road Naming - Proposed Names: Soares Road and Rattler Close (Ref: ; Author: Ormella/Lamont) (Continued)**

on 7 January 1853. Upon the Rattler was 254 Bounty emigrants of which many made their way to the area known as Marley's Plains, now known as Carwoola.

In St Thomas Church at Carwoola there is a stained-glass window that was specially installed as part of the 125th anniversary. This was a rather unusual window for a church far removed from the sea to be featuring a sailing ship. During the 19th century, Rattler transported free settlers to the wider district, including those who took up residence in the parish. For posterity, it commemorates seafarers and ships for the role they played.

Source: <https://anoverallview.wixsite.com/blog/post/from-here-to-eternity>.



The Reverend Canon Alberto Dias Soares and Rattler Window in St Thomas Church at Carwoola.

**Risk/Policy/Legislation Considerations**

The QPRC Road Names Policy, Clause 5. Legislative obligations and/or relevant standards.

- Roads Regulation 2018 – Division 1 Cl.7(1)-(6)
- NSW Address Policy and User Manual 2019
- AS/NZS 4819:2011 Rural and Urban Addressing Standard
- NSW Place Name Policy, GNB September 2018
- Guidelines for the Determination of Place Names, GNB July 2019
- NSW Aboriginal Languages Act 2017

The road names Rattler Close and Soares Road have been assessed under these policies and meet the requirements.

**Financial, Budget and Resource Implications**

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



**9.6 Road Naming - Proposed Names: Soares Road and Rattler Close (Ref: ; Author: Ormella/Lamont) (Continued)**

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**Links to QPRC/Regional Strategic Plans**

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

**Conclusion**

A 13 lot subdivision off Wanna Wanna Road, Carwoola approved in Development Application DA-210-2012/B, has two new roads which require naming. The proposed names Rattler Close and Soares Road have been selected in accordance with Council's Road Names Policy and the NSW Geographical Names Board guidelines for the naming of roads.

The two names proposed have a very relevant connection to the locality of Carwoola and comprise unambiguous words that are easy to spell and pronounce, is supported by the applicant, and have preapproval from GNB.

It is recommended that these Road Names be publicly exhibited for 28 days, following which and subject to no objections being received, that it be published in the NSW Government Gazette.

**Attachments**

Nil

9.7 Request from Saint Demetrios Parish for Reimbursement of Development Application Fees (Ref: ; Author: Ryan/Monaghan)

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File Reference: DA.2024.0369

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**Recommendation**

**That Council acknowledge the request from Saint Demetrios Parish for reimbursement of Development Application fees and advise that the request is declined for the reasons set out in this report.**

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**Summary**

On 9 October 2024, the Greek Orthodox Archdiocese of Australia lodged a Development Application (DA) via the NSW Planning Portal for the construction of multi-dwelling housing comprising of eight units.

Saint Demetrios Parish has subsequently submitted a request to Council for the DA fees to be refunded.

**Background**

DA.2024.0369 proposes the construction of multi-dwelling housing comprising eight single storey dwellings, at 120 Collett Street, Queanbeyan (Greek Orthodox Church site). The development application was submitted on 9 October 2024.

Based on the \$2,902,063 estimated cost of the development, the DA fee that was charged and paid is \$15,546.50. The development proposal was notified from 31 October to 19 November 2024. One submission was received from Crown Lands as an adjoining landowner raising no objections to the proposed development.

The site is zoned R3 – Medium Density Residential under the Queanbeyan Palerang Regional Local Environmental Plan 2022 and multi-dwelling housing is permissible development.

The development assessment is in its early stages with an outstanding request for information for an Acoustic report.

**Report**

Following is the breakup of the fees paid when the application was lodged:

<b>Description</b>	<b>Amount</b>
Development application fee	\$4,287.68
Plan First Levy and Admin Fee	\$1,857.32
Inspection fee for plumbing and drainage x 28	\$5,180.00
Inspection fee for plumbing and drainage x 4	\$1,060.00
Inspection for driveway/kerb & guttering/footpath	\$281.00
Section 68 Class B1 to 6A – water/sewer/stormwater	\$396.00
Notice to Commence administration fee	\$83.50
Notice to Commence plumbing and drainage works administration fee	\$76.00
Supply of 20mm water meters x 8	\$2,000.00
Development Notification (Advertised)	\$325.00
<b>Total</b>	<b>\$15,546.50</b>

**9.7 Request from Saint Demetrios Parish for Reimbursement of Development Application Fees (Ref: ; Author: Ryan/Monaghan) (Continued)**

The request from Saint Demetrios Parish would fall into Category C Funding: Rates, Fees and Annual Charges, whereby Council may consider refunding fees or charges for not-for-profit community organisations and s355 committees on a one-off basis for development application fees and associated charges.

Council may consider donations towards annual waste, water and sewerage charges for community organisations. Council may also consider a one-off rates rebate for sporting, recreational and other community organisations that are able to demonstrate registered not-for-profit status.

Churches and religious bodies are exempt from rates under s555 of the Local Government Act 1993, however are required to pay all charges in relation to water, sewer and waste services.

**Risk/Policy/Legislation Considerations**

- Revenue Policy

Council's adopted Fees and Charges sets out the relevant pricing policy for fees and charges as:

Inspections and approvals: Private Good, pricing basis is full cost recovery as the service benefits particular users, making a contribution to their individual income, welfare or profits within any broader benefits to the community.

Development applications: Regulatory; fixed by legislation.

Council's Revenue Policy notes that there are two distinct beneficiaries of the Development Assessment Activity, the first being the applicant and the second being the whole community through the monitoring of development to ensure the region has quality, sustainable development.

Development Fees are capped by legislation and the service is funded by user fees (30-40%) and general rates (60-70%).

- Donations Policy

Council adopted the Donations Policy on 28 June 2023, for donations under s356 of the Local Government Act. The definition of a Grant in the Donations Policy is that it is for a specific purpose or project 'that demonstrates community benefit and assists in meeting QPRC's strategic goals and objectives'.

Council's Donation Policy describes the various types of assistance that Council will make to eligible organisations each year.

Council has allocated \$177,895 in the current Operational Plan as follows:

- Cultural Assistance Grants - \$15,500 (balance of \$10,000 remaining)
- General Assistance - Category A - \$25,000 (zero balance remaining)
- Hire fee for Council premises - Category B - \$36,350 (balance of \$525 remaining)
- Rates and charges donations - Category C - \$73,000 (balance of \$687 remaining)
- Heritage Grants - Category E - \$26,000 (zero balance remaining)
- Schools and sundry - \$2,045 (balance of \$1,090 remaining)

**9.7 Request from Saint Demetrios Parish for Reimbursement of Development Application Fees (Ref: ; Author: Ryan/Monaghan) (Continued)**

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- Local Government Act

The General Manager, whilst recommending Council decline this request; is not delegated to consider this matter. Section 610e of the Local Government Act 1993 says that a Council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if Council is satisfied that the case falls within a category of hardship or any other category in respect of which the Council has determined payment should be so waived or reduced.

There is no evidence of hardship and the Church is undertaking a significant capital works project for benefit. Churches in general do not fall into the category of a local community organisations, which are reliant on government grants and volunteer in kind work. Churches also receive taxation relief benefits that are not afforded to other groups.

Section 356 of the Local Government Act provides that Council may provide financial assistance or make a financial contribution to another party for the purpose of exercising Council functions.

**Financial, Budget and Resource Implications**

Council collects fees and charges to fund service provision, offsetting the total cost to ratepayers. In the 2023-24 financial year the cost to ratepayers of providing Development Services was 63% of the total cost, with user fees covering 30%.

Part of the total fee amount (the Planfirst Levy) is collected and passed on to the NSW Government in accordance with the NSW Local Infrastructure Contributions Policy.

The \$73,000 allocation for Category C funding in the 24/25 Operational Plan has been distributed in accordance with the adopted Operational Plan to a value of \$72,313 and there is insufficient budget to support this request.

**Links to QPRC/Regional Strategic Plans**

Relevant to this decision is Strategic Objectives 1.1, 2.1 and 5.0 of the Queanbeyan-Palerang Community Strategic Plan, which states that:

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

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.

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

**Conclusion**

The Local Government Act provides for the contribution of money or otherwise granting financial assistance via s356 of the Act for the purpose of meeting its functions. The DA fees paid should not be waived as they are a requirement for the development.

Council's Donations Policy does consider and provide for donations like that requested, however the Saint Demetrios Parish does not meet the eligibility criteria.

**Attachments**

Attachment 1 Letter from St Demetrios Parish (*Under Separate Cover*)



Attachment 2 Donations Policy (*Under Separate Cover*)



9.8 Feedback on Naming of Council Chambers (Ref: ; Author: Ryan/Richards)

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File Reference: 36.1

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**Recommendation**

**That Council reconsider the naming of the Council Chambers meeting room in the Nellie Hamilton Centre.**

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**Summary**

At the meeting of 14 August 2024, Council endorsed the naming of the new Council Chambers as the WB Freebody Chambers.

Council further resolved to place the proposal on public exhibition for 28 days and if no objections were received, to adopt the name with a public event and naming celebration (**Resolution 373/24**).

As objections were received, Council reconsideration of this decision is sought.

**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.

At its June 12 meeting, Council approved the placement of the WB Freebody sculpture to be located in the pedestrian access link adjacent to the Council Chambers and the Bicentennial Hall, within the Nellie Hamilton Centre. Now installed, we are awaiting a plaque before an official unveiling event is held.

The naming of the Queanbeyan Council Chambers was brought to Council at its meeting of 14 August via a Notice of Motion.

