



Ordinary Meeting of Council

AGENDA

28 August 2024

Commencing at 5.30pm

**Braidwood Community Centre
(opposite library)
Park Lane, 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.

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

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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 14 August 2024	
5	DISCLOSURES OF INTERESTS	
6	ADJOURNMENT FOR PUBLIC FORUM	
7	MAYORAL MINUTE	
8	NOTICES OF MOTIONS OF RESCISSION	
9	REPORTS TO COUNCIL - ITEMS FOR DETERMINATION	
9.1	QPRC Annual Community Grants 2024/25	2
9.2	Bywong/Wamboin Greenways Master Plan.....	5
9.3	Abbeyfield Project Briefing	7
9.4	Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land	13
9.5	Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive, Jerrabomberra.....	16
9.6	Investment Report - July 2024.....	19
9.7	Supplementary Report: 2023-24 4th Quarter Budget Review Statement and Budget Revotes	
10	REPORTS TO COUNCIL - ITEMS FOR INFORMATION	
10.1	Planning Performance.....	22
10.2	Australian Local Government Association Housing Summit	25
10.3	The Q - 2023 Economic Impact Assessment.....	26
10.4	172 Foxlow Street, Captains Flat.....	27
10.5	Financial Assistance Grants	29
10.6	Tobacconists and Vape Stores in NSW.....	30
10.7	Resolution Action Sheet	31

11 REPORTS OF COMMITTEES

11.1	Heritage Advisory Committee Minutes - 8 August 2024.....	32
11.2	Environment and Sustainability Advisory Committee Minutes - 29 July 2024	33
11.3	Local Traffic Committee Meeting Minutes - 6 August 2024.....	34
11.4	Bungendore Town Centre and Environs Committee - 15 April, 20 May, 17 June and 15 July 2024 Minutes	35
11.5	First Nations Advisory Committee Minutes - 21 February 2024	36
11.6	QPRC Sports Council Minutes - 5 August 2024	37

12 NOTICES OF MOTIONS

12.1	Notice of Motion - LGNSW Conference Notices of Motion - Banning Gas in New Dwellings.....	38
12.2	Notice of Motion - LGNSW Conference Notices of Motion - Solid Fuel Heater Buyback	39

13 REPORTS TO COUNCIL - DELEGATES REPORTS

14 QUESTIONS WITH NOTICE

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION 41

Confidential - Not for Publication

16 REPORTS FOR CLOSED SESSION

- 16.1 RFT 2024-46 Monaro Street Upgrade Detailed Design
Item 16.1 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 16.2 Abbeyfield Planning Proposal Update
Item 16.2 is confidential in accordance with s10(A) (e) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, prejudice the maintenance of law; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 16.3 Update Regional Sports Complex
Item 16.3 is confidential in accordance with s10(A) (di) of the Local Government Act 1993 because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 16.4 Legal Matters Update - 1 January to 30 June 2024
Item 16.4 is confidential in accordance with s10(A) (c) (di) (e) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, prejudice the maintenance of law; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

17 CONCLUSION OF THE MEETING

LIST OF ATTACHMENTS

Open Attachments

- Item 9.1 QPRC Annual Community Grants 2024/25
- Attachment 1 Grant Guidelines Category A Funding (Under Separate Cover)*
 - Attachment 2 Grant Guidelines Category B Funding (Under Separate Cover)*
 - Attachment 3 Category A Requested and Recommended Funding (Under Separate Cover)*
 - Attachment 4 Category B Requested and Recommended Funds (Under Separate Cover)*
- Item 9.2 Bywong/Wamboin Greenways Master Plan
- Attachment 1 Greenways Master Plan - March 2024 - Prepared by the Bywong-Wamboin s.355 Greenways Committee (Under Separate Cover)*
 - Attachment 2 Staff Advice - Greenways Master Plan (Under Separate Cover)*
- Item 9.3 Abbeyfield Project Briefing
- Attachment 1 Stronger Communities Funding Acquittal (Under Separate Cover)*
- Item 9.4 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land
- Attachment 1 Final Public Hearing Report (Under Separate Cover)*
 - Attachment 2 Written Submissions to Planning Proposal to Reclassify 19 Gibraltar St Bungendore (Under Separate Cover)*
- Item 9.5 Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive, Jerrabomberra
- Attachment 1 Air Services Australia - Licence Agreement 2019 (Under Separate Cover)*
- Item 9.6 Investment Report - July 2024
- Attachment 1 Investment Report Pack - July 2024 (Under Separate Cover)*
- Item 10.1 Planning Performance
- Attachment 1 Ministers Expectations Order 2024 (Under Separate Cover)*
 - Attachment 2 Council League Table Letter (Under Separate Cover)*
- Item 10.3 The Q - 2023 Economic Impact Assessment
- Attachment 1 Show Nights at The Q 2023 Economic Impact Assessment (Under Separate Cover)*
- Item 10.5 Financial Assistance Grants
- Attachment 1 QPRC Letter to Minister for Local Government re Financial Assistance Grants (Under Separate Cover)*
 - Attachment 2 Response Received from Minister for Local Government, The Hon Kristy McBain re Financial Assistance Grants (Under Separate Cover)*
- Item 10.6 Tobacconists and Vape Stores in NSW
- Attachment 1 QPRC letter to Minister for Planning and Public Spaces, The*

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

BUSINESS PAPER AGENDA – 28 August 2024 Page iv

- Hon Paul Scully, MP re Tobacconists and Vape Stores in NSW (Under Separate Cover)*
- Attachment 2 *Response from The Hon Paul Scully MP, Minister for Planning and Public Spaces, re Tobacconists and Vape Stores (Under Separate Cover)*
- Item 10.7 Resolution Action Sheet
- Attachment 1 *Outstanding Resolutions Report - 20 August 2024 (Under Separate Cover)*
- Item 11.1 Heritage Advisory Committee Minutes - 8 August 2024
- Attachment 1 *Heritage Advisory Committee Minutes 8 August 2024 (Under Separate Cover)*
- Item 11.2 Environment and Sustainability Advisory Committee Minutes - 29 July 2024
- Attachment 1 *Minutes of Environment and Sustainability Advisory Committee - 29 July 2024 (Under Separate Cover)*
- Item 11.3 Local Traffic Committee Meeting Minutes - 6 August 2024
- Attachment 1 *Local Traffic Committee Meeting Minutes - 6 August 2024 (Under Separate Cover)*
- Item 11.4 Bungendore Town Centre and Environs Committee - 15 April, 20 May, 17 June and 15 July 2024 Minutes
- Attachment 1 *BTCEC Minutes 15 April 2024 (Under Separate Cover)*
- Attachment 2 *BTCEC Minutes 20 May 2024 (Under Separate Cover)*
- Attachment 3 *BTCEC Minutes 17 June (Under Separate Cover)*
- Attachment 4 *BTCEC Minutes 15 July 2024 (Under Separate Cover)*
- Item 11.5 First Nations Advisory Committee Minutes - 21 February 2024
- Attachment 1 *First Nations Advisory Committee Minutes - 21 February 2024 (Under Separate Cover)*
- Item 11.6 QPRC Sports Council Minutes - 5 August 2024
- Attachment 1 *QPRC Sports Council Draft Minutes August 2024 (Under Separate Cover)*

Closed Attachments

- Item 16.1 RFT 2024-46 Monaro Street Upgrade Detailed Design
- Attachment 1 *RFT 2024-46 Monaro Street Upgrade Detailed Design - Evaluation Report (Under Separate Cover)*
- Item 16.2 Abbeyfield Planning Proposal Update
- Attachment 1 *Legal Advice - BAL Lawyers (Under Separate Cover)*



MINUTES OF THE ORDINARY MEETING OF THE QUEANBEYAN-PALERANG REGIONAL COUNCIL held via Zoom and at the Council Chambers, Nellie Hamilton Centre, 257 Crawford Street, Queanbeyan on Wednesday, 14 August 2024 commencing at 5.30pm.

ATTENDANCE

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

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

Also Present: L Ison (Minute Secretary)

1. OPENING

The meeting commenced at 5.30pm.

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 Biscotti was approved at the 26 June 2024 meeting.

365/24

RESOLVED (Winchester/Preston)

That the apologies for non-attendance from Crs Livermore and Wilson be received and that leave of absence be granted.

The resolution was carried unanimously.

4. CONFIRMATION OF MINUTES

- 366/24 **4.1 Minutes of the Ordinary Meeting of Council held on 24 July 2024**
RESOLVED (Winchester/Macdonald)

That the Minutes of the Ordinary Meeting of Council held in the Queanbeyan Council Chambers on Wednesday 24 July 2024 be confirmed.

The resolution was carried unanimously.

5. DISCLOSURES OF INTERESTS

- 367/24 **RESOLVED (Winchester/Willis)**

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

The resolution was carried unanimously.

Cr Taskovski declared a less than significant pecuniary interest in Item 9.6 - Draft Cat Containment Policy, stating he is an employee of the specified company or other body, Ian McNamee and Partners, Manager of Jumping Creek land sales. He proposed to leave the Chambers when the matter is considered.

6. ADJOURNMENT FOR PUBLIC FORUM

- 368/24 At this stage of the proceedings, the time being 5.35pm, Cr Winchester advised that the meeting should now adjourn for the Public Forum.

RESOLVED (Winchester/Preston)

That the meeting be adjourned to conduct the Public Forum.

The resolution was carried unanimously.

- ADJOURNMENT:** The meeting adjourned for the Public Forum at 5.35pm and resumed at 5.58pm.

7. MAYORAL MINUTE

- 369/24 **7.1 LGNSW Certificate of Service Award - Sue Whelan OAM**
RESOLVED (From the Chair)

That Council, on behalf of LGNSW President Cr Darriea Turley AM, presents the Local Government NSW 30 years Certificate of Service Award, medallion and pin to Mrs Sue Whelan OAM.

The resolution was carried unanimously.

8. NOTICES OF MOTIONS OF RESCISSION

There were no Notices of Motions of Rescission.

9. REPORTS TO COUNCIL - ITEMS FOR DETERMINATION**9.1 State Significant Development Application - New Bungendore High School - Proposed Council Submission**

370/24

RESOLVED (Preston/Taskovski)

That Council:

1. Advise the NSW Department of Planning that Council maintains its objections to the proposal for the development of the new Bungendore High School (SSD-14394209) for the reasons detailed in Attachment 1, noting that subject to satisfactory resolution of these items, Council may withdraw its objection to the proposal.
2. Forward Attachment 1 to the Department as Council's formal submission on the proposal.
3. Provide a copy of its recommended conditions of consent for the new Bungendore High School as detailed in Schedule 1 within Attachment 1 of this report, to the Department.

