



Minutes of the Ordinary Meeting of Council

Wednesday 24 June 2020

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

Presentations to Council – Items on the Meeting Agenda

SPEAKERS VIA ZOOM

6.3 Development Application DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo

Ann Lyons

7.4 Yass Repertory Society – Request for Storage Assistance

Ann Holmes

Council Meeting - The Mayor declared the meeting open at 4.10 pm.

Present

Councillors Rowena Abbey, Mayor, in the chair, Cecil Burgess, Geoff Frost, Nathan Furry (via Zoom), Allison Harker, Jasmin Jones (via Zoom), Michael McManus, Mike Reid (via Zoom) and Kim Turner.

Also present were the Acting General Manager – Mark Eady, Acting Director of Planning & Environment – Liz Makin, Interim Director of Infrastructure & Assets – Steven Beasley, and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Turner declared a non-significant, non-pecuniary conflict of interest in Item 7.4 Yass Repertory Society – Request for Storage Assistance and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Turner declared an interest as he is married to the original applicant acting for the Yass Repertory.

Councillor Burgess declared a significant, non-pecuniary conflict of interest in Item 6.3 Development and stated that he believed his interest would preclude him from voting.

Reason: Councillor Burgess declared an interest as he was a previous business partner with the applicant and community perception.

Councillor Jones declared a significant, non-pecuniary conflict of interest in Item 7.4 Yass Repertory Society – Request for Storage Assistance and stated that she believed her interest would preclude her from voting.

Reason: Councillor Jones declared an interest as a business associate holds the current/former lease.

Councillor Jones declared a significant, pecuniary conflict of interest in Item 9.1 Public Notices and Advertising and stated that she believed her interest would preclude her from voting.

Reason: Councillor Jones declared an interest as she is the co-owner of the local newspaper Yass Valley Times.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 May 2020, resolution numbers 71-88 inclusive, be taken as read and confirmed.

(Turner/Reid) 89

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

5. Mayoral Minute

Nil

6. Director of Planning & Environment Reports

6.1 PLANNING PROPOSAL - 'COOLAWIN', 208 SIBLEY ROAD, GUNDAROO

SUMMARY

Presenting a report on a revised draft Planning Proposal seeking an amendment to the *Yass Valley Local Environmental Plan 2013* for part 208 Sibley Road, Gundaroo.

RESOLVED that :

- 1. Draft Planning Proposal (PP.2016.02) be endorsed and forwarded to the Minister for Planning & Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979 as the proposal:***
 - Is consistent with the objectives of the Gundaroo and Sutton Master Plans of containing the size and restricting the expansion of the village***
 - Provides a transition between the village zone and the primary production zone***
- 2. The Gundaroo Masterplan be revised/amended to include the subject land to accommodate rural residential development if the Planning Proposal is approved.***
- 3. That staff bring back to Council a report based on the Towns and Villages Study 2010 outlining arguments for and against the rezoning of the draft Planning Proposal (PP.2016.02).***

(Frost/Jones) 90

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

6.2 RYE PARK WIND FARM

SUMMARY

Approval for a 92 turbine wind farm at Rye Park was issued by the Independent Planning Commission in May 2017. An application to modify the Development Consent has been lodged seeking a reduction in the number of turbines and an increase in the size and height of the turbines.

RESOLVED that :

- 1. A submission be made to the Department of Planning, Industry & Environment indicating that the contributions for the Community Enhancement Fund (being established via a Voluntary Planning Agreement) be increased in line with the increase in the size and megawatt capacity of the turbines as per Council's adopted Community Enhancement Fund Policy.***
- 2. Council request a meeting with the Minister for Planning, Industry & Environment to voice Council's concerns over the Voluntary Planning Agreements and the timeframe for completion.***

(Frost/Turner) 91

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

At 04:38 pm Councillor Burgess left the Chambers.