**Report**

The naming of the Queanbeyan Council Chambers as the WB Freebody Chambers was placed on public exhibition from 15 August to 13 September 2024. During that time there were 262 visits to Your Voice on this matter with 54 people responding to the survey. A full report on the results of the survey is attached.

In brief of the 55 received, 30 were against the proposition, 22 were for it and 3 noted that they were not against the proposal but offered alternatives.

- Those in support (22) noted the work of WB Freebody for the Queanbeyan community over a long period of time.
- Those against (30) noted a variety of reasons including:
  - WB Freebody is already honoured in the naming of Freebody Oval
  - The name is not widely known or recognised except by older people in the community
  - Simpler naming conventions should be used eg Council Chambers

**9.8 Feedback on Naming of Council Chambers (Ref: ; Author: Ryan/Richards)  
(Continued)**

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- A female or indigenous name should be used
- We should consider the future not the past
- Provided alternative names
- There should have been a choice rather than just one name

**Risk/Policy/Legislation Considerations**

Council may choose to name the formal meeting room of the Council, however they determine appropriate. A community consultation process has been undertaken, which was overall not in favour of the proposal.

**Financial, Budget and Resource Implications**

If signage is to proceed for the Council Chambers, the cost would be minimal

**Links to QPRC/Regional Strategic Plans**

Stakeholder and Community Engagement Policy Framework (2022)

QPRC Community Strategic Plan: Strategic Pillar No 5.

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

- 5.1 Our community is serviced by an efficient, effective and innovative Council.
- 5.2 Council is an open, accessible and responsive organisation.

**Conclusion**


Although there is some evidenced community support for naming the Council Chambers the WB Freebody Chambers, the majority of respondents preferred other alternatives.

Given this, Council should consider whether; as suggested by respondents, to find an alternative female or indigenous name or to provide a range of names to allow the community to choose.

These suggestions are unlikely to reach an easy consensus.

As suggested by a number of respondents it may be Council's preference to simply refer to the formal meeting room of Queanbeyan Palerang Regional Council as the Council Chambers.

**Attachments**

Attachment 1  Feedback on Naming Queanbeyan Council Chambers (*Under Separate Cover*)

9.9 Renewal of Licence Agreement with St John Ambulance Australia (NSW) 20-22 Kendall Avenue, Crestwood (Ref: ; Author: Ryan/Flint)

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File Reference: 46.1.1-75

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**Recommendation**

**That Council endorse a new licence agreement with St John Ambulance Australia (NSW) to occupy the premises at 20-22 Kendall Avenue, Crestwood, for a two (2) year term at a lease fee of \$5,000 per annum excluding GST.**

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**Summary**

Council endorsement is sought for the proposed licence renewal with St John Ambulance NSW at 20-22 Kendall Avenue, Crestwood.

**Background**

Council staff have been negotiating with St John Ambulance Australia (NSW) for St John Ambulance to continue to occupy Council owned property at 20-22 Kendall Avenue, Crestwood as part of a renewed licence agreement. Council originally considered this licence in October 2021 (**Resolution 333/21**).

If the proposal is endorsed by Council, it will support community needs and will be beneficial to Council in that an otherwise vacant Council building be used for critical emergency training and storage purposes.

**Report**

St John Ambulance NSW (St John) currently has a licence agreement with Queanbeyan-Palerang Regional Council (QPRC) to use and occupy the Council owned building at 20-22 Kendall Avenue near the Crestwood Waste Minimisation Centre.

The building is used to run first aid training classes and store equipment. The facility was unoccupied prior to St John's habitation under the former licence agreement. The St John Ambulance Queanbeyan Division has approximately 60 volunteers, including 25 cadets aged between 11-18 who participate in the cadet program, learning vital first aid skills and building strong community and leadership skills. St John Ambulance is an entirely self-funded charity and the only community based first aid provider in the region.

The licence agreement with QPRC has since expired and is currently running on holdover provisions from month to month. St John have expressed an interest in renewing the agreement with capacity to provide some monetary return in exchange for rent and event services.

Under the current (2021) licence agreement, St John provides first aid kit resupply services to Council as well as first aid services at QPRC events in lieu of paying rent. This is done in recognition of St John's status as a charitable organisation, as well as the benefit to the community of having readily available first-aid training.

After consultation with QPRC's Workplace Health and Safety team, the first aid kit resupplies are no longer required. Alternative supply avenues for first aid kits have been sourced. There have also been administrative challenges in managing which Council first aid kits have been

**9.9 Renewal of Licence Agreement with St John Ambulance Australia (NSW) 20-22 Kendall Avenue, Crestwood (Ref: ; Author: Ryan/Flint) (Continued)**

supplied by St John under the licence agreement and which have not. As such, QPRC is not looking to continue this aspect of the agreement as it is no longer mutually beneficial.

Under the existing licence agreement, there is a requirement for St John to provide first aid support at QPRC Events. Currently, St John provide service at 5 events per year (as outlined in the Special Conditions of the Licence). These events include; Australia Day, Queanbeyan Multicultural Festival, Anzac Day, Christmas in July and the Queanbeyan Community Christmas Party.

Moving forward, the new licence agreement seeks to retain first aid support at the same events each year, as well as requiring St John to pay a licence fee to QPRC. This licence fee takes into account the first aid services provided at Council events and St John’s non-profit status. The revised fee proposed under the new agreement is \$5,000 per annum (excluding GST).

The term of the licence agreement is proposed for a 24-month period. The shorter term is partly to retain flexibility and leave all options open for Council’s long term asset management plan. The 24-month term is also appropriate for St John’s non-profit funding model whereby ongoing funding isn’t always guaranteed.

Although Council has not completely ruled out any options with its long-term asset management plans, there are no intentions to sell the property within the upcoming two-year term of the licence.



Outlined in yellow above is the area and building proposed under the Licence Agreement.



**9.9 Renewal of Licence Agreement with St John Ambulance Australia (NSW) 20-22 Kendall Avenue, Crestwood (Ref: ; Author: Ryan/Flint) (Continued)**

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Below is a picture of the building itself.



The land is zoned IN1 – General Industry under the Queanbeyan LEP 2022 and the intended use by St John Ambulance complies with the current zoning.

**Risk/Policy/Legislation Considerations**

The building is classified as Council Operational Land under the Local Government Act 1993.

Under the licence agreement, St John is required to maintain their own Public Liability insurance, as well as indemnify Council against loss.

**Financial, Budget and Resource Implications**

The fee proposed under the new licence agreement with St John is \$5,000 per annum plus GST. This figure was reached after a series of discussions with St John and takes into consideration the following factors:

- The monetary value of the first aid kits that were supplied to Council under the previous agreement;
- The monetary value of St John's first aid services at Council events if they were to charge a commercial rate (approx. \$500 per event);
- St John's capacity to pay fees as charitable community organisation;
- The need to generate appropriate levels of return for the use of a public asset;
- The licensee does not currently pay any rates on the property;

The licensee does not currently pay any rates on the property. The value of rates for the property as a whole, including the areas for the Men's Shed and Council's Waste Minimisation Station amount to approximately \$5,168 per annum.

The licensee is responsible for general upkeep of the property, but the licensor is responsible for any major works or repairs to the building itself. Council maintenance expenses for the property in previous years have ranged between \$400 - \$800 per annum.

**9.9 Renewal of Licence Agreement with St John Ambulance Australia (NSW) 20-22 Kendall Avenue, Crestwood (Ref: ; Author: Ryan/Flint) (Continued)**

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**Links to QPRC/Regional Strategic Plans**

Use of a Council-owned building by a community group, while also generating a stream of income revenue is consistent with the goals and objectives of the QPRC Property Policy and Strategy.

**Conclusion**

Council support for the proposal is sought, noting that the arrangement is beneficial to both parties and supports the invaluable work of St John Ambulance throughout our region whilst also providing return to Council.

**Attachments**

Attachment 1  Draft Licence Agreement with St John Ambulance Australia (NSW)  
(Under Separate Cover)

9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint)

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File Reference: 52.3

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**Recommendation**

**That Council:**

- 1. Nominate Councillors for each of the Advisory Committees that require Councillor delegates:**
  - Sustainability and Climate Change Advisory Committee
  - Heritage Advisory Committee
  - Access Committee
  - Arts and Cultural Development Advisory Committee
  - Sporting Gallery Advisory Committee
  - Sports Council
  - Youth Advisory Committee
  - Queanbeyan Showground Advisory Committee
  - Braidwood Floodplain Risk Management Committee
  - Bungendore Floodplain Risk Management Committee
  - Queanbeyan Floodplain Risk Management Committee
- 2. Dissolve the following Advisory Committees in their current formats:**
  - Bungendore Town Centre and Environs Committee
  - Sister City Committee
  - First Nations Consultative Committee
- 3. Not proceed to establish a Queanbeyan-Palerang Regional Council Advisory Committee of Seniors.**
- 4. Defer consideration of the establishment of the Business Advisory Committee until a report is presented to Council in early 2025.**
- 5. Undertake an Expression of Interest process to facilitate membership for each Advisory Committee to be reported back to Council.**
- 6. Following consultation with First Nations Community, LALC's and Traditional Owners receive a report on the proposed Terms of Reference for a QPRC First Nations Network.**

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**Summary**

Council consideration and nomination of Councillor delegates to all Queanbeyan Palerang Regional Council Advisory Committees for the 2024-2028 term following the recent local government election is sought.

A review of all Terms of Reference has been undertaken by staff and these set the scope for all new Advisory Committees to form.