For: Crs Preston, Taskovski, Willis and Winchester

Against: Crs Burton, Grundy and Macdonald

PROCEDURAL MOTION

371/24

RESOLVED (Winchester/Burton)

That Items 9.11 and 12.1 be brought forward for consideration at this juncture.

The resolution was carried unanimously.

9.11 Freebody Oval Renovation

372/24

RESOLVED (Grundy/Macdonald)

That Council provide in-principle support for the Freebody Oval renovation and consider a contribution of \$125,000 at the first Quarterly Budget Review.

The resolution was carried unanimously.

12.1 Notice of Motion - Naming of Council Chambers

373/24

RESOLVED (Winchester/Preston)

That Council:

1. Endorse the naming of the new Council Chambers as the WB Freebody Chambers.
2. Place the proposal on public exhibition for 28 days and if no objections are received, adopt the name and formalise with a public event and naming celebration.

For: Crs Burton, Macdonald, Preston, Taskovski, Willis and Wilson

Against: Cr Grundy

- 374/24 **9.2 Submission to Heritage NSW on the 15 Year Management Review of Braidwood and its Setting SHRL Milestone 3 Report**
RESOLVED (Willis/Preston)
- That Council lodge the draft submission included at Attachment 1 with Heritage NSW.
- The resolution was carried unanimously.
- 375/24 **9.3 Planning Proposal to Reclassify 88 Wallace Street and 41 Ryrie Street Braidwood from Community to Operational Land**
RESOLVED (Grundy/Burton)
- That Council:
1. Approve the progress of the draft planning proposal to 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 and forward the proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.
 2. Request delegation of Plan making powers, for this planning proposal.
 3. Undertake agency consultation and public exhibition pursuant to any requirements of the Gateway determination.
 4. Should no objections be received, undertake the necessary actions to finalise the making of the Queanbeyan-Palerang Local Environmental Plan 2022.
- The resolution was carried unanimously.
- 376/24 **9.4 Road Naming**
RESOLVED (Willis/Macdonald)
- That Council adopt in principle:
1. Balmain View as the proposed name for a private road (right of carriageway/easement) located off Mayfield Road, Larbert.
 2. Kurraducbidgee as a proposed road name for use in the area subject to the Batemans Bay Local Aboriginal Lands Council assessment of suitability.
- The resolution was carried unanimously.
- 377/24 **9.5 Power Purchase Agreement for Council's Eligible Small Sites**
RESOLVED (Willis/Preston)
- That Council authorise the General Manager to enter into a Power Purchase Agreement for supplying 100% renewable energy to Council's eligible small sites (under NSW government contract 3062 with Shell Energy).
- The resolution was carried unanimously.

Having declared an interest in the following item, Cr Taskovski left the Chambers at 6.23pm.

378/24

9.6 Draft Cat Containment Policy

RESOLVED (Willis/Preston)

That Council endorse the draft Cat Containment Policy and place on public exhibition for an extended period of 42 days.

The resolution was carried unanimously.

Cr Taskovski returned to the Chambers at 6.28pm.

9.7 Draft Solid Fuel Heater Policy

MOVED (Preston/Taskovski)

That Council endorse the draft Solid Fuel Heater Policy and place on public exhibition for a period of 42 days.

AMENDMENT (Willis)

That Council:

1. Replace section 3 Scope of the policy in the draft as follows:
 - 3.1 This policy applies to all new applications for residential development in the Queanbeyan-Palerang Local Government Area (as shown on the maps in Appendix One of the Policy).
 - 3.2 This policy applies to applications for replacement of existing wood heaters in residential buildings in the Queanbeyan-Palerang Local Government Area (as shown on the maps in Appendix One of the Policy).
 - 3.3 This policy does not require the removal of existing wood heaters in buildings.
2. Endorse the draft Solid Fuel Heater Policy and place it on public exhibition for a period of 42 days.

The amendment (of Cr Willis) lapsed for want of a seconder.

AMENDMENT (Willis/Preston)

That Council:

1. Replace section 3 Scope of the policy in the draft as follows:
 - 3.1 This policy applies to all new applications for residential development in the urban areas of the Queanbeyan Palerang Local Government Area (as shown on the maps in Appendix One of the Policy).
 - 3.2 This policy does not apply to applications for replacement of existing approved wood heaters.
 - 3.3 This policy does not require the removal of existing wood heaters in buildings.

2. Endorse the draft Solid Fuel Heater Policy and place it on public exhibition for 42 days.

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

For: Crs Preston, Taskovski, Willis and Winchester

Against: Crs Burton, Grundy and Macdonald

The amendment was carried and became the motion.

379/24

RESOLVED (Willis/Preston)

That Council:

1. Replace section 3 Scope of the policy in the draft as follows:

- 3.1 This policy applies to all new applications for residential development in the urban areas of the Queanbeyan Palerang Local Government Area (as shown on the maps in Appendix One of the Policy).

- 3.2 This policy does not apply to applications for replacement of existing approved wood heaters.

- 3.3 This policy does not require the removal of existing wood heaters in buildings.

2. Endorse the draft Solid Fuel Heater Policy and place it on public exhibition for 42 days.

For: Crs Preston, Taskovski, Willis and Winchester

Against: Crs Burton, Grundy and Macdonald

Cr Willis foreshadowed a Notice of Motion for the 28 August 2024 Council meeting: That Council submit a motion to the LGNSW 2024 Annual Conference regarding solid fuel heaters.

9.8 Capital Projects and Mobile Phone Blackspots Priorities - 2025 Election Funding Advocacy

380/24

RESOLVED (Macdonald/Willis)

That Council endorse a list of major infrastructure projects and mobile black spot priorities to be presented for funding in advance of the 2025 Federal election.

The resolution was carried unanimously.

9.9 Dunns Creek Road Stage 1

381/24

RESOLVED (Preston/Taskovski)

That Council:

1. Write to the Minister for Infrastructure, Transport, Regional Development and Local Government, requesting that the \$65 million commitment from the Australian Government Infrastructure Investment Program for Dunns Creek Road is allocated to construction of Stage 1 of the Dunns Creek Road project and establish a funding agreement.

2. Endorse the engagement of Transport for NSW to undertake the necessary business case and strategic work for Dunns Creek Road Stage 1.

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

Against: Crs Burton and Grundy

9.10 Capital Football Finals - Request for Support

MOVED (Winchester/Taskovski)

That Council:

1. Cap fees to Capital Football at \$4,750 for the finals held at Regional Sports Complex and Riverside Oval in 2024.
2. Authorise the General Manager to negotiate a five year agreement with Capital Football to host future finals at both the Regional Sports Complex and Riverside Oval, which will be included in Council's Fees and Charges.

AMENDMENT (Willis/Preston)

That Council cap fees to Capital Football at \$4,750 for the finals held at Regional Sports Complex and Riverside Oval in 2024.

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

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

Against: Cr Grundy

The amendment was carried and became the motion.

382/24

RESOLVED (Willis/Preston)

That Council cap fees to Capital Football at \$4,750 for the finals held at Regional Sports Complex and Riverside Oval in 2024.

The resolution was carried unanimously.

9.11 Freebody Oval Renovation

This item was dealt with in earlier business.

9.12 Canberra Region Rugby League Finals - Request for Support

383/24

RESOLVED (Preston/Taskovski)

That Council cap fees to the Canberra Regional Rugby League at \$4,200 for the finals held at Seiffert Oval in 2024.

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

Against: Cr Grundy

10. REPORTS TO COUNCIL - ITEMS FOR INFORMATION

388/24 **10.1 Affordable Housing Strategy - Annual Report**
RESOLVED (Willis/Preston)

That the report be received for information.

The resolution was carried unanimously.

389/24 **10.2 EDE Working Group Update**
RESOLVED (Willis/Winchester)

That the report be received for information.

The resolution was carried unanimously.

390/24 **10.3 Bungendore Bulk Water Pipeline Project Update**
RESOLVED (Preston/Taskovski)

That the report be received for information.

The resolution was carried unanimously.

391/24 **10.4 Jerrabomberra Pump Track - Update**
RESOLVED (Macdonald/Grundy)

That the report be received for information.

The resolution was carried unanimously.

392/24 **10.5 Nellie Hamilton Centre Update**
RESOLVED (Taskovski/Preston)

That the report be received for information.

The resolution was carried unanimously.

393/24 **10.6 Ending Violence Against Women**
RESOLVED (Preston/Willis)

That the report be received for information.

The resolution was carried unanimously.

394/24 **10.7 Tobacconist and Vape Stores in NSW**
RESOLVED (Macdonald/Preston)

That the report be received for information.

The resolution was carried unanimously.

395/24 **10.8 Lead Working Group – Premier’s Department Representative**
RESOLVED (Taskovski/Willis)

That the report be received for information.

The resolution was carried unanimously.

396/24 **10.9 Councillor Workshops**
RESOLVED (Winchester/Preston)

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 - Naming of Council Chambers

This item was dealt with in earlier business.

397/24 **12.2 Notice of Motion - Non-Urban Bulk Hard Waste Drop Off Passes**
RESOLVED (Grundy/Macdonald)

That Council notes the interest of non-urban regional residents in an opportunity to partake in a bulk hard waste drop off service, similar to the current kerbside bulk waste collection service offered in urban areas and considers this in the upcoming review of the Waste Management Strategy.

The resolution was carried unanimously.

398/24 **12.3 Notice of Motion - Extended Hours Trial QPRC Libraries for HSC Students**
RESOLVED (Macdonald/Grundy)

That Council:

1. Extend the opening hours of the Braidwood, Bungendore and Queanbeyan Libraries for two evenings each week for the use of senior secondary school students from 2 September until 8 November as a trial for 2024.
2. Receives a report on the uptake and utility of the extended study hours trial.

The resolution was carried unanimously.

- 399/24 **12.4 Notice of Motion - Monique Suraci - Congratulations and Reception**
RESOLVED (Macdonald/Winchester)

That Council congratulate Monique Suraci on her success to date and host a reception for Monique in recognition of her sporting excellence and gratitude for her representation of our region.

The resolution was carried unanimously.

13. REPORTS TO COUNCIL - DELEGATES REPORTS

There were no Delegates Reports.

14. QUESTIONS WITH NOTICE

There were no Questions with Notice.

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

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

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

There were no presentations.

- 400/24 **16. REPORTS FOR CLOSED SESSION**
RESOLVED (Winchester/Taskovski)

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 Acquisition proposal - Rear Portion 15 Gibraltar Street Bungendore for Car Park.

