



Minutes of the Ordinary Meeting of Council

Wednesday 25 March 2020

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

CITIZENSHIP CEREMONY

- Mr Jin Kim
- Mrs Thi Kim Lyall

Presentations to Council – Items on the Meeting Agenda

SPEAKERS

- 6.5 – Development Application No DA190211 – Importation of Material and Internal Access Roads – 33 Hillview Drive
Noel McCann – conference phone
Natalia Weglarz – conference phone
- 6.6 – Development Application No DA190213 – Distillery, 6494 Wee Jasper Road, Wee Jasper
Terry Ryan – conference phone
Rod Smith – conference phone
Antony Cathles – video
Adrian King – conference phone
Anthony Roberts – conference phone

Council Meeting - The Mayor declared the meeting open at 4.50pm.

Present

Councillors Rowena Abbey, Mayor, in the chair, Geoff Frost, Nathan Furry, Allison Harker, Jasmin Jones, and Mike Reid.

Also present were the General Manager – Chris Berry, Acting Director of Planning & Environment – Liz Makin, Director of Infrastructure & Assets – Stan Robb, Director of Corporate & Community – Mark Eady and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

RESOLVED that apologies be received from Councillors Cecil Burgess, Michael McManus and Kim Turner and leave of absence be granted.

(Furry/Harker) 26

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

3. Declaration of Interest/Disclosures

Councillor Jones declared a non-significant, non-pecuniary conflict of interest in Item No 9.2 – Offer to Purchase – Restored Stationery Engine and stated that she did not believe her interest would preclude her from voting.

Reason: Councillor Jones declared an interest as her husband's family ancestor was an engineer who would have worked on the engine – Joseph Fielding.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 February 2020, resolution numbers 1-25 inclusive, be taken as read and confirmed.

(Furry/Reid) 27

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

5. Mayoral Minute

Nil

6. Director of Planning & Environment Reports

6.1 'WOODSIDE' DRAFT PLANNING PROPOSAL ADVICE

SUMMARY

The landowners of 'Woodside' 3489 Barton Highway, Murrumbateman have put forward a draft Planning Proposal for preliminary advice over part of the subject site. The way in which this site is developed has significant bearing on the next stage of development in Murrumbateman, including linkages with Council's own land holding at 'Hawthorn'.

RESOLVED that the advice from the landowners of 'Woodside' 3489 Barton Highway, Murrumbateman withdrawing the rezoning request be noted.

(Furry/Reid) 28

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

6.2 FILLING ON RURAL PROPERTIES

SUMMARY

Presenting a draft policy relating to filling on rural properties.

RESOLVED that the draft Filling on Rural Properties Policy be placed on public exhibition and adopted if no significant matters are raised.

(Jones/Reid) 29

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

6.3 DEVELOPMENT CONSENT NO DA175300 - RURAL SUBDIVISION, 196 BROOKLANDS ROAD, WALLAROO

SUMMARY

An application has been received to modify Development Consent No DA175300 for three lot subdivision of 196 Brooklands Road, Wallaroo. The application seeks to modify lot sizes based on the final survey of new lot boundaries. The proposal is reported to Council as it involves a variation to the maximum lot size development standard under the averaging provisions in the *Yass Valley Local Environmental Plan 2013*.

RESOLVED that the application to modify Development Consent No DA175300 for a rural subdivision of 196 Brooklands Road, Wallaroo be approved.

(Reid/Furry) 30

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

6.4 DEVELOPMENT APPLICATION NO. DA200011 - BUILDING ENVELOPE AMENDMENT, 26 JIPARU DRIVE, MURRUMBATAMAN

SUMMARY

To present the assessment of Development Application DA200011 for the proposed amendment to the building envelope at 26 Jiparu Drive, Murrumbateman. The application is referred to Council due to the number of submissions received.

RESOLVED that Conditional Development Consent be issued for an amendment to the building envelope of Lot 83 DP 270586, 26 Jiparu Drive, Murrumbateman upon receipt of a plan which makes the following changes to the building envelope amendment:

- ***Area of extended building envelope to be reduced to more accurately reflect the size necessary for the approved shed and excluding the trees.***
- ***Reduction in the size of the existing building envelope so that the overall percentage of the lot occupied by the building envelope remains equal to the existing envelope.***

(Furry/Reid) 31

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

6.5 DEVELOPMENT APPLICATION NO. DA190211 - IMPORTATION OF MATERIAL AND INTERNAL ACCESS ROADS - 33 HILLVIEW DRIVE

SUMMARY

To present the assessment of Development Application No. DA190211 for the importation of 65,000m³ of material at 'Hillview', 33 Hillview Drive, Murrumbateman. The proposal is referred to Council as it attracted nine submissions. Refusal is recommended as the proposal is insufficiently clear in detail to enable a full assessment and the volume has not been demonstrated as necessary.