**9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint)  
(Continued)**

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**Background**

Many community representatives dedicate their time and often their expertise to providing input into advisory committees. Council's Advisory Committees provide advice to Council on a range of issues and offer a valuable opportunity for information exchange with our community. A review of each Committee has been undertaken by staff with some recommendations made below regarding the names/scope and continuity of some Committees, for Council consideration.

The new Terms of Reference for each of the Advisory Committees are attached.

**Report**

Advisory Committees are not a Committee of Council under the Local Government Act (s373) and there is no legislative requirement for Council to have Advisory Committees. The main purpose is to provide community engagement and feedback on specific services or Council activities, plan or project.

Council needs to provide a governance framework for each Committee via a Terms of Reference which defines their role, purpose, membership, quorum and any relevant plans/strategy. The committees have no financial or decision making authority, and members have no authority to represent Council unless formally approved by Council. Recommendations are only resolutions of Council when resolved.

1. Advisory Committees recommended to be retained or renamed

**Sustainability and Climate Change Advisory Committee**

The Committee meets bi-monthly and includes 2 Councillor delegates, 1 Landcare Representative and 5 community representatives.

It is proposed that the Environment Sustainability Advisory Committee (ESAC) be reformed to the QPRC Sustainability & Climate Change Advisory Committee, reinforcing the nature of the work programme and material which the Advisory Committee would be involved in. The revised Terms of Reference reframe and set out the types of work that the Advisory Committee would be involved in. These do include sustainability matters and the environment, however also clearly identify the review and comments on the climate change adaptation, mitigation, and pathway to net zero work being key.

**Heritage Advisory Committee**

The Committee meets bi-monthly, and has 1 Councillor delegate and an alternate, with 8 community representatives. The Committee meets frequently and is well represented. The key change to the Terms of Reference include a new Heritage Assessment and Referrals Flowchart which serves to assist Members to understand their role in advising on certain applications.

**Access Committee**

The Committee meets quarterly and has no maximum membership with 1 Councillor delegate and an alternate. The committee is aimed at people living with a disability, family members of people with a disability and representatives of a local agency providing services to people with a disability. The Committee has a budget of \$20k towards accessibility audits at QPRC venues. It will be an action of the new Committee to determine priority areas of focus. The audit results will then help guide funding opportunities.

**Arts and Cultural Development Advisory Committee**

The Committee meets quarterly with 8 community representatives (including two practicing artists living or working in the community) and 2 Councillor delegates.

### 9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint) (Continued)

It is suggested the Committee is re-named to the Arts and Cultural Development Advisory Committee (from Cultural Development & Public Arts Advisory Committee) to more adequately reflect the intent and focus of the Committee.

#### Sporting Gallery Advisory Committee

The Committee meets on an as required basis with 1 Councillor delegate and 3 community representatives invited by Council. No changes to the former Terms of Reference are proposed.

#### Sports Council

The Committee meets on a quarterly basis with 3 Councillor delegates and a member from each sporting code or club in the Local Government Area. No changes to the former Terms of Reference are proposed.

#### Youth Advisory Committee

The Committee meets on a quarterly or as required basis to comment on Council strategic plans relevant to Youth with 1 Councillor delegate and 1 alternate. The Committee will consist of up to 12 community members between the ages of 12-25 years and expressions of interest to join the Committee can be received at any time throughout the year. This Committee has historically struggled to attract strong membership and a review of the meeting format and engagement will be necessary.

#### Queanbeyan Showground Advisory Committee

The Committee meets quarterly with 9 community representatives and 2 Councillor delegates. It is proposed within the Terms of Reference that this group continue as an Advisory Committee of Council until such time the new Plan of Management for the Queanbeyan Showground is finalised.

#### Flood Risk Management Committees

The Flood Risk Management Committees for Queanbeyan, Bungendore and Braidwood meet on an as needs basis, generally only active when studies and plans are being reviewed and developed. Bungendore Flood Risk Management Committee was the only Flood Committee that met in the last term of Council. Each Committee calls for 2 Councillor delegates with an uncapped number of community representatives and Agency/Consultant representatives. It is a requirement of the Flood Risk Management Manual that Committees for each town centre exist.

<b>Committee</b>	<b>Councillor Delegate(s)</b>
Sustainability and Climate Change Advisory Committee	2 Councillors
Heritage Advisory Committee	1 Councillor 1 alternate Councillor delegate
Access Committee	1 Councillor 1 alternate Councillor delegate
Arts and Cultural Development Advisory Committee	2 Councillors

### 9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint) (Continued)

Committee	Councillor Delegate(s)
Sporting Gallery Advisory Committee	1 Councillor 1 alternate Councillor delegate
Sports Council	3 Councillors
Youth Advisory Committee	1 Councillor 1 alternate Councillor delegate
Queanbeyan Showground Advisory Committee	2 Councillors
Braidwood Flood Risk Management Committee	2 Councillors
Bungendore Flood Risk Management Committee	2 Councillors
Queanbeyan Flood Risk Management Committee	2 Councillors

2. Advisory Committees recommended for redesign or new format, or alternative engagement strategy recommended.

#### Bungendore Town Centre and Environs Committee

The recommendation to discontinue the Bungendore Town Centre and Environs Advisory Committee (BTEC) reflects a shift in Council's approach to effectively and efficiently achieve the objectives outlined in the committee's role. While the committee has provided valuable input, Council now seeks to streamline its operations and decision-making processes. The key reasons include:

- Other towns within the Queanbeyan-Palerang region do not have a dedicated Advisory Committee fulfilling a similar role. Instead, Council addresses town planning, policy development, and improvement strategies for these areas through existing processes and broader community engagement methods. Council staff and Councillors attend various meetings in each of these areas to facilitate communication, raising of issues, sharing of projects and engagement on specific activities.
- Many of the committee's areas of interest, such as streetscape planning, built form controls, and open space provision, are already addressed through existing Council policies, specialised staff expertise and community engagement strategy processes.
- Council aims to adopt more inclusive and flexible engagement methods (eg: public forums, targeted surveys, and working groups) to gather input from a wider cross-section of the community.
- Streamlining decision-making processes will reduce duplication of efforts and allow Council to respond more promptly to emerging priorities and projects.

By transitioning to alternative engagement mechanisms, Council can ensure equitable treatment of all towns in the region and continue to support the enhancement of the town centre, creek corridor, and surrounding areas while improving overall governance and project delivery.

**9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint)  
(Continued)**

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Dissolving of the BTEC as an Advisory Committee of QPRC, does not imply that the committee may not meet. The BTEC meetings should continue and more importantly Council staff, including the relevant Economic Development, Urban Landscape and Tourism/Events staff along with the General Manager will attend and support the activities and issues raised, as they do for other local business and town committees in Braidwood, Googong, Jerrabomberra and Queanbeyan.

First Nations Advisory Committee

The recommendation to dissolve the First Nations Advisory Committee and establish an alternate model of a QPRC First Nations Network is proposed as a result of feedback from the former committee. The Network will operate on a consultative basis with Council staff coordinating engagement as required.

Outcomes from engagement with the Local Aboriginal Lands Councils, Traditional Owners and other First Nations Community groups will be consolidated and a new Terms of Reference for the proposed QPRC First Nations Network developed.

This will be reported to Council in early 2025.

Sister City Committee

This Committee is currently redundant given it has not met for over 5 years. Should a Sister City visit be organised, coordination and protocols can be achieved via a working group or informal Committee. They could meet and any need for a Council decision would be presented to Council via a formal report.

3. Advisory Committees proposed by the former Council

Queanbeyan-Palerang Regional Council Advisory Committee of Seniors

A Notice of Motion was considered at the 13 December 2023 Council Meeting to establish this Advisory Committee (**Resolution 542/23**).

Staff have canvassed seniors groups and representatives in Queanbeyan, Bungendore and Braidwood. They generally believe that a formal Advisory Committee would not be helpful as many seniors are already committed to a range of volunteer activities including other committee. They also believe that it is important for Councillors to have access to as many voices as possible and this could not be achieved by an Advisory Committee. They further commented that the logistics of one seniors committee across the Local Government Area would be problematic and that each region would not feel that they were sufficiently heard.

However, seniors are keen to have communication channels and access to Councillors, They have suggested that, having a Councillor or some Councillors attend their local meetings, events and functions from time to time would be an effective way to meet seniors and find out what issues are of a concern to them. This would generate a very positive response. Staff engage with these groups regularly and could easily facilitate Councillors being included in invitations to attend when they are available.

**9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint)  
(Continued)**

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Queanbeyan-Palerang Regional Council Business Advisory Committee

A Notice of Motion was considered at the 13 December 2023 Council Meeting to establish this Advisory Committee (**Resolution 541/23**).

A small business survey has been conducted and a report will address in particular how local business groups and individuals wish to engage and communicate with Council.

This information is being collated and a report will be presented to Council in January 2025.

**Risk/Policy/Legislation Considerations**

Each Committee is a non-legislated Committee which means they have no legislative delegations or ability to make decisions on behalf of the Council. The role of each is to provide feedback, provide input into policy development or a particular project, and be a mouthpiece for groups within the community.

Each external committee member is considered a volunteer of Council and is therefore required to undergo Code of Conduct and Code of Meeting Practice training as part of their induction program.

**Financial, Budget and Resource Implications**

There is a significant amount of administrative time and staff resources needed to prepare agendas, write minutes and report these to Council. Committee members attend on a voluntary basis, some in person and some online.

Councillors attending these Committee meetings are eligible to claim travel expenses, as per the QPRC Councillor Expense and Facilities Policy, which are included in the Councillor expenses budget.

There is no budget or financial delegation granted with any Advisory Committee.