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 RFT 2024-22 Jembaicumbene Bridges Replacement - Tender Evaluation

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

The resolution was carried unanimously.

The meeting then moved into Closed Session at 8.29pm to discuss the matters listed above.

16.1 Acquisition proposal - Rear Portion 15 Gibraltar Street Bungendore for Car Park

401/24

RESOLVED (Taskovski/Preston)

That Council:

1. Authorise the General Manager to negotiate the acquisition of the rear portion of 15 Gibraltar Street, Bungendore (Lot 2 DP 817205) to be used as car parking for the new Council offices to be built at 19 Gibraltar Street.
2. Authorise the General Manager to complete negotiations to acquire the land (rear portion of Lot 2 DP 817205) subject to a price being agreed commensurate with the recent purchase of 17 Gibraltar Street.
3. Classify the rear portion of 15 Gibraltar Street as Operational Land, if acquired.

The resolution was carried unanimously.

16.2 RFT 2024-22 Jembaicumbene Bridges Replacement - Tender Evaluation

402/24

RESOLVED (Macdonald/Preston)

That Council:

1. Award Contract No. 2022-24 for the Design and Construction – Jembaicumbene Bridges Replacement to HD Civil Pty Ltd for the contract amount of \$3,089,768 (inc GST).
2. Authorise the General Manager to refine the project scope and negotiate a final contract value with HD Civil Pty Ltd within the approved total budget.

The resolution was carried unanimously.

403/24

RESOLVED (Winchester/Taskovski)

That the meeting now return to Open Session.

The resolution was carried unanimously.

The meeting returned to Open Session at 8.34pm.

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

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

17. CONCLUSION OF THE MEETING

The time being 8.36pm, the Mayor announced that the Agenda for the meeting had now been completed.

**CR KENRICK WINCHESTER
MAYOR
CHAIRPERSON**

ITEM 5 DECLARATION OF CONFLICTS/PECUNIARY INTERESTS

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

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

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

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

Recommendation

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

9.1 QPRC Annual Community Grants 2024/25 (Ref: ; Author: Richards/Mirowski)

File Reference: 11.10 GRANTS

Recommendation

That Council:

1. Approve Category A Grants for 2024/25 totalling up to \$25,000, selecting either Option 1 or Option 2.
 2. Approve Category B Venue Hire Donations for 2024/25 totalling \$35,214.
-

Summary

Council has advertised and sought applications from community groups for the QPRC Annual Community Grants and Donations Program 2024/25 Categories A, B and H (No Fee Hire for Council premises). Applications opened 1 July 2024 and closed 2 August 2024.

Applications for Category H will continue to be taken throughout the financial year. To allow for the wide distribution of funds Council advertised a total maximum funding amount of up to \$3,000 per applicant under the Annual Community Grants Categories A and B.

This report seeks Council approval of either Option 1 or Option 2 for distribution of the Category A grants and the approval of Category B venue hire donations.

Background

All applications for QPRC Annual Community Grants A and B were assessed independently by Council staff and allocated numerical scores against the seven assessment criteria.

Assessment criteria

- Purpose of donation - Social and community benefit for the local community.
- Alignment with Community Strategic Plan and Delivery Plan
- Support provided by Council in the last two financial years
- The amount requested
- Applicant's access to alternative sources of funding
- Organisational status and structure
- Extent of accessibility to the community

Assessment criteria is contained in the Category A Guidelines (Attachment 1) and Category B Guidelines (Attachment 2). Each assessor signed a Conflict of Interest declaration, and no conflicts of interest were identified.

Report

Category A – General Assistance Grants

The aim of Category A funding is to support a wide range of activities that build community capacity, foster social networks and information exchange, facilitate cooperation and build on existing community strengths. Council's Donations Policy notes that Council may make

**9.1 QPRC Annual Community Grants 2024/25 (Ref: ; Author: Richards/Mirowski)
(Continued)**

donations to eligible local community groups that are not-for-profit community organisations, incorporated or unincorporated and in some cases, to individuals.

In 2024/25 Council approved \$25,000 for Category A Grants available for distribution. Council received 19 Category A applications, seeking a total of \$46,675. Two of the applications were assessed as ineligible: one from a for-profit business, and one for planting a garden, and student lessons at a school.

This leaves the total of funds sought to \$42,369 which is \$17,369 above the funding available.

Attachment 3 Category A Requested and Recommended Funding provides a table of applicants, projects and funds requested and provides two options for dealing with over-subscription. It is also notes any funding provided by Council to the applicant organisation in 23/24.

Option 1 will provide:

- No funding for projects that scored 16 points or less
- 45% funding for projects that scored 17
- 100% funding for projects that scored 18 and above

This option fully funds nine projects, partially funds four projects and eliminates four projects, not including the two projects that were deemed ineligible.

Option 2 is slightly different with a spread of funding across a wider distribution of projects.

- It eliminates projects scoring 16 or less.
- For projects scoring 17, \$800 has been removed from the total request.
- Projects scoring 18 and above and requesting \$1,000 or less are fully funded.
- Projects scoring 18+ and requesting more than \$2,500 have been awarded \$500 less than the requested amount.

Since the program is oversubscribed, many positive, beneficial projects cannot be funded.

Council is therefore requested to consider the list of Category A applications at Attachment 3 Category A Requested and Recommended Funding, which are ranked according to assessment scores, and to select either Option 1 or Option 2 for the distribution of the available Category A Grant.

Category B – Venue Hire Donations

Council received 28 x Category B venue hire donation applications for 2024/25, seeking a total of \$45,956 from an allocated \$36,000 available for distribution. Three requests were assessed as ineligible, leaving a total of \$38,956 or \$2,956 above the funding available.

Attachment 4 Category B Requested and Recommended Funds details the organisations and venue hire fee that funding has been sought.

An additional two applicants have been recommended as suitable for Category H. Both organisations received Category H funding in 2023/24. This brings total requests to \$35,214 leaving \$786 remaining in this fund.

**9.1 QPRC Annual Community Grants 2024/25 (Ref: ; Author: Richards/Mirowski)
(Continued)**

Category H – No Hire Fee for Council Premises

In 2023/24 a new funding category was made available, to encourage increased use and accessibility of Council owned community spaces. This category enables regular community users of Axis Youth Centre, Jerrabomberra, Letchworth and Googong Community Centres, and the old Braidwood Library for no Venue Hire Charge.

34 community groups received Category H funding in 2023/24. Conditions do apply, including that applicants may be bumped from a regular free booking if a paid booking is received up to two weeks prior.

Risk/Policy/Legislation Considerations

Council's grants are administered in compliance with the QPRC Donations Policy under the Local Government Act 1993. This assistance provides the local community with funding for activities which align with Council's strategic objectives. Under Council's Donations Policy, Council may also provide non-monetary donations to community, not-for-profit and charitable organisations representing the full or partial payment of the hire costs of Council venues.

Category B donations are transferred directly to the Council venue and are not paid to the applicant organisations. Council requires recipients of Category A funding to submit an acquittal following expenditure of the grant, in order to be eligible for further grant funding from Council. This is standard procedure for all public funding. A form is provided to community groups for this purpose.

Financial, Budget and Resource Implications

The QPRC Operational Plan 2024/25 was approved by Council with an allocation of \$25,000 for Category A grants, and \$36,000 for Category B venue hire donations.

The recommended 2024/25 Category A and B grants are within this financial allocation.




Links to QPRC/Regional Strategic Plans

Under Council's Donations Policy, Council provides funding assistance to not-for-profit community groups for activities and projects that align with Council's strategic objectives as articulated in the QPRC Community Strategic Plan. All recommended projects have been assessed as addressing the identified objectives of the Plan.

Conclusion

Council approval is sought for either Option 1 or 2 as recommended in Attachment 3 Category A Requested and Recommended Funding, and to approve the Category B donations recommended at Attachment 4 Category B Requested and Recommended Funds.

Attachments

- | | |
|--|--|
| Attachment 1 | Grant Guidelines Category A Funding (<i>Under Separate Cover</i>) |
|  Attachment 2 | Grant Guidelines Category B Funding (<i>Under Separate Cover</i>) |
|  Attachment 3 | Category A Requested and Recommended Funding (<i>Under Separate Cover</i>) |
|  Attachment 4 | Category B Requested and Recommended Funds (<i>Under Separate Cover</i>) |

File Reference: 23.1.6, 23.6.1-01

Recommendation

That Council endorse the Draft Bywong/Wamboin Greenways Master Plan prepared by Bywong/Wamboin s355 Greenways Committee March 2024.

Summary

Council has received the draft Greenways Master Plan; prepared by the Bywong/Wamboin section 355 Greenways Committee in March 2024.

This report responds to the questions raised by the s355 Greenways Committee and seeks Council's endorsement to finalise the Master Plan.

Background

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

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

An active s355 Committee manage the Greenways, and developing a Master Plan will facilitate better planning, identification of their key priority projects and submission for funding applications.

Report

The Master Plan (March 2024) has been prepared by the Greenways Committee and reviewed by Council staff. The Master Plan was received by Council staff in December 2023, and several questions were asked of Council staff prior to finalisation.

The draft Master Plan and Council responses to questions are attached for information. The Master Plan guides the management of the Greenways network and has been prepared in consultation with Wamboin and Bywong residents. Consultation has involved two public meetings in February 2024 and invitations to make written submissions. This process was undertaken entirely by the s355 Committee, and the feedback, contributions and final product is a testament to their commitment to this valuable environmental and community asset.

The Master Plan seeks to:

- manage the increase in rural residential living,
- identifies opportunities improve and extend the network,
- clarify the types of uses appropriate for the network, and
- identifies funding costs for its maintenance, repair and upgrades.

9.2 Bywong/Wamboin Greenways Master Plan (Ref: ; Author: Ormella/Kurzyniec) (Continued)

During the 2024/25 budget process, Council resolved to provide \$33,000 funding for the implementation and delivery of the Master Plan priority projects.

Risk/Policy/Legislation Considerations

The Master Plan has been prepared with reference to the Local Government Act 1993, Roads Act 1993, NSW Companion Animals Act 1998 and Council's Crown Road Management Policy.

This is a community plan, and necessary for funding applications and establishing of priorities and projects that can be planned for by the management committee.

Financial, Budget and Resource Implications

At its meeting of 26 June 2024 Council adopted the 2024-25 Operational Plan (**Resolution 284/24**). The Operational Plan provides \$33,000 for Greenways works in this financial year. In addition, Council has auspiced the Greenways Committee successful grant application for \$7,975 through the NSW Governments Community Building Partnerships Program 2023.