RESOLVED that consideration of Development Application No DA190211 be deferred.

(Harker/Reid) 32

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

6.6 DEVELOPMENT APPLICATION NO. DA190213 - DISTILLERY, 6494 WEE JASPER ROAD, WEE JASPER

SUMMARY

To present the assessment of Development Application DA190213 for a distillery and retail cellar door at 6494 Wee Jasper Road, Wee Jasper. The application is referred to Council due to the number of submissions received. The Applicant has made a number of revisions to the proposal in response to the submissions.

RESOLVED that Conditional Development Consent be issued for a distillery and retail cellar door at 6494 Wee Jasper Road, Wee Jasper following receipt of a satisfactory waste water management report.

(Frost/Reid) 33

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

7. Director of Infrastructure & Assets Reports

7.1 TENDER VARIATION - VICTORIA PARK AMENITIES UPGRADE STAGE 2

SUMMARY

Following the formation of a women's team at the Yass Rams Rugby Union Club a variation to the contract to upgrade the amenities at Victoria Park is required to amend the showering area of the change rooms at the facilities from that originally designed and allow the facility to be co-used by both men's and women's teams. This variation is greater than 10% of the value of the original contract.

RESOLVED that this item of the Director Infrastructure and Asset's report be classified as confidential in accordance with s10A(2)(c) Local Government Act 1993 as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

(Reid/Furry) 34

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

7.2 STRONGER COUNTRY COMMUNITIES FUND ROUND 3 - MURRUMBATEMAN RECREATION GROUND AMENITIES

SUMMARY

Council has received an offer under Round Three of the Stronger Country Communities Fund to assist in the construction a new amenities building at the Murrumbateman Recreation Ground. The offer does not meet the required funding to construct a suitable multi-purpose and inclusive amenities building and significant additional funding will be required to construct this facility.

RESOLVED that :

- 1. The funding allocation of \$275,045 under the 'Stronger Country Communities Fund Round 3' be accepted noting the difference between the funds required and the offer from the NSW Government.**
- 2. The General Manager be authorised to sign the funding deed.**
- 3. The additional funding required to undertake this project be considered in the 2020/21 budget deliberations.**

(Furry/Jones) 35

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

7.3 PARTIAL CLOSURE OF ROAD RESERVE - REDDALL STREET, YASS

SUMMARY

To obtain approval to commence the process for the closure of a portion of the Reddall Street Road reserve adjacent 75 Laidlaw Street, Yass.

RESOLVED that :

- 1. The portion of the Reddall Street road reserve adjacent 75 Laidlaw Street, Yass is identified as being surplus to Council requirements and serves no physical purpose in being retained as road reserve**
- 2. The road closure process and public notification be commenced in accordance with the Roads Act 1993**
- 3. Subject to there being no objections received in respect of this proposal, and that the owner of 75 Laidlaw Street agrees to the purchase of the portion road reserve in accordance with the formal valuation of the land and payment of all associated fees and charges, that:**
 - a. The closure of the portion of road reserve of Reddall Street be approved**
 - b. The said closed portion of road reserve be dedicated as Operational Land**
 - c. The said closed portion of road reserve be offered to the adjacent property owner**
 - d. The General Manager and Mayor be authorise to use to the Council seal, as required, on all associated documentation.**

(Frost/Jones) 36

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

7.4 FOOD AND ORGANICS WASTE RECYCLING

SUMMARY

This report is to present options in regards to the possible kerbside collection of green waste or food and organics waste within the current domestic collection service areas.

RESOLVED that the report on food and organic waste recycling be deferred for consideration within the next 12 months and following a Councillor Workshop.

(Jones/Frost) 37

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

7.5 WATER SUPPLY RESTRICTIONS POLICY

SUMMARY

In November 2019 Council determined to place a draft *Water Restrictions Policy* on public exhibition and adopted if no significant submissions were made. Three submissions have been received.

RESOLVED that the revised draft Water Supply Restriction Policy be adopted.

(Furry/Frost) 38

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

8. Director of Corporate & Community Reports

8.1 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 29 February 2020. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RESOLVED that Investment Report as at 29 February 2020 be received and it be noted that the summary has been prepared in accordance with the Act, the Regulations and Council's Investment Policy.