**Links to QPRC/Regional Strategic Plans**

The appointment of delegates to each Advisory Committee of Council aligns with the following outcomes in the Community Strategic Plan 2024:

- 1.1 Our community is strengthened through connection and participation that enhances our community and cultural life
- 5.2 Council is an open, accessible and responsive organisation

**Conclusion**

Council is asked to appoint Councillor delegates to the Advisory Committees as recommended for the 2024-2028 term.

Further reports will be presented to Council in early 2025 regarding the QPRC First Nations Network and QPRC Business Advisory Committee.


Subject to Council resolution, staff will proceed with an Expression of Interest process after the Christmas/New Year holiday to reinstate and fill vacant community and organisation representatives to each Advisory Committee. A report to confirm these appointees will be presented to Council as each are finalised.



**9.10 Appointment of Advisory Committees Delegates (Ref: ; Author: Ryan/Flint)  
(Continued)**

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**Attachments**

- Attachment 1  Terms of Reference - Queanbeyan Showground Advisory Committee  
*(Under Separate Cover)*
- Attachment 2  Terms of Reference - Floodplain Risk Management Committees *(Under  
Separate Cover)*
- Attachment 3  Terms of Reference - Youth Advisory Committee *(Under Separate Cover)*
- Attachment 4  Terms of Reference - Sporting Gallery Advisory Committee *(Under  
Separate Cover)*
- Attachment 5  Terms of Reference - Sports Council *(Under Separate Cover)*
- Attachment 6  Terms of Reference - Access Committee *(Under Separate Cover)*
- Attachment 7  Terms of Reference - Arts and Cultural Development Advisory  
Committee *(Under Separate Cover)*
- Attachment 8  Terms of Reference - Sustainability and Climate Change Advisory  
Committee *(Under Separate Cover)*
- Attachment 9  Terms of Reference - Heritage Advisory Committee *(Under Separate  
Cover)*

9.11 Appointment of GM Performance Review Delegate (Ref: ; Author: Ryan/Ison)

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File Reference: 18 December 2024 Council Reports

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**Recommendation**

**That Council nominate a Councillor delegate to sit on the General Manager's Performance Review Panel with the Mayor and Deputy Mayor and a Councillor nominated by the General Manager, for the Council term 2024 to 2028.**

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**Summary**

The General Manager's Performance Review Panel (the Panel) is delegated to conducting Performance Reviews, reporting the findings and recommendations of those reviews to Council, and developing the next year's Performance Agreement.

With the election of the new Council, a Councillor nominated by the Council is sought.

**Background**

The Office of Local Government (OLG) Section 23A Guidelines for the Appointment and Oversight of General Managers (2022) state that the Panel should consist of:

- The Mayor;
- The Deputy Mayor;
- A Councillor nominated by Council, and
- A Councillor nominated by the General Manager.

Council may also consider including an independent observer on the Panel. Guidelines are publicly available on the OLG website:

<https://www.olg.nsw.gov.au/wp-content/uploads/2022/09/Guidelines-for-the-Appointment-and-Oversight-of-General-Managers.pdf>

For the last term of Council, the Councillor nominated by Council was Cr Willis, and the Councillor nominated by the General Manager was Cr Biscotti. The independent member was Mr Pete Harrison, former Mayor and Councillor of Palerang Shire Council. The Mayor will decide if Mr Harrison is asked to continue, or if another independent person is sought.

The Terms of Reference for this committee was adopted at the 24 August 2022 meeting (**Resolution No 335/22**) and is attached for information.

**Report**

The role of the Panel includes:

- conducting performance reviews;
- reporting the findings and recommendations of reviews to the Council, and
- development of the performance agreement.

Councillors who are not members of the Panel are invited to contribute to the performance review process by providing feedback to the Mayor on the General Manager's performance relevant to the agreed performance criteria.

### 9.11 Appointment of GM Performance Review Delegate (Ref: ; Author: Ryan/Ison) (Continued)

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All Councillors are notified of relevant dates in the performance review cycle and informed of the Panel's findings and recommendations at a Council meeting.

The last Performance Review for the period 2023/24 and Performance Agreement for 2024/25 was conducted in August 2024, as approved by Council at the 11 September 2024 meeting (**Resolution No 450/24**). The Performance Agreement for 2024/25 is attached for Council's information.

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

Following the local government elections, Council is required to fill vacancies on each Committee of Council. This report seeks to appoint a Councillor delegate to the General Manager's Performance Review Panel.

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

There are no financial implications as a result of appointing delegates to this Committee. There are no financial delegations associated with this Committee.

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


The adoption of both policies helps support Strategic Pillar No 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

- 5.1 Our community is serviced by an efficient, effective and innovative Council.
- 5.2 Council is an open, accessible and responsive organisation.

#### **Conclusion**

Council is asked to consider appointing a delegate to the General Manager's Performance Review Panel for the duration of the term of the current Council (2024-2028). After this, the General Manager will nominate another Councillor.

#### **Attachments**

- Attachment 1 GM's Performance Review Terms of Reference (*Under Separate Cover*)
-  Attachment 2 General Manager's Performance Agreement 2024-25 (*Under Separate Cover*) - **CONFIDENTIAL**

File Reference: 52.5.4

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### **Recommendation**

**That Council:**

- 1. Endorse the following policies and place on exhibition for 28 days commencing 27 January 2025:**
    - **Councillor and Staff Interaction Policy**
    - **Councillor Expenses and Facilities Policy**
    - **Councillor Induction and Professional Development Policy**
    - **Development Adjacent to Water, Sewer and Stormwater Mains Policy**
  - 2. If no submissions are received, the policies be adopted.**
  - 3. Move the Records Policy from Strategic to Operational.**
- 

### **Summary**

The attached Strategic Policies have undergone a review by the relevant business units and as a result, some amendments have been made. The intent of the Policies as they currently exist have not changed, but rather reflects updated best practice and timely revisions.

Council endorsement is sought to place these five Policies on public exhibition and rescind another Policy; the Records Policy.

### **Background**

Council must review all local approvals and Orders as well as Policies within 12 months of an election taking place in accordance with the Office of Local Government's Post Election Guide for Councils. <https://www.olg.nsw.gov.au/wp-content/uploads/2024/08/Post-election-Guide-for-Council.pdf>

### **Report**

The following policies have undergone a review by staff and changes (if any) are outlined below.

1. Councillor and Staff Interaction Policy

The Policy notes in broad terms, that a Councillor's role is a strategic one. As members of the governing body, Councillors are responsible not only for representing the community, but also for setting the strategic direction of the council and keeping its performance under review. The role of council staff, under the leadership of the General Manager, is to carry out the day-to-day operations of the council and to implement the decisions, plans, programs and policies adopted by the governing body.

The policy recognises Councillors' role in setting the Council's strategic direction and keeping its performance under review, and therefore Councillors are entitled to request information

**9.12 Policy Review (Ref: ; Author: Ryan/Flint) (Continued)**

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about a range of issues. However, in requesting information, Councillors should not be seeking to interrogate the minutiae of the Councils operations, to initiate or influence planning decisions or applications, or to direct or influence staff in the performance of their duties. Councillors should also recognise that a council's resources are finite, and they need to be mindful of the impact of their requests.

A Model Councillor and Staff Interaction Policy was released by the Office of Local Government in 2021. Council's policy as it exists, mirrors this, therefore it is proposed that no changes are made to the Policy other than updating wording to reflect the title General Manager (not CEO) and Director (not Portfolio General Manager).

## 2. Councillor Expenses and Facilities Policy

This Policy contains a number of annual monetary limits on certain expenses. Some of these are legislative amounts set by the ATO or the NSW Local Government Employee's Award, and others are discretionary amounts set by QPRC.

Council must have an adopted Councillor Expenses and Facilities Policy in accordance with section 252 of the Local Government Act 1993. This Policy is based on a Model Policy prepared by the Office of Local Government in 2017. The Policy was updated with contemporary values at its last review in 2022, however a comparison between other relative Council's shows that QPRC's Councillor Expenses and Facilities Policy contains generous and competitive entitlements. Therefore, no changes to values are proposed as part of this review and subsequently, no budget adjustments are required.

The only changes to the policy include updated wording to reflect the title General Manager (not CEO) and Schedule 1 Allowances under the Local Government (State) Award 2018. It is further noted that the Schedule Forms contained within the Policy are also available as e-forms on the Councillor Portal.

## 3. Councillor Induction and Professional Development Policy

The Local Government Act 1993 includes a responsibility for Councillors "to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor." Further, Part 8A Clauses 183-186 Local Government (General) Regulation 2021 outlines the obligations of the General Manager, Mayors and Councillors regarding professional development.

Council's induction and professional development programs are to consist of three elements:

- Pre-Election Candidate Sessions

To ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged).

Council's GM with the assistance of Jenny Dowell AM, a facilitator from LGNSW and former Mayor, conducted a 3-hour face to face briefing on 29 July 2024, which covered what the role of a Councillor is with prospective candidates.

- Induction Program

To equip Mayors and Councillors with the information they need to perform their role effectively over the first few months, with a particular focus on building positive, collaborative relationships between Councillors and with staff.

**9.12 Policy Review (Ref: ; Author: Ryan/Flint) (Continued)**

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Following the September Election, a program of onboarding and induction took place. Sessions took place as follows:

1. Code of Conduct/Code of Meeting Practice Induction
  2. Councillor and Executive Day to discuss each Directorate
  3. Strategy planning and goal setting with Workshop
  4. ICAC Workshop - Corruption Prevention for Elected Representatives
- Professional Development Program

To be developed in consultation with all Councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective Mayor or Councillor.

Each Councillor has completed a survey of training needs and a plan for each Councillor is managed by the Manager Governance, Legal and Risk over the course of their term, re-visited annually.