Links to QPRC/Regional Strategic Plans

The Master Plan is supported by the Queanbeyan-Palerang – Community Strategic Plan 2042 objectives. They include:

- 1. Community – 1.2 Our health wellbeing and resilience is supported by strong partnerships and access to services – Health and quality of life are improved through access to a range of recreation and leisure opportunities.
- 3. Character – 3.3 Our land, vegetation and waterways are managed in an integrated and sustainable manner – Sustain, manage and protect our land biodiversity, vegetation and waterways – Sustainably manage natural land scapes and open spaces.

The draft Greenways Master Plan is supported by QPRC Local Strategic Planning Statement – Towards 2040, 4.6 Planning Priority 6 – Our natural landscapes and water resources are sustainably managed.

- 4.6.7 Establish formal wildlife corridors (where appropriate) in addition to planting more trees to store carbon.
- 4.6.9 Council to promote appropriate tree planting and control of biosecurity matters/priority weeds.

Conclusion

The Master Plan has been prepared by the Bywong/Wamboin s355 Greenways Committee with the committee seeking responses from Council staff.

This report has provided the appropriate advice, which can be included into the final document and recommends that Council endorse the finalisation of the Master Plan.

Attachments

- | | |
|--------------|---|
| Attachment 1 | Greenways Master Plan - March 2024 - Prepared by the Bywong-Wamboin s.355 Greenways Committee (<i>Under Separate Cover</i>) |
| Attachment 2 | Staff Advice - Greenways Master Plan (<i>Under Separate Cover</i>) |

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella)

File Reference: 51.1.2-04

Recommendation

That Council note the project status report and allocate \$404,914 to an internal reserve for the purpose of the Abbeyfield Housing Development project.

Summary

At Council's Meeting of 22 March 2017, Council allocated (**Resolution No 081/17**) amongst a list of Major Projects, that the Abbeyfield Accommodation Bungendore project would be funded with a budget of \$500k.

This report seeks to provide an account of what has transpired since 2016, and establish the current position in terms of delivering this project.

An internal reserve is recommended to be created to ensure Council meets its funding agreement obligations.

Background

In 2016 NSW Government created two funds to support new merged Councils across the State, known as Stronger Communities Fund (SCF), and New Council Implementation Fund (NCIF).

The SCF program provided \$10 million from which QPRC allocated \$1 million of the funding that was offered by competitive application and assessment process to community groups for grants of up to \$50,000 each through a competitive application process. The remaining \$9 m was allocated to Council initiated major infrastructure projects.

Assessment Panel meeting 12 December 2016

Abbeyfield Bungendore submitted an application for funding of \$50,000 in the first \$1m round of the SCF program. At the time, this funding was to assist with the acquisition of a block of land, 2,547m² in size, within a subdivision of Anglican Church land. That block is adjacent to the Anglican Church and fronts Gibraltar Street, Bungendore. Their application stated inter alia: "Bungendore is a rapidly growing town with no low cost housing or facilities for the aged who live in the village and on farms in the surrounding hinterland." The application also noted that the former Palerang Council had been unable to assist in the provision of a site for Abbeyfield Bungendore's project even though that Council's Strategic Community Plan 2014-24 listed an indicator of success as "greater support for elderly people to live in the local area."

In assessing the applications for funding under the first \$1m round of the SCF for community, not-for-profit groups, Council's Assessment Panel at its meeting on 12 December 2016 recommended that the application for \$50,000 grant funding from Abbeyfield Bungendore to assist with the acquisition of land and offset Council fees be approved with the following conditions:

1. The \$50,000 Stronger Communities funding is to be released for the purchase of the land when the Abbeyfield Bungendore Committee can demonstrate that it has obtained the remainder of monies required for this purpose;

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella) (Continued)

2. If the land is sold within seven years, the \$50,000 Stronger Communities funding is to be returned to Council;
3. The land be owned by the local community.

A funding deed was created for the purpose and \$50,000 was released to Abbeyfield who used the sum for fees for the lodgement of the DA that were paid to Council. To date \$36,421 has been acquitted from this fund, with \$13,579 remaining. Abbeyfield have been compensated separately by the NSW Department of Education to facilitate the move to the new site.

Planning and Strategy Committee meeting 8 February 2017

At its Planning and Strategy Committee meeting held on 8 February 2017, Council considered a number of proposed major infrastructure projects in the second \$9m round of SCF funding, and resolved to support funding of \$1m for Abbeyfield Aged Accommodation Bungendore.

Local Representation Committee meeting 10 March 2017

The SCF projects were referred to the Local Representation Committee (LRC) for consideration and recommendation as part of the community feedback process.

At its meeting on 10 March 2017, the LRC recommended that Council continue to explore alternative sites for the Abbeyfield Bungendore project in an endeavour to maximise community benefit from the grant funding.

Council's Ordinary meeting 22 March 2017

At its meeting on 22 March 2017, following public exhibition of the proposed allocation of funds for major infrastructure projects in the \$9m Round 2 of the Stronger Communities Fund, Council resolved to reduce the initial allocation of \$1m to \$500,000 for the Abbeyfield Bungendore project, pending the investigation into, and ultimate provision of, an alternative Council-owned site for the project, utilising the balance of \$500,000. This decision was made to ensure that the SCF Round 2 funding was better shared around the QPRC Local Government Area. (**Resolution No 081/17**).

2021 Grant Acquittal

The Office of Local Government (OLG) was the agency for Councils to report expenditure. Council retained a role of being the accountable body for the funds. Council has delivered all but the Abbeyfield Aged Accommodation Bungendore project and submitted a final acquittal, as attached. The acquittal noted two projects which were not completed; Abbeyfield Bungendore and Lascelles Street, Braidwood (now completed).

2024 Review

Bungendore Abbeyfield was not a project listed in the acquittal to the OLG of the 42 small projects from which funding of up to \$50,000 was provided for Round 1 or Round 2. A review cannot find the source of this funding, which was to be from the SCF program.

Additionally, the review has not found the Council resolution to support the Assessment Panel recommendation. Therefore is presumed the intent was that Council have allocated this from the \$500,000 as a forward payment to cover the DA expenses, including plans and studies undertaken.

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella) (Continued)**Report**

Council resolved on 10 July 2024 (**Resolution No 318/24**) to progress and finalise the amendment to the Planning Proposal for Seniors Housing Majara Street Bungendore.

The Report advised:

The cost of preparing and progressing the planning proposal to gazettal is being met by Council's Land-use Planning staffing budget. There have been no external consultants engaged to date to undertake this work.

The Abbeyfield project received \$500k funding to prepare the architectural drawings, technical documentation and plans needed to facilitate the development from the NSW Stronger Communities Fund Round 2 which is being administered by Council. The grant will be expended through the development assessment process as needed, and staff are working with Abbeyfield to progress the project.

There is a risk that this funding could be lost if the recommendation in this report was not to be supported.

In taking this decision the Council was advised that the work being undertaken did not have a financial implication to Council as the funds as outlined above were available for the development work. However, there is no internal reserve for this project nor additional budget allocated in the 2024/25 Operational Plan.

Staff have now conducted a review into the Stronger Communities Grant reports, resolutions and finances.

From the \$500,000 Major Projects Program Grant for Abbeyfield, Council have drawn \$95,086 between 2021 to 2024 including attributing \$17,046 officer time to the Planning Proposal and project; as per the following expenditure report.

	Budget	Expended to Date
Abbeyfield Bungendore Project	\$500,000	
Forward Funding Agreement for DA		\$50,000
Flood Study		\$18,860
Planning Proposal		\$5,909
Surveying Costs		\$3,271
Staff Time		\$17,046
	Total	\$95,086
		Budget Remaining \$404,914

The remaining \$404,914 is for the preparation of the development application and costs borne by Abbeyfield Bungendore, as well as the submission of a Standard Planning Proposal which is \$25,854.

Officers have met with Abbeyfield Bungendore to establish the terms for the agreement of funds so that they can prepare necessary reports and plans.

As part of progressing this work Abbeyfield Bungendore have requested that two invoices associated with survey work be paid from the remaining funds for the project.

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella) (Continued)

Through this request, it became clear that the Stronger Communities Fund had been fully expended. Many of the community infrastructure projects to benefit from the Stronger Communities Fund cost more to deliver than the original budget amount by \$1.48 million.

With the Abbeyfield project being delivered at the end of the program, the original grant funds are no longer available.

The expenditure on all other projects under this stream are listed below.

Stronger Communities Fund Major Infrastructure Projects	2017 Budget Allocation	Total Expenditure to 2021
Araluen s.355 facilities	\$ 15,000	\$ 15,090
Eastern Pools	\$ 400,000	\$ 471,325
Town Centre Improvements Braidwood	\$ 500,000	\$ 728,539
Town Centre Improvements Bungendore	\$ 500,000	\$ 507,711
Wet Play Area Queanbeyan Aquatic Centre	\$ 450,000	\$ 732,191
Showground Grandstand Queanbeyan	\$ 350,000	\$ 363,837
Seiffert Oval Lights Queanbeyan	\$ 200,000	\$ 281,602
Braidwood Recreation Ground Stage 2	\$ 300,000	\$ 407,590
Bungendore Recreation Ground Stage 1	\$ 1,500,000	\$ 2,529,031
QBN River pathway including low level footbridge	\$ 760,000	\$ 1,253,294
Streetscape improvements commercial precinct Karabar	\$ 46,000	\$ 29,114
Queanbeyan Park playground equipment	\$ 250,000	\$ 317,411
Glebe Park Playground Queanbeyan	\$ 90,000	\$ 95,645
Henderson Road Recreation Area Queanbeyan	\$ 125,000	\$ 127,020
Seiffert Oval spectator entrance improvements	\$ 200,000	\$ 195,278
Upgraded community facilities Captains Flat	\$ 100,000	\$ 100,834
Lascelles Street upgrade Braidwood	\$ 800,000	\$ 850,785
Upgrade Lighting Margaret Donoghue Oval	\$ 200,000	\$ 213,529
Queens Bridge approach enhancement from Yass Road	\$ 200,000	\$ 206,535
Water storage infrastructure Braidwood Servicemen's Club	\$ 45,000	\$ 45,000
Part Funding - Rusten House Arts Centre refurbishment	\$ 550,000	\$ 715,099
Aquatic Centre paint/restore domes and archway Queanbeyan	\$ 150,000	\$ -
Abbeyfield Aged Accommodation Bungendore	\$ 500,000	\$ 5,455
Dog Park Googong	\$ 125,000	\$ 128,406
Refurbish Netball Courts Karabar	\$ 175,000	\$ 165,008
Unallocated component	\$ 469,000	
Total	\$9,000,000	\$10,485,330

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella) (Continued)

On 29 February 2021, the acquittal of grant monies disbursed to Council under the NSW Government's Stronger Communities Fund (SCF) and the New Council Implementation Fund (NCIF) programs was submitted. It noted the two projects that were not completed, which included the Abbeyfield project.