6.3 DEVELOPMENT CONSENT NO DA190011C - RESIDENTIAL SUBDIVISION, 4056 & 4078 GUNDAROO ROAD, GUNDAROO

SUMMARY

Presenting the assessment of an application to modify Development Consent DA190011C for a 51 lot residential subdivision of 4056 and 4078 Gundaroo Road, Gundaroo. The application is presented to Council as it attracted 13 submissions. The proposal is generally consistent with the *Yass Valley Local Environmental Plan 2013*.

RESOLVED that :

- 1. A Deferred Commencement Development Consent be issued for Development Application No. DA190011C for the residential subdivision of 4056 and 4078 Gundaroo Road, Gundaroo.***
- 2. The requirement of confirmation from IPART that Council will not be appointed as retailer of last resort be removed.***

(Frost/Reid) 92

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

AGAINST: Nil

At 04:43 pm Councillor Burgess returned to the Chambers.

6.4 COMMUNITY GRANTS POLICY

SUMMARY

Proposing that the Community Grants Policy be revised to include criteria relating to the assessment of multiple applications in the event eligible applications exceed the Community Grants allocation.

RESOLVED that the Community Grants Policy be revised to include selection criteria relating to multiple applications.

(Burgess/Turner) 93

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

6.5 RATES & CHARGES DONATIONS POLICY

SUMMARY

Proposing the extension of Council's present *Rates & Charges Donations Policy* for an additional year, with the donations remaining at the same level as the donations made by Council in 2019/20.

RESOLVED that :

- 1. The application of the present Rates & Charges Donations Policy be extended to include the 2020/21 financial year.***
- 2. The Rates & Charges Donations approved for 2019/20 apply unchanged for the 2020/21 financial year.***

(Burgess/Turner) 94

7. Director of Infrastructure & Assets Reports

7.1 GUNDAROO DETENTION BASIN SCHEME - CONCEPT DESIGN AND SUTTON STORMWATER NETWORK UPGRADE SCHEME - CONCEPT DESIGN REPORT

SUMMARY

The adopted Flood Plain Risk Management Plans and Studies for Gundaroo and Sutton identified the installation of a detention basin in Gundaroo and detention basin and associated drainage network in Sutton as high priority actions to reduce the risk and impact of flood damage. The concept designs and associated reports for these actions have been completed and are presented to Council for information.

RESOLVED that :

- 1. Grant funding options be investigated to finalise and construct the identified detention infrastructure at Gundaroo and drainage infrastructure at Sutton.**
- 2. Ngambri Local Aboriginal Land Council and NSW Aboriginal Land Council be informed of the proposed detention basin and drainage infrastructure at Gundaroo.**

(McManus/Turner) 95

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7.2 KERBSIDE COLLECTION SURVEY RESULTS - GUNDAROO, SUTTON AND BOOKHAM

SUMMARY

Presenting a report on the outcome of a recent survey on the potential establishment of kerbside waste and recycling collections service to Gundaroo, Sutton and Bookham.

RESOLVED that Council operated kerbside waste and recycling collections to Gundaroo, Sutton and Bookham not be implemented.

(Burgess/Harker) 96

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

7.3 YASS MEMORIAL HALL COMMUNITY CONSULTATION OUTCOMES REPORT

SUMMARY

Presenting the outcomes of the consultation report on the future use of the Yass Memorial Hall undertaken by Elton Consulting.

RESOLVED that consideration of the report on the outcomes from the consultation report on the future use of the Memorial Hall be deferred pending comments from the Yass Soldiers' Memorial Hall Committee.

(Frost/Turner) 97

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

At 04:50 pm Councillor Jones left the Meeting.

7.4 YASS REPERTORY SOCIETY - REQUEST FOR STORAGE ASSISTANCE

SUMMARY

Council has received a request from Yass Repertory Society seeking assistance to store their wardrobe (costumes), flats and lighting free of charge for a period of 12 – 18 months. This request is made due to COVID-19 restrictions in staging productions.

RESOLVED that :

- 1. Storage space be made available to Yass Repertory Society at the Yass Community Centre.**
- 2. The storage fee be \$1.50 per day for six months with the options of:**
 - Deferring payments until the Yass Repertory Society are able to recommence productions.**
 - Extending the hire period in the event of any continuing COVID-19 restrictions.**

(Harker/Reid) 98

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, M McManus, M Reid and K Turner

AGAINST: Nil

At 04:51 pm Councillor Jones returned to the Meeting.