An amount of \$88,000 is provided in the Operational Plan for Councillors' training and professional development with up to \$8,000 available per Councillor per year (refer Councillor Expenses and Facilities Policy). This amount can be adjusted according to Council requirements with the quarterly budget review process. Expenditure will be monitored and reported in the quarterly financial reviews, and then included in Annual Report.

A Model Councillor Induction and Professional Development Policy was released by the Office of Local Government in 2018. Council's policy as it exists, mirrors this, therefore it is proposed that no changes are made to the Policy other than updating wording to reflect the title General Manager (not CEO) and Director (not Portfolio General Manager).

4. Development Adjacent to Water, Sewer and Stormwater Mains Policy

This Policy was overhauled at last review in 2022. No changes are proposed to this Policy as part of this review.

5. Records Policy

This Policy is best suited as an Operational Policy and as a result, this report seeks to rescind the Policy which has not been reviewed since 2020. The Chief Information Officer will be responsible for reviewing and updating the Policy and incorporating Council's Information Management Strategic Plan in the coming months.

**Risk/Policy/Legislation Considerations**

The legislative considerations for each Policy are indicated within the Policy document itself.

**Financial, Budget and Resource Implications**

Any financial or budget implications associated with the abovementioned policies are outlined within the body of each Policy.






**Links to QPRC/Regional Strategic Plans**

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

**Conclusion**

Within 12 months of an election, Council must review all Policies. This process is underway and it is recommended that revised versions of the above policies be exhibited for public comment before being formally re-adopted.

**Attachments**

- Attachment 1  Councillor and Staff Interaction Policy (*Under Separate Cover*)
- Attachment 2  Councillor Expenses and Facilities Policy (*Under Separate Cover*)
- Attachment 3  Councillor Induction and Professional Development Policy (*Under Separate Cover*)
- Attachment 4  Development Adjacent to Water, Sewer and Stormwater Mains Policy (*Under Separate Cover*)
- Attachment 5  Records Policy (*Under Separate Cover*)

File Reference: 45.3.1-01

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### **Recommendation**

**That Council adopt the Audit, Risk and Improvement Committee (ARIC) Charter 2024.**

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### **Summary**

In accordance with clause 14.1 of the Audit, Risk and Improvement Committee (ARIC) Charter (the Charter), the ARIC is required to review its Charter each year to identify potential improvements. The Charter was reviewed and endorsed by the ARIC at its meeting of 9 September 2024.

The report was presented to Council at its meeting of 13 November 2024. The item was deferred (**Resolution 500/24**) and referred back to the ARIC.

Consequently, the Charter was again considered by the ARIC at its meeting of 9 December 2024 and is presented for Council adoption.

### **Background**

The purpose and responsibilities of the Committee is set out in the Charter. It should be noted that the ARIC has no executive powers, delegated financial responsibility or management functions. To assist Council with discharging its legislative obligation, a summary table is presented below. Additionally, a mapping of the Charter to the Model is attached for further reference.

Queanbeyan-Palerang Regional Council (QPRC) has had an audit committee since amalgamation. The Charter adopted is based on the Institute of Internal Auditors Model Audit Committee Charter and as stated above, is reviewed annually to keep it up to date.

To assist councils with the new requirements arising from legislative changes to the Local Government Act and Regulation, the objective of which is to make provision about ARICs and the internal audit function of councils, the Office of Local Government (OLG) developed guidelines (the Guidelines) and a Model (the Model) Terms of Reference for ARICs.

The Guidelines contain 'must' and 'may' items. The 'must' items are aligned to legislative compliance requirements. 'May' items are optional.

An extensive review of the QPRC ARIC Charter was conducted against the content contained within the Model last year. It was determined that the revised Charter meets the requirements of the Model.

The Charter has again been reviewed against the Model and has been endorsed by the ARIC for Council adoption.



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

#### Report

So that Council may further consider the requirements under the Local Government Act and Regulation a summary of additions, deletions, and items contained in the Model but not included in the Charter, is provided below. The comments have been considered by the ARIC to be a reasonable explanation for exclusions.

Mapping of the Charter to the Model has also been attached for further reference. It should be noted that the wording of the Charter is not necessarily an exact match to the wording in the Model, however the content or intent is similar.

The ARIC work plan, which is based on Schedule 1 of the Model, is also attached for reference.

#### **Summary:**

Additions to the current Charter:

<b>Added</b>	<b>Comment</b>
Clause 2.1	Reference to the Local Government (General) Regulation 2021.
Clause 6.3	Allows the Chair to be appointed on the selection panel for the recruitment of new voting members. This is not in the Model but is mentioned in the Guidelines. This has been part of the standard practice for the recruitment of ARIC members. This is seen as good practice and therefore seems relevant for inclusion in the Charter.
Section 15	Next review date included.

Clauses to be removed from the current Charter:

<b>Remove</b>	<b>Comment</b>
Clause 6.2	Repeat of clause 7.1.
Clause 7.7	Not required as there are statutory requirements that apply.
Section 12	Evaluation of committee performance removed. Not part of the Model and is a requirement of an external review.

Note: Clauses to be removed have not been deleted in the draft attached so as not to affect the numbering as part of the mapping process. The clauses have been formatted to show as being crossed out. These clauses will be removed, and the Charter renumbered when it is finalised for publication.

Elements in the Model not included in the Charter: Please note that these are highlighted in the mapping document attached for reference.

<b>Model reference to titled section</b>	<b>Comment</b>
First paragraph	Reference to the Regulation is included. As the Guidelines include 'must' clauses which align with the regulation, reference to the Guidelines has not been included.

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

Model reference to titled section	Comment
Authority	Dot point: 'use any council resources it needs', has not been included as this is covered by other points contained under clause 5.1 of the Charter i.e. staff, documents and other (external legal or professional advice).
Composition and Tenure	List of current committee members is not included. Information regarding current members is publicly available on Council's website. It is not information deemed relevant for inclusion in a Charter.
Role	The section stating that responsibilities of the committee may be revised or expanded in consultation with, or as requested by, the governing body from time to time has not been included. The reason for this is that responsibilities as determined by legislation are already very extensive. If it was ever necessary to change the responsibilities this would be dealt with through already established operational processes, either via a resolution of Council or as a recommendation proposed by the ARIC.
Responsibility of Members - Councillor Member	The paragraph which refers to the Councillor member only being able to raise issues or matters that are within Schedule 1 of the Model has not been included. Given the extensive nature of the Schedule and the ARIC work plan, if issues were to be raised that were not within the ARIC scope, this would be dealt with operationally and raised as a resolution of Council for consideration by the ARIC Chair.
Conduct	The paragraph relating to complaints alleging breaches of the Code of Conduct has not been included as this is managed through QPRC's Code of Conduct. A reference to the Code of Conduct is included in the Charter. It is considered best practice to include a reference to the relevant policy (or single source of truth), rather than duplicate information contained in another policy to avoid the inclusion of any outdated information.
Conflicts of interest	Refer to above and clause 4.8 of the Code of Conduct.
Standards	<p>The reference to the Standards refers to elements which are already incorporated into the Charter and considered by the Guidelines.</p> <p>There is also no requirement specified under legislation or the Guidelines for independent members of the ARIC to have professional knowledge of the Standards (this is however a requirement for internal auditors and referred to in the Internal Audit Charter).</p>

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

Model reference to titled section	Comment
Work Plans (paragraphs 2, 3 and 5)	<p>This element of the Model is related to a 'may' (or optional item) and has not been included. The ARIC work plan is aligned to Schedule 1 of the Model. The schedule is very extensive, but this does not preclude other items from being added by the ARIC.</p> <p>This has regularly occurred as part of the line of questioning and request for information from the ARIC.</p> <p>This is also addressed through the internal audit function as part of its annual internal audit planning process which considers new and emerging risks.</p>
Further Information	Not considered to be required. Further information can be found on QPRC's website or by contacting Council.
Reviewed by	The Charter is reviewed and endorsed by the ARIC in accordance with its work plan. The date of the meeting at which the ARIC endorses its Charter for adoption by Council is considered sufficient evidence (as opposed to the inclusion of the Chair's signature)
Approved by	As above. There is no additional benefit or value by requiring the Charter to be signed when its adoption is part of a Council resolution.
Schedule 1	<p>This schedule does not form part of the ARIC Charter. There are two reasons for this:</p> <ol style="list-style-type: none"> <li>1. The OLG model includes 'must' and 'may' items. 'Must' items are required by legislation whereas 'may' items can be chosen to be adopted but are not a compulsory inclusion.</li> <li>2. The schedule underpins the work plan adopted and followed by the ARIC and is subject to change. As such, any changes would have to be continually reviewed by Council if the schedule were to be adopted as part of the Charter.</li> </ol>

**Risk/Policy/Legislation Considerations**

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

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

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**Financial, Budget and Resource Implications**

There are no financial, budget or resource implications in relation to this report.

**Links to QPRC/Regional Strategic Plans**

Community Strategic Plan 2042:

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

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

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

**Conclusion**

It is recommended that Council adopts the attached draft Charter as reviewed and endorsed for adoption by the ARIC at its meeting of 9 December 2024.

**Attachments**

Attachment 1      Mapping document - OLG Model (*Under Separate Cover*)



Attachment 2      Draft ARIC Charter 2024 (*Under Separate Cover*)



Attachment 3      ARIC Work Plan - Requirements (*Under Separate Cover*)



9.14 Investment Report - November 2024 (Ref: ; Author: Monaghan/Ogilvie)

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File Reference: 43.6.5-01

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**Recommendation**

**That Council:**

- 1. Receive the Investment Report for the month of November 2024.**
  - 2. Note the investment return for November 2024 was \$1,804,165.**
  - 3. Note the investment portfolio has been made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2021) and Queanbeyan-Palerang Regional Council's Investment Policy.**
- 

**Summary**

This report presents the investment result for November 2024.