Council has been reporting to the OLG on the status of Abbeyfield, given the delays incurred as a result of the original site being compulsory acquired by the NSW Department of Education for the proposed High School.

Through an internal reserve Council can decide to hold the remaining amount of the original identified funds for the Abbeyfield Project, allowing for a future decision of Council to allocate the project budget.

Council will prepare a Memorandum of Understanding (MOU) with Abbeyfield with staged payments linked to milestones and delivery. The MOU will also address the possibility of title transfer of the land in accordance with previous reports to Council.

Senior Officers are meeting with OLG to clarify expectations for projects continuing beyond the envisaged funding period however it is noted that there has been large staff turnover within the OLG and also at Council over the lifespan of this project. None of the officers at the OLG or at Council were involved in the original grant agreement or related discussions.

Risk/Policy/Legislation Considerations

Council's progress reports to OLG have been in line with their templates which are milestone and delivery focussed. To date these reports have been advising on the progress of the development and Planning Proposal as there is no element of fund monitoring in these reports.

All projects executed as part of this funding have been acquitted previously with the OLG.

Senior officers have requested a meeting with OLG to clarify their expectations for projects which are continuing to progress beyond the expected timeframe of the funding.

There is reputational risk to Council of not completing the milestones as agreed by the Funding Deed and risk that the OLG could seek funding back for projects not delivered.

Financial, Budget and Resource Implications

The original \$10 million SCF was distributed to amalgamated councils in June 2016. The fund has been fully utilised to deliver 26 major infrastructure projects at a total cost of \$10,485,330 and distribute \$1,428,867 in community grants between 2016 and 2021.

The original Stronger Communities grant funding has been fully utilised for projects listed in the original grant submission, however it may be prudent for Council to allocate \$404,914 to an internal reserve so that the funds are available to be allocated to the Abbeyfield project.

This would reduce Council's unrestricted cash and increase internally restricted cash. The funds could be released by Council by a further resolution to commence the project and allocate a project budget.

Links to QPRC/Regional Strategic Plans

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.

9.3 Abbeyfield Project Briefing (Ref: ; Author: Monaghan/Ormella) (Continued)

Conclusion

It is recommended that Council establish an internal restriction for \$404,914 for Abbeyfield to deliver original agreed output submission of a development application in line with a Memorandum of Understanding, and this is to also include the Standard Planning Proposal fee.

Attachments

Attachment 1 Stronger Communities Funding Acquittal (*Under Separate Cover*)



REPORTS TO COUNCIL - ITEMS FOR DETERMINATION

9.4 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land (Ref: ; Author: Ormella/Kurzyniec)

File Reference: PP.2023.0007

Recommendation**That Council:**

- 1. Receive the Public Hearing and submissions reports for the reclassification of 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) from community land to operational land under the Local Government Act 1993.**
 - 2. Progress and finalise the amendment to the Queanbeyan-Palerang Regional Local Environmental Plan 2022 for the reclassification of land.**
-

Summary

The purpose of this report is to advise Council on the outcomes of the public exhibition and hearing of the planning proposal to reclassify 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) from community land to operational land under the Local Government Act 1993 (the Act).

The report seeks Council endorsement to take all necessary actions to finalise the planning proposal to reclassify the subject land.

Background

At its meeting of 22 November 2023 (**Resolution No: 492/23**) Council agreed to progress the draft planning proposal to reclassify 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) from community land to operational land under the Act. Upon its completion, it was forwarded to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.

On 8 May 2024 (**Resolution: 202/24**) Council received a report for information that the NSW DPHI had issued the Gateway determination on 5 April 2024 and Council was able to proceed with the public exhibition of the draft planning proposal. After the public exhibition ended, an independent chairperson was engaged to convene a public hearing in Bungendore in accordance with the Act.

The property, 19 Gibraltar Street, Bungendore is currently vacant and was purchased by Council for the construction of a new office/chambers and administration building on 5 August 2021.

The public exhibition period and public hearing by an independent chairperson has been completed. This report brings to completion the process which commenced with Council's purchase of the land on 5 August 2021.

The independent consultant final report of the public hearing, with the submissions received during the public exhibition period are both attached.

**9.4 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land (Ref: ; Author: Ormella/Kurzyniec)
(Continued)**

Report

To facilitate the development of 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) for Council offices, the classification of the land needs to be changed from community land to operational land. The mechanism to do this is through a planning proposal to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022) to include the subject land in Part 1 of Schedule 4 of the plan (no interests changed). This is consistent with the provisions of clause 5.2(2) of the QPRLEP 2022 and will have the effect of reclassifying the land.

The draft planning proposal was placed on public exhibition from 9 May 2023 to 17 June 2024 (the minimum requirement required is usually 28 days). Council sent 45 letters to adjoining landowners informing them of the planning proposal. Due to the mail delivery time, it was decided to extend the exhibition period to 40 days.

Four submissions were received by Council via Council's Your Voice website. One applicant supported the reclassification while three applicants did not support the reclassification. The main concern related to the Bungendore High School development and the lack of money for roads. The submissions report (Attachment 2) responds to the issues raised during the public exhibition in greater detail.

The public hearing independent chair was Mr Mark Pepping of Zone Planning NSW who was appointed by Council in accordance with section 47G of the Act.

The public hearing was held on Tuesday 30 July 2024 at the Bungendore Sports Hub, Bungendore at 5.30 pm. Four members of the public attended, and four additional submissions were received. One applicant supported, while three applicants did not support the reclassification. The submission details are in Attachment 1 of the report (Independent Chair Final Report).

The following section is set out by the independent chairperson from the report (see page 7 – Attachment 1):

Importantly, it was explained what restrictions applied to Council land classified as Community Land which cannot be development without a Plan of Management, cannot be leased for extended periods of time and cannot be sold. As such the reclassification of the land from 'Community' to 'Operational' enabled Council to have alternative options over the land.

It was further emphasised that the reclassification of the land did not entail the approval of the proposal new Council Administration Building. It was explained that any development of the site will be subject of a Development Application and involve public exhibition of the proposal.

Risk/Policy/Legislation Considerations

The draft planning proposal has been prepared in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulations 2021 and the Local Government Act 1993.

Council requires the land to be classified as operational land, to be able to develop the site for permanent Council offices, or to have the option to sell the land if required.

9.4 Planning Proposal to Reclassify 19 Gibraltar Street, Bungendore from Community Land to Operational Land (Ref: ; Author: Ormella/Kurzyniec) (Continued)

Financial, Budget and Resource Implications

Financial implications include staff costs to process the draft planning proposal including public exhibition. There was also the cost of \$4,785.00 (including GST) of engaging the independent consultant to run and report on the public hearing.

The planning proposal is consistent with Council's ongoing obligations regarding the classification of Council-owned land and the management of assets.

The future use of 19 Gibraltar Street is not determined by way of this decision, rather its reclassification to Operational Land enables Council to consider all future use options.

Links to QPRC/Regional Strategic Plans

The draft planning proposal is consistent with the Queanbeyan-Palerang Community Strategic Plan 2042. Specifically, under Item 4, Connection – 4.3 Our community facilities and assets are well planned, meet the needs of the community and enhance social connection – Council assets are sustainably managed.

Also under Item 5, Capability – 5.1 Our community is serviced by an efficient, effective and innovative Council – Strategically administer and manage Council's property portfolio.

The draft planning proposal is consistent with the Queanbeyan-Palerang Regional Council Local Strategic Planning Statement – Towards 2040 (LSPS) – July 2020 set out on the community's long-term vision and aspirations for Council's planning activities.

Under Planning Priority 11 – We undertake planning to ensure infrastructure is prepared for future growth: Action 4.11.10 – Endure suitable land identified for Depots and other Council facilities – Identify and acquire land as necessary – Ongoing.



Conclusion

The reclassification of 19 Gibraltar Street, Bungendore (Lot 8 Section 11 DP 758183) from community to operational land provides community benefit in that it will allow flexibility in managing the land. The land was purchased for the future construction of a new QPRC Council office in Bungendore on 5 August 2021.

Land can be reclassified within three months of acquisition, however, where this timeframe has lapsed a planning proposal is the only mechanism to reclassify from community land to operational land.

It is recommended that Council proceed with the reclassification of the land.

Attachments

- | | |
|---|---|
| Attachment 1 | Final Public Hearing Report (<i>Under Separate Cover</i>) |
|  | |
| Attachment 2 | Written Submissions to Planning Proposal to Reclassify 19 Gibraltar St Bungendore (<i>Under Separate Cover</i>) |
|  | |

9.5 Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive,
Jerrabomberra (Ref: ; Author: Flint/Turland)

File Reference: SF130960

Recommendation

That Council endorse renewal of the licence agreement with Air Services Australia for a further five-year term from December 2024 to November 2029.

Summary

Air Services Australia have approached Queanbeyan-Palerang Regional Council requesting to renew their licence agreement to host a noise monitoring station on Community Land at 4 Coral Drive, Jerrabomberra.

This report seeks Council approval to renew this agreement for a further five-year term.

Background

The agreement between Queanbeyan-Palerang Regional Council and Air Services Australia, was entered into in 2001. It has since been renewed in 2014 and 2019. The five-year term last entered into is set to lapse later this year.

This report is coming to Council now so as Air Services Australia have surety around the site being host to the noise monitoring station moving forward.

Report

Air Services Australia operates an airport noise monitoring station on Community Land at 4 Coral Drive, Jerrabomberra. The noise monitoring station occupies a small section of the Jerrabomberra tennis courts.

The licence agreement is due to expire in December 2024. Air Services Australia have approached Council and expressed a desire to renew the licence agreement for a further five-year term.

The terms of the agreement remain largely the same. The only notable change is the fee is to be updated in line with CPI.

Staff consider the renewal of such licence agreement is in the public interest given the air traffic noise generated from the overhead flight path.

A map depicting the location of the noise monitoring station is below. The station is outlined by a red box.

9.5 Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive, Jerrabomberra (Ref: ; Author: Flint/Turland) (Continued)**Risk/Policy/Legislation Considerations**

The licenced area is classified as Council Community Land under the Local Government Act 1993 (the Act), meaning the public notice of the renewal proposal must be provided to the community under Section 47A of the Act.