8. Director of Corporate & Community Reports

8.1 2020/21 OPERATIONAL PLAN (INCLUDING MAKING OF THE RATES)

SUMMARY

In April 2020, Council resolved that the Draft 2020/21 Operational Plan be placed on public exhibition from Thursday 30 April 2020 to Wednesday 27 May 2020. This was undertaken and submissions were received, considered by staff and recommendations for amendments to the plans noted in the submissions summary.

In addition to the adoption of the Operational Plan, Council must, each year, 'make' the rates and charges by resolution.

RESOLVED that :

- 1. The 2020/21 Operational Plan be adopted as amended following consideration of the submissions received.**
- 2. Makes the annual Ordinary Rates for 2020/21 be made as detailed in the following table and in accordance with the Statement of Revenue Policy within the 2020/21 Operational Plan.**

| CATEGORY | ASSESS | SUB - CATEGORY | AD VALOREM | MINIMUM CHARGE | BASE CHARGE | INCOME |
|-------------|--------|----------------|------------|----------------|-------------|-------------|
| Farmland | 1,462 | | 0.0018029 | | \$687.00 | \$4,319,456 |
| Residential | 2,565 | Non-Urban | 0.0017694 | | \$448.00 | \$3,511,507 |
| Residential | 2,413 | Yass | 0.0037375 | \$681.00 | | \$1,893,712 |

| | | | | | | |
|---------------------|------------|----------------------------------|------------------|-----------------|-----------------|---------------------|
| <i>Residential</i> | <i>200</i> | <i>Binalong</i> | <i>0.0032515</i> | <i>\$681.00</i> | | <i>\$136,981</i> |
| <i>Residential</i> | <i>111</i> | <i>Bowning</i> | <i>0.0032515</i> | <i>\$681.00</i> | | <i>\$76,611</i> |
| <i>Residential</i> | <i>44</i> | <i>Wee Jasper</i> | <i>0.0032515</i> | <i>\$681.00</i> | | <i>\$29,964</i> |
| <i>Residential</i> | <i>16</i> | <i>Bookham</i> | <i>0.0032515</i> | <i>\$681.00</i> | | <i>\$10,896</i> |
| <i>Residential</i> | <i>212</i> | <i>Murrumbateman</i> | <i>0.0024761</i> | <i>\$681.00</i> | | <i>\$182,827</i> |
| <i>Residential</i> | <i>187</i> | <i>Gundaroo</i> | <i>0.0024761</i> | <i>\$681.00</i> | | <i>\$172,852</i> |
| <i>Residential</i> | <i>65</i> | <i>Sutton</i> | <i>0.0024761</i> | <i>\$681.00</i> | | <i>\$72,022</i> |
| <i>Business</i> | <i>15</i> | <i>Sutton & Gundaroo</i> | <i>0.0017694</i> | | <i>\$448.00</i> | <i>\$17,924</i> |
| <i>Business</i> | <i>259</i> | <i>Yass & Other Villages</i> | <i>0.0088455</i> | <i>\$681.00</i> | | <i>\$835,707</i> |
| TOTAL INCOME | | | | | | \$11,260,460 |

3. That Council make each annual and consumption charge for water, sewer, liquid trade waste and waste for 2020/21 be made as detailed in the following table and in accordance with the Statement of Revenue Policy.