**Background**

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

**Report**

A list of Council's cash and investments held on 30 November 2024 is detailed in the attached Investment Report Pack, which reports interest income received/accrued for the month plus Unit Trust Market Value Changes a total Return for Month of \$1,804,165 for November 2024 (refer to page 3 of 17, Table 1: Budget vs Actual Interest Income 1 July 2024 to 30 June 2025).

Market Update – The current Reserve Bank of Australia (RBA) cash rate has been 4.35% since 11 August 2023. The next RBA meeting is scheduled for the 17-18 February 2025.

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

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

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

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

The portfolio fossil fuel summary information is shown in Table 5 of the attached Investment Report Pack.

**9.14 Investment Report - November 2024 (Ref: ; Author: Monaghan/Ogilvie)  
(Continued)**

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On 30 November 2024, Council held \$127 million in non-fossil fuel investments.

**Risk/Policy/Legislation Considerations**

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

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

Certified by Tracy Sligar, Responsible Accounting Officer, 10/11/2024.

The Investment Policy is due for review in April 2025.

**Financial, Budget and Resource Implications**

For July to November 2024 Council's portfolio produced an annualised rate of return of 6.12%, outperforming the benchmark Bank Bill Index by 1.66%.

On 30 November 2024, Council's Investment portfolio was \$299,548,143.

Council's investment return as at the end of November 2024 was \$6,560,634 compared to the original budget of \$2,937,500. The majority of this income is restricted to water, sewer and waste funds, and developer contributions. Investment returns are being monitored and may result in a budget adjustment.

Of the total \$299.5 million investment portfolio, Council holds \$32.8 million in the TCorpIM long-term growth fund (LTGF) and medium-term growth fund (MTGF).

The LTGF issued a special distribution in July 2024 of \$309,925 and \$220,542 in September and the MTGF issued a special distribution in September of \$270,524 which was reinvested into the funds.

For November 2024 the LTGF returned \$533,011 and the MTGF returned \$186,559. The following table shows the funds' performances since the original deposit.

	<b>LTGF \$</b>	<b>MTGF \$</b>
2017-18	981,891	-44,845
2018-19	1,160,462	635,485
2019-20	21,702	37,815
2020-21	2,557,413	927,076
2021-22	1,300,450	-742,711
2022-23	1,692,084	658,145
2023-24	1,819,166	730,982
<b>2024-25</b>		
July	539,422	228,229
August	74,169	13,828
September	244,071	90,738
October	-80,792	-77,180
November	533,011	186,559
<b>2024-25 YTD Total</b>	<b>1,309,881</b>	<b>442,174</b>

### 9.14 Investment Report - November 2024 (Ref: ; Author: Monaghan/Ogilvie) (Continued)

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

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

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

The following table shows the 30 November 2024 Cash and Investments balance by fund and by restriction:

<b>Fund</b>	<b>\$</b>
General	94,281,374
Waste	23,452,505
Water	64,578,911
Sewer	111,034,470
Trust	5,107
SEWOL	323,775
Unrestricted*	5,872,001
<b>Total Cash &amp; Investments</b>	<b>299,548,143</b>

<b>Restriction</b>	<b>\$</b>
SEWOL & Trust	328,882
Unexpended Loans	554,503
Developer Contributions	74,381,631
Unexpended Grants	27,958,702
External Restrictions (Other)	164,704,599
Internal Restrictions	19,938,893
DoE - Compensation	5,808,932
Total Restrictions	293,676,142
Unrestricted*	5,872,001
<b>Total Cash &amp; Investments</b>	<b>299,548,143</b>

\*Unrestricted funds are a working balance and fluctuate over time as Council's operational plan is carried out during the financial year.

#### **Attachments**

Attachment 1 Investment Report Pack - November 2024 (*Under Separate Cover*)



9.15 Annual Report 2024 (Ref: ; Author: Monaghan/Gregory)

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File Reference: 51.1.2-03

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**Recommendation**

**That Council endorse the Annual Report 2023-24 for publication on Council's website and notify the Office of Local Government.**

---

**Summary**

The QPRC Annual Report 2023-24 was presented to the Ordinary Council Meeting on 27 November 2024, however some essential elements were missing and Council resolved to defer consideration to the December meeting when the report was properly completed. **(Resolution 538/24)**.

The attached Annual Report has been prepared in line with the Integrated Planning and Reporting Framework requirements, as well as QPRC Policies.

**Background**

The Annual Report is one of the key ways Council demonstrates accountability to the community. It reports Council's performance against the four year Delivery Program and the annual targets set out in the Operational Plan 2023-24. It will be published with the Audited Financial Statements and the State of the Region Report for the year ended 30 June 2024.

**Report**

The Annual Report is a legislative requirement, but it also gives the community an overview of Council's strategic priorities, and confidence we are delivering on our plans. Our demonstrated commitment to transparency, accountability and strong governance builds trust with key stakeholders.

The Annual Report is made up of two main sections:

1. Reports on the progress of major projects, key performance indicators and against Operational Plan actions.
2. Statutory Report as required by the Local Government (General) Regulation 2021 and other legislation.

**Risk/Policy/Legislation Considerations**

The Local Government Act 1993 requires NSW councils to publish an annual report by 30 November each year. The Integrated Planning and Reporting Guidelines require the Annual Report to be endorsed by Council and notify the Office of Local Government.

The QPRC Annual Report has been prepared in line with the Integrated Planning and Reporting requirements and the standards set out in section 428 of the Local Government Act 1993.



**Financial, Budget and Resource Implications**

The Annual Report is prepared in house by current staff resources. No additional expenditure is required.

**Links to QPRC/Regional Strategic Plans**

The adoption of the Annual Report is in line with Strategic Pillar No 5. Capability: Contemporary civic leadership and governance that is open, transparent and accountable.

5.1 Our community is serviced by an efficient, effective and innovative Council.

5.2 Council is an open, accessible and responsive organisation.

**Conclusion**

The information in the Annual Report accounts Councils progress towards the actions set out in the Operational Plan and the Delivery Program.

**Attachments**

Attachment 1 2024 Annual Report (*Under Separate Cover*)



10.1 Questions with Notice - Bus Shelter Program (Ref: ; Author: Duff/Duff)

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File Reference: 18 December 2024 Council Reports

---

**Recommendation**

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

---

**Report**

The following questions were submitted by Cr Willis on 18 November 2024, and responses provided below:

**1. Does Council have a work program to install new bus shelters and to replace old bus shelters?**

New bus shelters are grant funded through Country Passenger Infrastructure Grants Scheme (CPTIGS). Maintenance of existing shelters is budgeted for annually. Unserviceable shelters may be replaced under CPTIGS.

**2. How many bus shelters were installed or replaced in each of the following financial years: 2021/22, 2022/23, 2023/24?**

2021/22 – 2 Shelters, Macs Reef Road and Norton Road, Wamboin.  
2022/23 – 1 Shelter, Trucking Yard Lane, Bungendore.  
2023/24 – 1 Shelter, Morisset Street, Queanbeyan (non-grant funded)

**3. What is the 2024/25 budget for bus shelter installation and replacement?**

Council has \$69,900 in CPTIGS grant funding to spend on bus stop upgrades and shelters this financial year.

**4. How many bus shelters will this enable to be installed or replaced?**

16 new bus shelters have been approved for installation under CPTIGS grant funding, as well as improvements and upgrades at a further 23 bus stop locations.

**Attachments**

Nil

10.2 Questions with Notice - Braidwood Non-Revenue Water (Ref: ; Author: Duff/Flint)

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File Reference: 18 December 2024 Council Reports

---

**Recommendation**

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

---

**Report**

The following questions were submitted by Cr Willis on 19 November 2024, and responses provided below:

**1. How many smart meters has Council installed in Braidwood? Are they all operational?**

528 smart meters have been installed to date. 96% are currently operational above the 70% connectivity target threshold. Those beneath this threshold will require further field investigation for 5G reception or warranty issues.

**2. When does Council expect to complete the installation of smart meters in Braidwood?**

Depending on the availability of additional meters, the conversion will be complete by 30 June 2025. Some of the larger bore meters will require retrofitting of special transmitters and whilst these are current on order, no delivery timeframe is yet available.

**3. How has the installation of smart meters assisted Council to identify non-revenue water?**

Many of the former mechanical meters had issues with accurately registering persistent low flows. Persistent low flows (flows that failed to meet zero at any time over a consecutive 48hr period) potentially constitute non-revenue water. Since the installation of the 528 smart meters, 74 issues of this type have been identified and advised to consumers. 61 of these have since been rectified. A total of 1,209kL of water can be attributed to these issues which is equivalent to around 0.70L/s of potential non-revenue water.

**4. Please provide an update on the work program to identify non-revenue water including whether any water savings have been realised.**

The program of meter replacement will continue until all standard 20mm residential revenue meters are exchanged and all larger bore meters are converted to wireless Narrowband Internet of Things (NB-IoT) status. Once complete, an analysis of the timestamped revenue meter usage versus the metered reservoir discharge will be used to better understand the scale of system leakage (if any). Where system leakage is identified, a program of low flow (nighttime) field isolation tests will be conducted to pinpoint likely problem areas.

**Attachments**

Nil

10.3 Lease and Licence Register (Ref: ; Author: Flint/Turland)

File Reference: 46.1.1

**Recommendation**

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

**Report**

The attached Lease and License Register sets out a list of Council-owned properties encumbered by active lease and licence agreements across the local government area.