Financial, Budget and Resource Implications

The fee under the 2019 licence agreement was \$1,320.80 per annum (plus GST). The fee under the proposed licence renewal is \$1,500 (plus GST).

Links to QPRC/Regional Strategic Plans

Improving access to a wide range of compliance/sound modelling and is consistent with the objectives set out under the South Jerrabomberra Structure Plan.

https://www.qprc.nsw.gov.au/files/assets/public/v/1/building-and-development/planning-docs/planning-studies-and-strategies/sth-jerra-structure-plan/sth_jerra_structure_plan-2013.pdf

Conclusion

There have been no known issues with the current or previous licence agreements with Air Services Australia.

The station is small and unobtrusive to the area and does not interfere with other community uses of the land such as the nearby the tennis courts.

It is in the public interest and the interests of the broader Queanbeyan-Palerang community that noise from Canberra Airport is tracked, monitored, and managed to minimize disturbance to residents.

**9.5 Renewal of Licence Agreement - Air Services Australia - 4 Coral Drive,
Jerrabomberra (Ref: ; Author: Flint/Turland) (Continued)**

The licence fee provides a modest but consistent stream of revenue for Council.

For these reasons it is recommended that Council endorse renewal of the licence agreement with Air Services Australia for a further five-year period.

Attachments

Attachment 1 Air Services Australia - Licence Agreement 2019 (*Under Separate Cover*)



9.6 Investment Report - July 2024 (Ref: ; Author: Monaghan/Ogilvie)

File Reference: 43.6.5-01

Recommendation

That Council:

1. Receive the Investment Report for the month of July 2024.
 2. Note the investment return for July 2024 was \$2,050,236.
 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 July 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 31 July 2024 is detailed in the attached Investment Report Pack.

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 23-24 September 2024.

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

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

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

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

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

9.6 Investment Report - July 2024 (Ref: ; Author: Monaghan/Ogilvie) (Continued)

On 31 July 2024, Council held \$120.2 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, 21/8/2024.

The Investment Policy is due for review in April 2025.

Financial, Budget and Resource Implications

For July 2024, being the first month of 2024/25, Council's portfolio produced an annualised rate of return of 5.79%, outperforming the benchmark Bank Bill Index by 1.42%.

On 31 July 2024, the principal amount invested was \$265,021,891.

Council's investment return as at the end of July 2024 was \$2,050,236 compared to the original budget of \$587,500. The majority of this income is restricted to water, sewer and waste funds, and developer contributions.

Of the total \$265 million investment portfolio, Council holds \$31.9 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 which was reinvested into the fund. For July 2024 the LTGF returned \$229,497 and the MTGF returned \$228,228. The following table shows the funds' performances since the original deposit.

Previous Years	LTGF \$	MTGF \$
2017-18	981,891	-44,845
2018-19	1,160,462	635,485
2019-20	21,702	37,815
2020-21	2,557,413	927,076
2021-22	-1,300,450	-742,711
2022-23	1,692,084	658,145
2023-24	1,819,166	730,983

9.6 Investment Report - July 2024 (Ref: ; Author: Monaghan/Ogilvie) (Continued)

2024-25	LTGF \$	MTGF \$
July	539,422	228,229
August	0	0
September	0	0
October	0	0
November	0	0
December	0	0
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
2024-25 YTD Total	539,422	228,229
Return since inception	7,471,691	2,430,176
Initial Placement	\$12,000,000	\$10,000,000

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

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

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

At the time of writing this report the 30 June 2024 year-end reserve balance reconciliations are being finalised, and are dependent upon recommendations to Council about budget revote decisions. These reports will be separately reported to Council for a decision with the Fourth Quarter Budget Review Statement.

Attachments

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



10.1 Planning Performance (Ref: ; Author: Ryan/Ormella)

File Reference: 26.1.98-06

Recommendation

That the report be received for information.

Report

The Hon. Paul Scully MP, Minister for Planning and Public Spaces made an Environmental Planning and Assessment (Statement of Expectations) Order 2024, refer to Attachment 1. The Order details how Council's performance in the development assessment area will be monitored to secure the accountability of Councils across NSW and their planning performance.

Further to this, Council received from the Deputy Secretary for Planning, Land Use Strategy, Housing and Infrastructure (DPHI), communication advising of the League Table Publication and how the Department will be monitoring performance, refer to Attachment 2.

The planning performance of each authority across the state is live and updated monthly <https://www.planning.nsw.gov.au/policy-and-legislation/housing/faster-assessments-program/council-league-table> In addition to this online information, Council will receive an information report every 4 months, updating on our performance and how we are improving against the targets.

A Planning Performance Scorecard has been prepared which sets out the information that will be included in the report, and provides a summary of the Ministers Expectations as well as criteria which are being monitored locally.

The scorecard captures our baseline from which Council will be reporting on the Ministers Expectations as at 30 June 2024.

Criteria	Target	30 June 2024	30 Sep 2024	31 Dec 2024
24/25 Lodgement from Planning Portal	14 days	30 days		
Lodgement % meeting expectation	%			
25/26 Lodgement from Planning Portal	7 days*			
No. Applications Lodged aggregate over financial year	No.	494		
DA average assessment days	115 days*	189 days		
DA % meeting expectation	%	43%		
DA No. Determined	No.	506		

10.1 Planning Performance (Ref: ; Author: Ryan/Ormella) (Continued)

Criteria	Target	30 June 2024	30 Sep 2024	31 Dec 2024
No. Fast Track DAs Undetermined	No.	36		
No. Fast Track DAs Determined	No.	274		
No. Major DAs Undetermined	No.	133		
No. Major DAs Determined	No.	232		
DA average assessment days for residential	115 days*	180 days		
% Residential DA achieving 115 assessment days	%			

* by 30 June 2025

The development application lodgement from the Planning Portal at end of June is taking 30 days as opposed to the target of 14 days. By the end of June 2025, we will have transitioned this to the target of 7 days.

In July 2024 Development Application average assessment is 189 days with 43% achieving this, whereas we need to be achieving an average of 115 days for all applications by 30 June 2025. To achieve these improvements a pincer approach is being taken with both resource and efficiency measures. The Council has supported this approach through additional budget for the teams.

In July 2024, DPHI brought all NSW Authorities together for a Planning Portal Conference to discuss improvements and shared approaches. The measures being used for performance are total average assessment days, they do not include stop the clock mechanisms, bringing into focus the need for applications to have all the information required at point of lodgement on the Planning Portal. Improving the quality of applications received is key to improving our overall performance.

Numerous authorities reject applications from the Planning Portal and advise applicants in detail the information required for the application to be accepted. This is an approach that we will be implementing.

The backlog of applications includes 1 x DA from 2021, 6 x DAs from 2022 and 57 x DAs from 2023. This backlog needs to be cleared so that the total average days is not impacted by these applications going forward.

Other areas of improvement include staff teams focussed on either Fast Track or Major Applications, alongside improvements for each step of an applications process. From how applications are allocated, templates for reports and streamlined assessments, to increased capacity with signing and stamping consents, incremental improvements are being made.

In addition to monitoring performance, further transparency of the planning area can be noted on Council's website page:

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

10.1 Planning Performance (Ref: ; Author: Ryan/Ormella) (Continued)

The web page enables customers to track development applications, view current applications on notification, as well as view the applications register capturing QPRC data from July 2020. These changes have increased access to information for customers, business and residents.

A digital solution has now been implemented which enables notified applications to be available online in perpetuity. This will address many concerns raised by residents and businesses. Work is also underway exploring having development determinations also available on the council's web page in perpetuity.

Attachments

Attachment 1 Ministers Expectations Order 2024 (*Under Separate Cover*)



Attachment 2 Council League Table Letter (*Under Separate Cover*)



10.2 Australian Local Government Association Housing Summit (Ref: ; Author: Ryan/Ormella)

File Reference: 52.8.2-02

Recommendation

That the report be received for information.

Report

The Australian Local Government Association (ALGA) held a Housing Summit on 16 August 2024 at the Adelaide Town Hall. The Director Development and Environment and Manager Land Use Planning attended the day at which Mayors, Councillors and officers from Council's across WA, SA, TAS, VIC and NSW were in attendance.

The Summit commenced with Lord Mayor of Adelaide the Hon Dr Jane Lomax-Smith AM celebrating the rich Town Planning history of Adelaide, as well as a generous tour of the City Hall art and assets connected with its founding.

The purpose of the Housing Summit was to collate industry comments and views to form a submission to Federal Government.

ALGA has commissioned Equity Economics to prepare a report which will form part of the submission. The Report covers the roles of a complex federated and regulated system, the private sector role and market forces. Equity Economics commenced with setting the scene, followed by a day of Expert Panels, covering the themes of:

- Setting the scene
- Housing challenges for local government
- Celebrating success and
- Exploring solutions

Panel Experts included representatives from Insurance Council of Australia, Master Builders Australia, Community Housing Industry Association and Equity Economics. Local Authorities on the Panels were City of Gosnells (WA), Murray Bridge (SA), Mornington Peninsula Shire (VIC), Barunga West (SA), Dubbo Regional (NSW), City of Salisbury (SA), City of Melbourne (VIC), City of Adelaide (SA).

Each local authority's context shaped the initiatives and issues shared, these included:

- complex infrastructure requirements, as not all Councils are water and sewer authority,
- complex land and development agreements requiring industry experts, setting up a development arm, and having inhouse skills and capacity, and
- prioritising strategic planning and taking a data rich informed approach.

ALGA President Cr Linda Scott concluded the days discussions. The Equity Economics Report and comments from the day will be collated into a submission to government. Once completed we will receive the submission report and provide to the QPRC Affordable Housing Working Group for discussion.

The Federal Funding representatives for the Housing Support Program were in attendance, giving the opportunity to meet our contact as we commence to deliver Council funded projects.

Attachments

Nil

10.3 The Q - 2023 Economic Impact Assessment (Ref: ; Author: Richards/Petroff)

File Reference: 1.2.1 Live Performance Program

Recommendation

That Council receive the report for information.

Report

Over the last three years, post COVID; anecdotal evidence from local restaurants and pubs have indicated that venues are highly patronised whenever there is a show at The Q and/or The B (Bicentennial Hall). Council’s Economy Place and Arts team engaged Spendmapp, at a cost of \$1,800 to quantify this for Council. The report, attached, focussed on dining and entertainment expenditure in the Queanbeyan CBD.