(Furry/Harker) 39

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

9. General Manager Reports

9.1 COMMUNITY SERVICES REVIEW UPDATE AND LEASING OF COUNCIL BUILDING

SUMMARY

To provide an update on the progress with the transfer of Council's community service activities and to consider a request for the leasing of a Council owned building.

RESOLVED that this item of the General Manager's report be classified as confidential in accordance with s10A(2)(c) Local Government Act 1993 as the information would confer a commercial advantage on a person with whom Council is conducting (or proposing to conduct) business.

(Furry/Reid) 40

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

9.2 OFFER TO PURCHASE - RESTORED STATIONARY ENGINE

SUMMARY

Presenting a report on an offer for Council to purchase a restored stationary engine. It is recommended that the offer be declined at this stage.

RESOLVED that :

- 1. The offer to purchase the 1901 restored stationary engine be declined at this stage.***
- 2. The custodianship of Council's 1904 engine be reviewed.***

(Furry/Reid) 41

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

10. Notice of Motion

Nil

11. Questions with Notice

11.1 QUESTIONS WITH NOTICE - CR GEOFF FROST

The following Questions on Notice were received from Councillor Frost:

1. What has been the impact of the drought and the recent rains on Council roads?
2. What has been the Council response to the changed conditions?
3. When can we expect to return to normal maintenance routines?

RESOLVED that the responses to the Questions With Notice be noted.

(Frost/Furry) 42

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

12. Minutes and Recommendations of Council Committees

12.1 MINUTES OF THE BANGO WIND FARM COMMUNITY CONSULTATIVE COMMITTEE HELD ON 18 FEBRUARY 2020

RESOLVED that the minutes of the Bango Wind Farm Community Consultative Committee meeting held on 18 February 2020 be noted.

(Frost/Furry) 43

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

12.2 MINUTES OF THE COUNTRY MAYORS ASSOCIATION HELD ON 6 MARCH 2020

RESOLVED that the Minutes of the Country Mayors Association General Meeting held on 6 March 2020 be noted.

(Reid/Furry) 44

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

12.3 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION BOARD MEETINGS HELD ON 27 FEBRUARY 2020

RESOLVED that the Minutes of the Meeting of the CRJO Board held on 27 February 2020 be noted.

(Furry/Reid) 45

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

12.4 MINUTES OF THE ABORIGINAL CONSULTATIVE COMMITTEE HELD ON 11 FEBRUARY 2020

RESOLVED that the minutes of the Aboriginal Consultative Committee meeting held on 11 February 2020 be noted.

(Reid/Furry) 46

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

13. Confidential Matters

RESOLVED that pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda be classified as CONFIDENTIAL and considered in the Closed Meeting of Council in accordance with Section 10A(2) of the Local Government Act for the reasons as specified:

13.1 Tender Variation - Victoria Park Amenities Upgrade Stage 2

Item 13.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act 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.

13.2 Community Services Review Update and Lease of Council Building

Item 13.2 is confidential in accordance with section s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Harker/Furry) 47

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

Closed Council commenced at 5.19 pm.

13.1 TENDER VARIATION - VICTORIA PARK AMENITIES UPGRADE STAGE 2

SUMMARY

Following the formation of a women's team at the Yass Rams Rugby Union Club a variation to the contract to upgrade the amenities at Victoria Park is required to amend the showering area of the change rooms at the facilities from that originally designed and allow the facility to be co-used by both men's and women's teams. This variation is greater than 10% of the value of the original contract.

RESOLVED that a variation be approved of \$21,987.90 (ex GST) for Monarch Building Solutions under contract YVC.PG.04.2019 to facilitate the use the amenities by both men's and women's sports teams.

(Furry/Frost) 48

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

13.2 COMMUNITY SERVICES REVIEW UPDATE AND LEASE OF COUNCIL BUILDING

SUMMARY

To provide an update on the progress with the transfer of Council's community service activities and to consider a request for the leasing of a Council owned building.

RESOLVED that the Goodradigbee Centre be leased for two years to Valmar to assist with the transfer of community service activities and the rental amount be determined.

(Jones/Furry) 49

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

RESOLVED that the meeting move into Open Council.

(Jones/Reid) 50

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

Open Council resumed at 6.02 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Furry/Reid) 51

FOR: Councillors R Abbey, G Frost, N Furry, A Harker, J Jones and M Reid

AGAINST: Nil

The meeting closed at 6.03 pm.