The register continues to be actively updated and developed by Council staff. Councillors will be provided with additional updates at 6 monthly intervals as the lease register matures and QPRC property matters continue to progress.

There remain a number of agreements are under negotiation that will be presented to Council in the coming months.

Property	Lot/DP	Agreement	Tenant	Purpose	Status
20-22 Kendall Avenue, Queanbeyan	Lot 6 DP 842841	Licence	St John Ambulance Society	First Aid Training facility	Proposal presented to Council 18 December 2024.
262 Crawford Street, Queanbeyan	Lot B DP 389447	Lease	TBD	Commercial Lease	Negotiations ongoing, in progress.
Margaret Donoghue Oval	Multiple	Licence	Queanbeyan Tigers	Club building and field sports field use	Negotiations in progress.
7 Firethorn Place, Jerrabomberra	Lot 2	Licence DP 1008497	Scout Association of Australia (NSW)	Scout Hall	Negotiations with tenant. In progress.
69B Cowper Street, Braidwood	Lot 4 DP 571177, Lot 2 DP 961600	Licence	Braidwood Men's Shed Association	Operation of a Mens' Shed	Negotiating with tenant. In progress.
Tennis Courts, Mick Sherd Oval	Lot 2 DP 1276282	Licence	Bungendore Tennis	Operation of a tennis Club	Short term licence proposed while waiting on Crown Land Plan of Management .
18 Barrow Place, Queanbeyan	Lot 13 DP - 771384	Licence	Queanbeyan Players	Theatre prop storage and creation	Negotiations with tenant. In progress.

## 10.3 Lease and Licence Register (Ref: ; Author: Flint/Turland) (Continued)

Property	Lot/DP	Agreement	Tenant	Purpose	Status
1A Yass Road, Queanbeyan	Lots 7-10 DP 758862	Lease	PCYC	PCYC youth activities	Formal letters exchanged with tenant while waiting on Crown Land Plan of Management .
12 Southbar Road, Queanbeyan	Lot 1 DP 832552	Licence	Karabar Community Health Centre	Karabar Community Health Centre	Negotiations with tenant. In progress.
44 Helen Circuit, Googong	Lot 1365 DP 1217419	Licence	Googong Residents Association	Googong Community Garden	Negotiations with tenant. In progress.
4 Coral Drive Jerrabomberra	Lot 22 853117	Licence	Jerrabomberra Tennis	Community Tennis Club	Negotiations with tenant. In progress.

**Attachments**Attachment 1 Lease and Licence Register (*Under Separate Cover*)

10.4 Planning Performance (Ref: ; Author: Ormella/Coe)

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File Reference: 26.1.98-06

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**Recommendation**

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

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**Report**

Council was provided a report in August outlining the Minister's Statement of Expectations Order 2024. This sets out the Minister's expectations for how Councils should carry out Development Assessment, Planning Proposal preparation and Strategic Planning. The order commenced on 1 July 2024.

The new expectations for Councils are as follows:

- Council should lodge DAs for which it is the consent authority as soon as practical and within an average of:
  - 14 days of submission between 1 July 2024 to 30 June 2025
  - 7 days of submission from 1 July 2025 onwards.
- Council should determine DAs for which it is the consent authority (including DAs determined by a local planning panel) as soon as practical and whichever is the lesser of council's previous financial year average, or within an average of:
  - 115 days of lodgement between 1 July 2024 to 30 June 2025
  - 105 days of lodgement between 1 July 2025 to 30 June 2026
  - 95 days of lodgement between 1 July 2026 to 30 June 2027
  - 85 days of lodgement from 1 July 2027 onwards.

As of 30 June 2024, Council had 355 undetermined applications (including modifications) and was averaging 30 days from submitted to lodged and 185 days for application assessment.

As of 30 November 2024, Council has 171 active applications (including modifications). This is a reduction of 181 applications over 5 months. This has been achieved through implementing a two-team structure, one Fast Track and one focussing on Major Applications. Officers have focussed on determining DA's when ready, as well as clearing the older applications.

The following table provides a summary of how Council is tracking towards the Minister's Expectations. There are some anomalies with the figures due to Fast Track and Majors teams only being implemented 1 July 2024, therefore any application older than is not attributed to the teams.

These results are published on the NSW Planning Council League Table, which is also accessible on Council's website:

<https://www.planning.nsw.gov.au/policy-and-legislation/housing/faster-assessments-program/council-league-table>

## 10.4 Planning Performance (Ref: ; Author: Ormella/Coe) (Continued)

Criteria based on average in the financial year to date	Target or Measure	30 June 2024	30 Nov 2024
24/25 Lodgement from Planning Portal	14 days	30 days	9 days
Lodgement % meeting expectation	%	N/A	86%
25/26 Lodgement from Planning Portal	7 days*	N/A	N/A
No. Applications Lodged aggregate over financial year	No.	494	212
DA average assessment days	115 days*	189 days	174 days
DA % meeting expectation	%	43%	43%
DA No. Determined	No.	506	275
No. Fast Track DAs Undetermined	No.	36	62
No. Fast Track DAs Determined	No.	274	113
No. Major DAs Undetermined	No.	133	61
No. Major DAs Determined	No.	232	52
DA average assessment days for residential	115 days*	180 days	154 days
% Residential DA achieving 115 assessment days	%		45%

Lodgement: Council is sitting at an average of 2 days for lodgement, with 45 applications lodged in November. QPRC is the third fastest Council in the state for November, and across the year so far, we are in the 10 fastest councils in the state. Our applicants are benefiting from a very high standard of lodgement processing.

Assessment: Council assessment days average 185 days for 67 applications determined in the month of November. QPRC is in the top 12 councils across the state for having determined the greatest number of applications, and in the region QPRC determined the most number of applications in November.

Officers have focussed on determining the older applications in November, meaning the average assessment days rose to 185 days, compared with 152 in October. However, moving forward it is expected that determination days will be stepping down significantly, as the majority of very old DAs have now been determined.

This was a planned approach, determining as many of the older applications, to realise improvements in assessment time frames in the new year.

**10.4 Planning Performance (Ref: ; Author: Ormella/Coe) (Continued)**

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In June 2024 Council had 37 DAs undetermined that were older than 12 months. This has been reduced to 11.

Since July 2024 the Fast Track team has been allocated 175 applications with 113 being determined with an average assessment time of 80 days. Having the two teams enables separate approaches and measures, a two-pronged approach to achieve the Minister's expectations.

The benefits of the significant workplace change that was implemented in July 2024 is starting to reap benefits, with the Development Support Team, who are responsible for lodgement of applications, achieving an average of 2 days for the month of November, a tremendous achievement.

The additional administrative support in the development services area has improved the time frame for uploading of documents into the planning portal with determinations being uploaded within 48 hours of being signed, a huge improvement to our average time of seven days as of 30 June 2024.

Efficiencies in the way we assess applications are being implemented continuously and improvements in the average assessment timeframe of applications will be evident early next year.

Council has also improved the public access to information with Planning decisions by Council and DA Application determinations under delegation on the website. This includes a Register of Planning Decisions in year order at

<https://www.qprc.nsw.gov.au/Council/Council-Business/Access-Council-Information#section-6>

and an Applications Register which provides information about DA's and the determination made on or after 1 July 2020 at

<https://www.qprc.nsw.gov.au/Building-Development/Track-Development-Applications-Online>

We continue to monitor the use of Artificial Intelligence in the planning space, the state government initiatives and the early adopter Councils, to understand opportunities as they become available.

**Attachments**

Nil



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

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File Reference: 52.3.2

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**Recommendation**

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

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**Report**

The Resolution Action Sheet provides Council with information on the status of outstanding resolutions determined at Council meetings. As at 12 December 2024, there are 22 outstanding resolutions.

In the last reporting period, 110 resolutions have been completed.

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


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

Following an enquiry, it has been discovered that Resolution No 145/20 Ellerton Drive - Bridge Name (26 August 2020) had been inadvertently registered as 'complete'. It is now correctly noted on the report as outstanding.

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

The Resolution Action Sheet is presented to Council on a quarterly basis.

**Attachments**

Attachment 1  Outstanding Actions Report - 12 December 2024 (*Under Separate Cover*)

10.6 Funding of Mental Health Services in Queanbeyan Palerang (Ref: ; Author: Ryan/Ryan)

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File Reference: 52.5.2

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**Recommendation**

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

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**Report**

At the 24 April 2024 meeting, Council agreed to write to the Minister for Health of NSW, the Hon Ryan Park, MP, seeking assurance that mental health programs, particularly services that are dependent on NSW government funding, continue to be fully funded in the long term (**Resolution No 174/24**). The Minister referred this to the Federal Minister for Health, the Hon Mark Butler, MP.

A response was received from the Federal Minister for Health and Aged Care, The Hon Mark Butler, MP.

Both letters are attached for information.