| <i>Description</i> | <i>Annual Charge</i> | <i>Consumption Charge (Per kilolitre)</i> |
|---|----------------------|---|
| WATER CHARGES | | |
| <i>Yass Water Availability Charge 20mm-32mm</i> | <i>\$490.00</i> | |
| <i>Murrumbateman Water Availability Charge 20mm-32mm</i> | <i>\$490.00</i> | |
| <i>Water Usage Charge per kilolitre for the first 5Kl per day</i> | | <i>\$3.50</i> |
| Description | Annual Charge | Consumption Charge (Per kilolitre) |
| <i>Water Usage Charge per kilolitre in excess of 5Kl per day</i> | | <i>\$4.60</i> |
| SEWER CHARGES | | |
| <i>Sewer Residential Charge</i> | <i>\$720.00</i> | |
| <i>Sewer Non-Residential Charge (based on previous years)</i> | <i>Minimum \$720</i> | <i>\$3.10</i> |
| TRADE WASTE CHARGE | | |
| <i>Liquid Trade Waste charge (per kilolitre based on water consumption) with appropriate pre treatment</i> | | <i>\$2.15</i> |
| <i>Liquid Trade Waste charge (per kilolitre based on water consumption) without appropriate pre-treatment</i> | | <i>\$20.00</i> |
| WASTE MANAGEMENT CHARGES | | |
| <i>Domestic Kerbside Collection</i> | <i>\$407.00</i> | |
| <i>Vacant Properties</i> | <i>\$30.00</i> | |
| <i>Business Waste Collection</i> | <i>\$407.00</i> | |
| <i>Waste Management Environmental Charge</i> | <i>\$123.00</i> | |
| STORMWATER MANAGEMENT CHARGE | | |
| <i>Stormwater Management Charge</i> | <i>\$25.00</i> | |
| ON SITE SEWAGE MANAGEMENT CHARGE | | |

| | | |
|---------------------------------|---------|--|
| On Site Sewer Management Charge | \$35.00 | |
|---------------------------------|---------|--|

4. *Interest rate payable on overdue rates and charges to be set at the maximum rate specified by the Minister for Local Government at 0.0% pa for the period 1 July 2020 to 31 December 2020, then it reverts to 7.0% pa for the period 1 January 2021 to 30 June 2021.*
5. *A review process for the rating categories, ad valorem rate, minimum charge and base charge be commenced in the first quarter of the 2020/21 financial year and taken into consideration as part of the process for the preparation of the 2021/22 Operational Plan.*

(Jones/Turner) 99

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

8.2 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with the Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 30 April 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 31 May 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.

(Burgess/Furry) 100

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid and K Turner

AGAINST: Nil

9. General Manager Reports

At 05:02 pm Councillor Jones left the Meeting.

9.1 PUBLIC NOTICES AND ADVERTISING

SUMMARY

To present a report on legislative changes to the need for Local Government to advertising in newspapers. A move to on-line notices on Council's web site is recommended.

RESOLVED that Council public notices and advertising be notified on Council web site and where appropriate the NSW Planning Portal, except where required by the Roads Act.

(Harker/McManus) 101

FOR: Councillors R Abbey, C Burgess, N Furry, A Harker, M McManus and M Reid

AGAINST: Councillors G Frost and K Turner

FORESHADOWED MOTION - LAPSED

That:

1. *Council notes its long and happy association with Yass Tribune staff and wishes them well in their future endeavours;*
2. *Yass Valley Council continue to place advertisements and notices in local printed newspapers while this is practicable;*
3. *All advertising and notices that would have been placed in the Yass Tribune under previous arrangements now be placed in the Yass Valley Times;*
4. *If another Yass Valley based local printed newspaper emerges or the Yass Tribune returns to print, a report be immediately be brought back to Council; and,*
5. *Council continue to engage with all local media on relevant news and information issues.*

(G Frost/)

At 05:15 pm Councillor Jones returned to the Meeting.

10. Notice of Motion

Nil

11. Questions with Notice

Nil

12. Minutes and Recommendations of Council Committees

**12.1 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION BOARD MEETING
HELD ON 13 MAY 2020**

RESOLVED that the Minutes of the Meeting of the CRJO Board held on 13 May 2020 be noted.

(Burgess/Harker) 102

FOR: Councillors R Abbey, C Burgess, G Frost, N Furry, A Harker, J Jones, M McManus, M Reid
and K Turner

AGAINST: Nil

13. Confidential Matters

Nil

The meeting closed at 5.20 pm.

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Rowena Abbey
Mayor