The key findings show that:

- total spend in the Queanbeyan CBD increases by 51% on show nights (\$62.4K)
- the positive spend was evident regardless of the day of the week the show night
- this is a total of \$5.8M annually, spread across 94 dates


Using the National Institute of Economic and Industry Research (NIEIR) event impact model, this benefit equates to:

- \$3.7M to the Queanbeyan-Palerang GRP (gross regional product).
- 58 FTE equivalent added to the economy.

Event Impact Summary			
Queanbeyan-Palerang Regional Council area Modelling the effect of \$5,824,710 from an Arts and Heritage event with Local significance			
	Output (\$)	Value-added (\$)	Local Jobs (annual jobs)
Direct impact	5,300,486	2,573,019	40.2
Industrial impact	2,100,588	1,017,632	16.2
Consumption impact	348,804	168,426	1.9
Total impact on Queanbeyan-Palerang Regional Council area economy	7,749,878	3,759,077	58
Source: National Institute of Economic and Industry Research (NIEIR) ©2023. Compiled and presented in economy.id by.id (informed decisions).			

This report will be included in the review and proposal towards financial sustainability of the Q and the B; that will be presented to the new Council.

Attachments

- Attachment 1  Show Nights at The Q 2023 Economic Impact Assessment (*Under Separate Cover*)

File Reference: P340108

Recommendation

That the report be received for information.

Report

At the February 2023 meeting, Council requested that a report be brought back on the options for future use of the Medical Centre at 172 Foxlow Street at Captains Flat (**Resolution No 033/23**).

An information report presented to the 13 September 2023 provided some background material and noted this is operational land, being Lot 18 Sec 2 DP 18452. Further it was confirmed that a DA.2016.125 for a two-lot subdivision and demolition of the Health Care Centre, approved by Council on 26 October 2016, has not effectively commenced and as a result has lapsed (**Resolution No 367/23**).

It can be assumed that the Council report and resolution of 26 October 2016, if not subsequent to a supplementary resolution, was made with the intention to sell the newly created and cleared lot to the west. The Council resolution of the day did not specify the use of the resulting lots or if they would be sold or disposed.

To ensure the best use of the land, Council would need to lodge new DA, similar to the expired DA. It would be expected that similar conditions of consent would be granted, with the addition of a Detailed Site Investigation (DSI) report to identify any lead contamination.

Staff attended the Captains Flat Community Association meeting on Monday 5 February 2024. Residents were keen to retain the site as a community centre with the potential of a museum, arts centre, additional meeting room and a community garden. Decisions about the use of the site will form part of the Captains Flat Community Plan. Residents were concerned about the loss of other buildings in the town such as the Station Masters Cottage where they felt limited agency to determine the possible alternatives for the building and the site.

Alternatives for community groups currently available at Captain's Flat include the Community Hall and the new Multipurpose Health Centre. Both the Clinic room and the Meeting room (capacity for up to 30 people) are booked through Council and availability is shown online or by calling the Community Facilities Officer. These rooms are available for Category H fee free rental for eligible community uses.

The Community Hall is somewhat limited without adequate heating and accessibility challenges. A Council budget allocation in the 2024/25 Operational Plan to prepare architectural drawings will provide plans for a multipurpose and flexible community space. These plans will facilitate grant applications to refurbish the Hall.

Prior to a further report for Council to consider the former Health Centre building, updated reports on Asbestos and Lead Contamination and detailed remediation plans would be required. Changing the use of the building for community purposes will require more extensive remediation and a development application for both the site and the building.

One option explored is the cost of refurbishment of the Health Centre to make it habitable and then saleable as a residential property. Whilst a decision of Council has yet to be sought, an

10.4 172 Foxlow Street, Captains Flat (Ref: ; Author: Ryan/Richards) (Continued)

inspection by Council's facility team was undertaken in early January, and it was noted that the existing structure does not have an indoor bathroom area or laundry, and there is a significant list of works that would be required to be completed.

The Health Centre building is on the list of issues to be discussed with the Captains Flat Lead Management Network.

Any option as noted above will need an appropriate budget and consideration by Council when preparing the 2025/26 Operational Plan.

A further report will be presented to Council in early 2025.

Attachments

Nil

10.5 Financial Assistance Grants (Ref: ; Author: Ryan/Ryan)

File Reference: 43.6.4-02 / 28 August 2024 motions

Recommendation

That the report be received for information.



Report

At the meeting held on 12 June 2024, Council determined to write to the Commonwealth Treasurer, the Hon Jim Chalmers MP, and the Minister for Local Government, the Hon Kristy McBain MP, requesting the Australian Government restore the Financial Assistance Grants to 1 per cent of Commonwealth taxation revenue (**Resolution No 265/24**).

Letters were sent to the Treasurer and the Minister for Local Government. A response was received from The Hon Kristy McBain, MP, Minister for Regional Development, Local Government and Territories, and Member for Eden-Monaro on 12 August 2024.

Letters are attached for information.

Attachments

- | | |
|---|--|
| Attachment 1
 | QPRC Letter to Minister for Local Government re Financial Assistance Grants (<i>Under Separate Cover</i>) |
| Attachment 2
 | Response Received from Minister for Local Government, The Hon Kristy McBain re Financial Assistance Grants (<i>Under Separate Cover</i>) |

10.6 Tobacconists and Vape Stores in NSW (Ref: ; Author: Ryan/Ryan)

File Reference: 21.5.1 / 28 August motions

Recommendation

That the report be received for information.



Report

At the meeting held on 12 June 2024, Council determined to seek a change of NSW Planning regulations to require a development application to open a tobacconist or vape store in the Queanbeyan-Palerang Local Government Area; and write to the NSW Government requesting a ceiling of tobacco and vape retailers for NSW and a plan for phased reduction in the number of tobacconist and vape stores authorised to operate in NSW (**Resolution No 267/24**).

A letter was sent to The Hon Paul Scully, MP, Minister for Planning and Public Spaces and a response received.

Both letters are attached for information.

Attachments

- | | |
|---|--|
| Attachment 1
 | QPRC letter to Minister for Planning and Public Spaces, The Hon Paul Scully, MP re Tobacconists and Vape Stores in NSW (<i>Under Separate Cover</i>) |
| Attachment 2
 | Response from The Hon Paul Scully MP, Minister for Planning and Public Spaces, re Tobacconists and Vape Stores (<i>Under Separate Cover</i>) |

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

File Reference: 52.3.2

Recommendation

That the report be received for information.

Report

The Resolution Action Sheet provides Council with information on the status of outstanding resolutions determined at Council meetings. As at 20 August 2024, there are 35 outstanding resolutions.

In the last reporting period, 194 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.

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

This report is presented to Council on a quarterly basis.

Attachments

Attachment 1  Outstanding Resolutions Report - 20 August 2024 (*Under Separate Cover*)

11.1 Heritage Advisory Committee Minutes - 8 August 2024 (Ref: ; Author:
Ormella/Steele)

File Reference: 26.5.1-08

Recommendation

That Council:

1. Note the minutes of QPRC Heritage Advisory Committee (HAC) held on 8 August 2024.
 2. Note the recommendations from the meeting held on 8 August 2024.
 - a. QPRC HAC – DA.2024.0188 at 94 Monkittee Street Braidwood
The committee supports the application subject to the Heritage Advisor completing a site visit to inspect the historic slab wall and the Heritage Advisors advice regarding the roof pitch and dominance of the proposal and its impact on adjoining properties.
 - b. QPRC HAC – DA.2024.0181 – 2 Badgery Street Braidwood
The Committee support the application.
 - c. QPRC HAC – DA.2024.0055 – 22 Surveyor Street Queanbeyan
The committee prefers that the cottage is retained noting that it is one of the original surviving cottages that defines the Heritage Conservation Area. The case officer progresses to assess acting on the Heritage advisors' recommendations. That the applicant provides a Heritage Impact Statement and an independent structural report to assess the condition of the buildings.
 - d. QPRC AHC – DA.2024.0065 – 29 Alice Street Queanbeyan
The committee note the Heritage Advisor's report and refer the applicant to review the report provided so that they can consider amending the application.
-


Summary

This meeting of the Heritage Advisory Committee was one of general business. There were four Development Applications that were considered, with four recommendations.

The Committee were updated on Council's progress with replacing the Clarke Gang signage and addressed a question of signage in Araluen.

The Chair thanked the Committee members, the Heritage Advisor and QPRC staff for their dedication to the committee.

Attachments

Attachment 1  Heritage Advrsory Committee Minutes 8 August 2024 (*Under Separate Cover*)

11.2 Environment and Sustainability Advisory Committee Minutes - 29 July 2024
(Ref: ; Author: Ormella/Corey)

File Reference: 24.2.1

Recommendation


That Council note the minutes of the Environment and Sustainability Advisory Committee held on 29 July 2024.

Summary

The Environment and Sustainability Advisory Committee meeting held on 29 July 2024 was one of general business, and attached for information. There were no formal recommendations arising for Council.

The Committee received an update from Council's Coordinator of Utilities regarding the development of the Waste Management Guidelines. They also received an update on progress of the Queanbeyan to Bungendore pipeline project.

Attachments

Attachment 1  Minutes of Environment and Sustainability Advisory Committee - 29 July 2024 (*Under Separate Cover*)

11.3 Local Traffic Committee Meeting Minutes - 6 August 2024 (Ref: ; Author:
Duff/Harris)

File Reference: 31.4.1

Recommendations

That Council endorse the 6 August 2024 Local Traffic Committee draft meeting minutes and the associated recommendations as follows:

- a. Noting amendment to previous meeting minutes for LTC 18/2024 and LTC 21/2024 that both should reflect recommendation from TfNSW – Road environment not conducive to 50km/h limit. Development compliant to 80km/h, submission to TfNSW required for speed limit.
- b. LTC 22/2024 – Approve the Traffic Control Devices Plan, Tralee Subdivision Stage 2A and Buffer Area A.
- c. LTC 23/2024 – Decline the Traffic Control Devices Plan, 64 Monaro Street Queanbeyan.
- d. LTC 16/2024 – Approve the 2024 Bungendore Rodeo and the subsequent traffic guidance scheme for the event.
- e. LTC 24/2024 – Approve the 2024 Queanbeyan Swap Meet and the subsequent traffic guidance scheme for the event.
- f. LTC 25/2024 – Approve the 2024 Capital to Coast and subsequent traffic guidance scheme.


Summary

This report submits the previous minutes and new recommendations arising from the Local Traffic Committee (LTC) meeting held 6 August 2024, for Councils information and consideration. The LTC is a technical review committee who advises Council on matters within its delegations, to provide an opinion or recommendation as appropriate.