**Attachments**

- |   |  |
|---|--|
| Attachment 1<br> | QPRC letter to Minister for Health NSW re Funding of Mental Health Services in Queanbeyan Palerang ( <i>Under Separate Cover</i> ) |
| Attachment 2<br> | Response from Minister for Health and Aged Care ( <i>Under Separate Cover</i> )  |

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

File Reference: 18 December 2024 reports

**Recommendation**

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

Councillor workshop items are published in the Agenda of the next Council meeting. From 14 November to 11 December, the following workshops were held:

Date	Workshop Items	External Presenter/s (if applicable)
4 Dec	<p><b>1. Braidwood Saleyards Operations Review Report</b>                      Presentation of a report conducted by AEC Group Ltd, commissioned to undertake an assessment of the saleyard facilities. Review included a site inspection, consultation with agents and stakeholders to identify issues relating to WHS, animal welfare, traffic management and effluent control.</p>	N/A
	<p><b>2. Community Strategic Plan Process and Update</b>                      An update on the Integrated Planning and Reporting Framework, and findings of the community engagement conducted in 2024 conducted by Projectura which was a regional initiative shared between 10 of the Canberra Region Joint Organisation member councils. Presentation of the draft Community Strategic Plan for Council to endorse for public exhibition in February.</p>	Karina Dooley from Projectura
	<p><b>3. QPRC Advisory Committees</b>                      The new Council will be nominating delegates for their Advisory Committees at the 18 December meeting. A summary of the number, results of the review and feedback discussed, with proposed changes recommended.</p>	N/A
	<p><b>4. Nellie Hamilton Sculpture Project</b>                      A proposal from HAPI (Heritage Culture, Arts Promotions Incorporated) as part of their 12 Apostles project; which will be referred to First Nations communities and networks.</p>	N/A

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

Date	Workshop Items	External Presenter/s (if applicable)
11 Dec	<p><b>1. Vikings Club DA Jerrabomberra Update</b> An update was provided on the progress of the Vikings Development Application advising that the Regional Planning Panel (RPP) are meeting on 17 December 2024 for an Assessment Status Briefing. Officers advised that the assessment is drawing to a completion, and that a consultant acoustic engineer was commissioned to complete a technical assessment, with all technical assessments now completed. Officers completed assessment work will form this briefing of the RPP.</p> <p><b>2. Braidwood Structure Plan</b> With the Draft Braidwood Structure Plan forming part of the Council Agenda papers for the meeting of 18 December 2024, a briefing of what can be expected in the Draft Structure Plan. The Draft Structure Plan responds to the discussion paper and includes the objectives and principles with options for the town based on the needs of the community based on levels of growth</p> <p><b>3. .iD Profile of Queanbeyan-Palerang Regional Council</b> Presentation by informed decisions (.id) about online tools that present demographic information on the Queanbeyan-Palerang community which is publicly available on Council's website and includes a local government area Community Profile, Social Atlas, Population Forecast and Economic Profile maps, data sets and interactive tools. <a href="https://www.qprc.nsw.gov.au/Community/Community-Profile">https://www.qprc.nsw.gov.au/Community/Community-Profile</a></p> <p><b>4. Queanbeyan Sewage Treatment Plant</b> A project status update, review of risk profile and due diligence whilst Council progresses the Development Application process with ACT which is expected to conclude mid-2025.</p> <p><b>5. Annual Report 2023-24</b> The Annual Report was deferred for time for additions and with a request for a workshop to be held (<b>Resolution No 538/24</b>).</p>	<p>N/A</p> <p>N/A</p> <p>Glenn Capuano, Demographer from .iD (Informed Decisions)</p> <p>N/A</p> <p>N/A</p>

**Attachments**

Nil

11.1 Queanbeyan Showground Advisory Committee Meeting Minutes - 4 December 2024 (Ref: ; Author: Goiser/Harris)

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File Reference: 23.1.1-21

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**Recommendation**

**That Council note the minutes of the Queanbeyan Showground Advisory Committee meeting held on 4 December 2024.**

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**Summary**

The Queanbeyan Showground Advisory Committee met on 4 December 2024 with a quorum present.

The role of the Queanbeyan Showground Advisory Committee is to oversee the implementation of the Showground Plan of Management and make recommendations to Council as Crown Land Managers. There are no recommendations for Council to consider, resulting from this meeting.

The Committee is currently focused on rewriting the Plan of Management (PoM). The current PoM was first adopted in 2003 and has been reviewed a number of times over the past 20 years. It has now run its course and no longer meets the current legislative requirements.

The Committee is aiming to have a draft PoM ready for a Council workshop in February 2025.

**Attachments**

Attachment 1      QSAC Meeting Minutes - December 2024 (*Under Separate Cover*)



**12.1 Notice of Motion - Naming of Bridge - Proposed Name: Ludwig Baumgardner Bridge (Ref: ; Author: Waterhouse/Waterhouse)**

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**File Reference:** 26.4.1-4 / 18 December 2024 motions

**Notice**

Councillor Bill Waterhouse will move the following motion:

---

**Motion**

**That the new bridge recently constructed where Wallaces Gap Road crosses over Back Creek in the locality of Long Flat, Majors Creek be named the Ludwig Baumgardner Bridge.**

---

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

This initiative has come from Mr Brian MacDonald, well-known local historian and long-term resident of Majors Creek who was born around the time Ludwig Baumgardner passed away. He has grown up with the stories of 'Ludy' as he was known.

To paraphrase Brian, the naming of the bridge ... 'Honouring Ludwig Baumgardner as he lived on the righthand side of the old bridge. Ludy, as he was familiarly known, was an icon in the village and a very generous man who supported many organisations including race meetings and the Braidwood Show. During my lifetime in the village, it was always referred to as Ludy's Bridge. Ludwig passed away in 1939 and is laid to rest in the Majors Creek Cemetery.'

Mr MacDonald, being an avid historian, also supplied me with Ludy's obituary which is attached.

If approved by Council, it is proposed that a modest plaque to be situated nearby explaining Ludwig's importance to the district and that the Majors Creek Progress Association and the greater local community be invited to contribute to its funding, placement and design.

**Staff Comment**

The bridge on Wallaces Gap Road that spans Back Creek, has not been previously named, however is referred to locally as Long Flat Bridge. This bridge has recently been replaced with a new concrete structure.

Council doesn't have a policy on naming bridges. The Geographical Names Board (GNB) advise that whilst Council doesn't need to obtain official GNB approval, Council is required to follow the accepted practice for place naming.

The process, subject to Council resolving as per the Notice of Motion above, will be as follows:

1. The name is assessed against the place naming criteria.
2. Council undertakes community consultation.
3. A further report is submitted to Council for determination.

**12.1 Notice of Motion - Naming of Bridge - Proposed Name: Ludwig Baumgardner Bridge (Ref: ; Author: Waterhouse/Waterhouse) (Continued)**

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4. If approved, the GNB is provided with the Council Resolution and evidence of community support.
5. The name will be added to the NSW Digital Topographic Database and NSW Base Map.

In regard to the plaque, staff will progress with the proposal for Council consideration when the next report is presented to Council, following community consultation.

**Attachments**

Attachment 1      Ludwig Baumgardner's Obituary (*Under Separate Cover*)



**12.2 Notice of Motion - Potential Cost of Living Relief (Ref: ; Author: Schweikert/Schweikert)**

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**File Reference:** 18 December 2024 motions

**Notice**

Councillor Mark Schweikert will move the following motion:

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**Motion**

**That Council prepare a report for a workshop, and eventual publication, on the efficacy of a cost-of-living innovation of providing a 2.9% cash back on rates paid on time over a two-year trial period.**

---

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

When Council agreed to an SRV of approximately 64%, the full implications of the cost-of-living crisis were either not well known, understood or as developed as they are today. There is not a day that goes by without the PM and Treasurer, as well as every State Premier, mentioning the cost-of-living crisis and how it needs to be addressed by Government.

Estimates indicate that a 30% increase (overall) in the cost-of-living has occurred since 2021 across many economic measures which aren't reported in the CPI figures, such as rent (up 16%) and housing (up 13%). As further examples: insurance premiums are up by 14%; food 12% and Gas 30%. Interest rates also remain high.

This report is aimed to objectively inform Councillors of a potential way to not only ease the cost of living but also arrest the growing number of ratepayers falling behind in their due payments by offering an incentive to pay on time. This in turn could have the potential to save council money, which the report could provide evidence for or against.

The report should outline:

- The potential costs involved;
- Report on the mechanisms required with which to achieve this;
- The implications on the long-term financial plan, and any other plans;
- Any cost-of-living initiatives from other councils to help rate payers;
- Potential implications for council's current late payment rate, and
- The growing effect of the cost-of-living crisis since the SRV decision.

Rough order of magnitude calculations indicate that this could cost council \$2.3m per annum however, a report will be able to quantify this as well as any potential benefits.

If the number of rate payers struggling with paying their rates increases, then Council could experience financial instability in its capital position (this includes those on 'payment plans').

As community leaders, we owe it to our ratepayers to investigate all avenues to ease their current burden. This report is for information only and should be prepared for a March policy workshop and an April publication in open Council.



**12.2 Notice of Motion - Potential Cost of Living Relief (Ref: ; Author: Schweikert/Schweikert) (Continued)**

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**Staff Comment**

The legislative framework for setting and collecting rates is set out in the Local Government Act 1993 (The Act).

Section 563 of the Act enables Council to discount the amount of a rate or charge if the whole annual rate or charge is paid as a lump sum by a date nominated by Council.

‘A council may discount the amount of a rate or charge to such extent as it determines if the whole of the discounted amount of the rate or charge is paid by a date nominated by the council.’

The Assessment of Capacity to Pay report was last updated in April 2024 to inform the preparation of the Revenue Policy, which is on Council’s website:

<https://www.qprc.nsw.gov.au/Council/Council-Business/Budgets-and-Planning> .

The report may be useful to inform a Council Workshop that discusses Potential Cost of Living Relief Measures.

**Attachments**

Nil

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

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

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

**Recommendation**

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

**Item 16.1 Compulsory Acquisitions from Water NSW for Road Widening**

*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 Memorandum of Understanding - QPRC, Homes NSW and TAFE NSW**

*Item 16.2 is confidential in accordance with s10(A) (dii) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**Item 16.3 Award of RFT2024-56 Kerbside Waste Collection Contract**

*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.*