Council may require this advice for certain traffic control management, traffic control devices and facilities. Matters related to state roads or functions not under Council jurisdiction must be referred directly to Transport for NSW or relevant organisation.

The LTC will only review reports that have been prepared by Council staff and submitted to the LTC in accordance with its delegations. The LTC does not undertake investigations of traffic matters or traffic design solutions. However, it can provide comment on such proposals submitted to Council.

Attachments

Attachment 1  Local Traffic Committee Meeting Minutes - 6 August 2024 (*Under Separate Cover*)

11.4 Bungendore Town Centre and Environs Committee - 15 April, 20 May, 17 June and 15 July 2024 Minutes (Ref: ; Author: Richards/Lamont)

File Reference: 52.3.3

Recommendation

That Council:

1. Note the minutes of Bungendore Town Centre and Environs Committee (BTCEC) meetings held on 15 April, 20 May, 17 June and 15 July 2024.
 2. Note Recommendation No 6.1 (15 July 2024) that Council endorse the proposed BTCEC action items (noted below) as a core agenda for the Committee in 2025.
-

Summary

The Bungendore Town Centre and Environs Advisory Committee has submitted minutes of meetings held on 15 April 2024, 20 May 2024, 17 June 2024 and 15 July 2024.

Several recommendations were referred to Council for endorsement including:

- Recommendation 6.1 (20 May 2024) that Council consider using any unspent Place Plan funds to enhance the Gibraltar/Ellendon Streets roundabout.
 - The unexpended budget for the Bungendore Place Plan was \$4,037 and whilst considered, allocating to Urban Landscapes operational budget is not necessary.
- Recommendation 6.2 (20 May 2024) that Council consider funding a public toilet and associated infrastructure for Frogs Hollow.
 - As previously advised, Stage 2 works are currently unfunded and future grant opportunities will be investigated.
- Recommendation 6.1 (15 July 2024) The proposed five-point BTCEC Action Plan sets the core agenda items for the committee across the next Council term. These include:
 - Ellendon Street – Heart of the Town
 - Gibraltar Street – Town Centre
 - Connection and Wayfinding
 - Senior Friendly Moving and Living
 - Contribute to Bungendore Structure Plan and Development Control Plan updates
 - The first three items are aligned with several of the adopted Bungendore Place Plan's suggested initiatives. The final two are also relevant QPRC initiatives and up-coming projects.
 - These agenda items will be reviewed for inclusion into the Terms of Reference for the new Committee.

Attachments

Attachment 1 BTCEC Minutes 15 April 2024 (*Under Separate Cover*)



Attachment 2 BTCEC Minutes 20 May 2024 (*Under Separate Cover*)



Attachment 3 BTCEC Minutes 17 June (*Under Separate Cover*)



Attachment 4 BTCEC Minutes 15 July 2024 (*Under Separate Cover*)



11.5 First Nations Advisory Committee Minutes - 21 February 2024 (Ref: ; Author: Richards/Groves)

File Reference: 2.4.2

Recommendations

That Council:

- 1. Note the minutes of First Nations Advisory Committee held on 21 February 2024.**
- 2. Endorse recommendations of the FNAC that:**

FNAC 04/224: Signage for the buildings be in language with an English translation and to include pronunciation.

FNAC 05/224: Following Roads conventions, that this naming is not used again by QPRC and that only deceased people be honoured in naming.

FNAC 06/224: To assist Staff and Councillors, cultural awareness training be undertaken.

Summary

The First Nations Advisory Committee met on 21 February 2024 with most of the Committee membership present, meeting quorum. Various items were discussed, and recommendations made. Some recommendations have already been included in other reports and have been either amended or endorsed by Council. This includes the suggested names for the Nellie Hamilton Centre and the surrounding public spaces.

A further recommendation (FNAC 02/224) was that the following members be appointed to the First Nations Advisory Committee:

- Serena Williams
- Dr Caroline Hughes
- Bradley Bell

Whilst it was proposed that these new members be endorsed by Council, since the February meeting of the FNAC, we have not been able to achieve a quorum at any further proposed meetings.

As with all Advisory Committees, the FNAC will be reviewed. Following the review, Council's engagement with our local First Nations people will either be amended or maintained and expressions of interest for membership will be advertised for the new term of Council.

Attachments

Attachment 1  First Nations Advisory Committee Minutes - 21 February 2024 (*Under Separate Cover*)

11.6 QPRC Sports Council Minutes - 5 August 2024 (Ref: ; Author:
Richards/Duncan)

File Reference: 4.3.3

Recommendation

That Council note the minutes of the QPRC Sports Council held on 5 August 2024.


Summary

The QPRC Sports Council is an Advisory Committee of Council. Attached are the minutes of the meeting held on 5 August 2024 for Council's information.

The role of the QPRC Sports Council is to consider the allocation of sports fields across the local government area (LGA) prior to the commencement of each winter and summer sporting season, and to make recommendations for the development and/or improvements to sporting facilities and recreational needs, including input into the works programs.

There are no formal recommendations referred to Council in the August 2024 Minutes.

Attachments

Attachment 1  QPRC Sports Council Draft Minutes August 2024 (*Under Separate Cover*)

12.1 Notice of Motion - LGNSW Conference Notices of Motion - Banning Gas in New Dwellings (Ref: ; Author: Willis/Willis)

File Reference: 52.5.2-02 / 28 August 2024 Motions

Notice

Councillor Katrina Willis will move the following motion:

Motion

That Council submit the following motion to the NSW Local Government 2024 Annual Conference:

That LGNSW calls on the NSW State Government to update the Building Sustainability Index (BASIX) to remove installation of gas in new dwellings and renovations, to support a rapid transition away from fossil fuels and towards electrification powered by renewable energy.

Comment from Cr Willis in support of this Notice of Motion

The Building Sustainability Index (BASIX) State Environmental Planning Policy (SEPP) currently permits installation of gas as an option for new dwellings and renovations that trigger the BASIX provisions. This provision is an obstacle to a rapid transition away from fossil fuels to full electrification of energy and hot water use in dwellings.

Full electrification drawing on renewable energy is needed to support achievement of net zero emissions in the fastest possible time to keep global warming within relatively safe levels as reflected in the 2015 Paris Agreement.

Further, the Energy and Climate Change Ministerial Council in July 2024 endorsed the transition from gas to electric appliances, agreeing to expedite the development and implementation of minimum energy performance standards for hot water heat pumps.

Staff Comment

Proposed motions for LGNSW Annual Conference should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

Councillors are encouraged to review the Action Reports from previous conferences and positions of LGNSW, as set out in the LGNSW Policy Platform, before submitting motions for the 2024 Conference. Resources may be found on the LGNSW Conference website to assist with the drafting of motions.

In regard to this motion, this is a current position statement as per LGNSW Policy Platform, May 2024 from <https://lgnswconference.org.au/> under Position Statement No 10 Climate Change, included in the following:

10.8 A roadmap to transition away from natural gas, including updating of BASIX to remove installation of gas in new dwellings and renovations.

The proposed motion as above is not a new policy and action for LGNSW and may therefore not be accepted for the annual conference.

Attachments

Nil

12.2 Notice of Motion - LGNSW Conference Notices of Motion - Solid Fuel Heater Buyback (Ref: ; Author: Willis/Willis)

File Reference: 52.5.2-02 / 28 August 2024 Notice of Motions

Notice

At the 14 August Meeting, Councillor Katrina Willis foreshadowed that she will move the following motion to this meeting:

Motion

That Council submit the following motion to the NSW Local Government 2024 Annual Conference:

That LGNSW calls on the NSW State Government to develop a financial assistance package to help people remove old solid fuel heaters and install electric heating in their homes.

Comment from Cr Willis in support of this Notice of Motion

Solid fuel heaters are a major source of poor air quality across New South Wales. The NSW Chief Medical Officer Dr Kerry Chant said in 2014 that the use of wood burning heaters inside homes should be avoided because they pollute outdoor air and worsen indoor air quality, can aggravate asthma, and worsen pre-existing heart and lung conditions, while long-term exposure to particulate pollution can cause heart and lung disease.

Solid fuel heaters are often relied upon as a primary means of space heating in older homes with poor energy performance, and by people living on low incomes.

The cost of switching to cleaner heating options can be a major barrier to low-income households.

A state-government funded buy-back program would support the replacement of old wood heaters with clean space heating options, providing health and environmental benefits for residents and the wider community through improved air quality and reduced incidence of illness and disease.

Asthma Australia called for a national phase out of wood heaters in 2021.

Staff Comment

Proposed motions for LGNSW Annual Conference should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

Councillors are encouraged to review the Action Reports from previous conferences and positions of LGNSW, as set out in the LGNSW Policy Platform, before submitting motions for the 2024 Conference. Resources may be found on the LGNSW Conference website to assist with the drafting of motions.

In regard to this motion, this is a current position statement as per LGNSW Policy Platform, May 2024 from <https://lgnswconference.org.au/> under Position Statement No 14 Health and Safety which states that Councils have a role in considering how the built environment can be

12.2 Notice of Motion - LGNSW Conference Notices of Motion - Solid Fuel Heater Buyback (Ref: ; Author: Willis/Willis) (Continued)

planned to promote health and safety. Whilst not specifically noting Solid Fuel Heaters, the matter of funding to improve public health and air quality is mentioned in the following:

14.1 Practical reforms and initiatives that improve public health and safety but do not represent cost shifting or burden the limited resources of local government without providing adequate funding or cost recovery mechanisms.

14.3 The NSW Government to take action to protect human health and the environment by:

c) Adopting the World Health Organisation Clean Air Guidelines and assisting communities to address breaches of national air quality standards and improving health through filtration and ventilation in public buildings.

d) Implementing tighter controls on facilities at high risk of causing dust and air pollution, including timely and tighter enforcement for malodorous emissions.

The proposed motion as above would be a new policy and action for LGNSW.

Attachments

Nil

15 NOTICE OF INTENTION TO DEAL WITH MATTERS IN CLOSED SESSION

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

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

Recommendation

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

Item 16.1 RFT 2024-46 Monaro Street Upgrade Detailed Design

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

Item 16.2 Abbeyfield Planning Proposal Update

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

Item 16.3 Update Regional Sports Complex

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

Item 16.4 Legal Matters Update - 1 January to 30 June 2024

Item 16.4 is confidential in accordance with s10(A) (c) (di) (e) (g) of the Local Government Act 1993 because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; AND information that would, if disclosed, prejudice the maintenance of law; AND advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.