



Ordinary Meeting of Council

**Wednesday 22 July 2020
4.00pm
Council Chambers
209 Comur Street, Yass**

**Police Presentation – Yass Local Area
A/g Inspector Dave Cowell**

PRAYER:

All Stand:

Mayor:

Let us be still and remember the presence of God. As we commence our meeting let us together pray for guidance and help.

All say together:

Almighty God, we ask your blessing upon this Council.

Direct and prosper our deliberations to the true welfare of Australia and the people of Yass Valley Amen.

FUTURE MEETINGS

August 2020

Wednesday 26th

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

Page No.

Webcasting

This meeting is being webcast, a reminder to those in attendance that you should refrain from making any defamatory statements.

Acknowledgement of Country

I acknowledge that we are meeting on the ancestral land of the Ngunnawal people. I recognise the Ngunnawal as the traditional custodians and pay respect to the Elders of the community and their descendants.

1. Prayer	
2. Apologies	
3. Declaration of Pecuniary Interests/Special Disclosures	
4. Confirmation of Minutes	
Minutes of Ordinary Council Meeting held on 24 June 2020	5
5. Mayoral Minute	
6. Director of Planning & Environment Reports	
6.1 2020/21 Local Heritage Grant Program	16
7. Director of Infrastructure & Assets Reports	
7.1 Fixing Local Roads Grant Program	20
7.2 Local Roads and Community Infrastructure Program.....	25
7.3 Expression of Interest YVC/IA/04.2020 - Operation of Reuse/Recycle Facility	29
7.4 Gundaroo Cemetery Fence	31
8. Director of Corporate & Community Reports	
8.1 Investment and Borrowings Report.....	34
8.2 Councillor Fees 2020/21	38
8.3 Write Off Debt.....	64
9. General Manager Reports	
Nil	
10. Notice of Motion	
10.1 Notice of Motion - Safety Barriers, Burley Griffin Way, Binalong.....	66
11. Questions with Notice	
11.1 Questions with Notice - Cr Geoff Frost	67
12. Minutes and Recommendations of Council Committees	
12.1 Minutes of the Local Emergency Management Committee and Rescue Committee meetings.....	69

13. Confidential Matters

Nil

Close of Meeting Time

Chris Berry
GENERAL MANAGER



Minutes of the Ordinary Meeting of Council

Wednesday 24 June 2020

4.00pm

Council Chambers

209 Comur Street, Yass

Table of Contents

1.	Prayer	2
2.	Apologies	2
3.	Declaration of Interest/Disclosures	2
4.	Confirmation of Minutes	3
5.	Mayoral Minute.....	3
6.	Director of Planning & Environment Reports	3
6.1	Planning Proposal - 'Coolawin', 208 Sibley Road, Gundaroo	3
6.2	Rye Park Wind Farm.....	4
6.3	Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo	4
6.4	Community Grants Policy.....	5
6.5	Rates & Charges Donations Policy	5
7.	Director of Infrastructure & Assets Reports	5
7.1	Gundaroo Detention Basin Scheme - Concept Design and Sutton Stormwater Network Upgrade Scheme - Concept Design Report.....	5
7.2	Kerbside Collection Survey Results - Gundaroo, Sutton and Bookham.....	6
7.3	Yass Memorial Hall Community Consultation Outcomes Report	6
7.4	Yass Repertory Society - Request for Storage Assistance	7
8.	Director of Corporate & Community Reports	7
8.1	2020/21 Operational Plan (including Making of the Rates).....	7
8.2	Investment and Borrowings Report.....	9
9.	General Manager Reports	9
9.1	Public Notices and Advertising.....	9
10.	Notice of Motion	10
11.	Questions with Notice.....	10
12.	Minutes and Recommendations of Council Committees.....	10
12.1	Minutes of the Canberra Region Joint Organisation Board Meeting held on 13 May 2020	10
13.	Confidential Matters.....	10

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
Residential	200	Binalong	0.0032515	\$681.00		\$136,981

Minutes of the Ordinary Meeting of Council held on 24 June 2020

<i>Residential</i>	111	<i>Bowling</i>	0.0032515	\$681.00		\$76,611
<i>Residential</i>	44	<i>Wee Jasper</i>	0.0032515	\$681.00		\$29,964
<i>Residential</i>	16	<i>Bookham</i>	0.0032515	\$681.00		\$10,896
<i>Residential</i>	212	<i>Murrumbateman</i>	0.0024761	\$681.00		\$182,827
<i>Residential</i>	187	<i>Gundaroo</i>	0.0024761	\$681.00		\$172,852
<i>Residential</i>	65	<i>Sutton</i>	0.0024761	\$681.00		\$72,022
<i>Business</i>	15	<i>Sutton & Gundaroo</i>	0.0017694		\$448.00	\$17,924
<i>Business</i>	259	<i>Yass & Other Villages</i>	0.0088455	\$681.00		\$835,707
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>	\$490.00	
<i>Murrumbateman Water Availability Charge 20mm-32mm</i>	\$490.00	
<i>Water Usage Charge per kilolitre for the first 5Kl per day</i>		\$3.50
<i>Description</i>	<i>Annual Charge</i>	<i>Consumption Charge (Per kilolitre)</i>
<i>Water Usage Charge per kilolitre in excess of 5Kl per day</i>		\$4.60
SEWER CHARGES		
<i>Sewer Residential Charge</i>	\$720.00	
<i>Sewer Non-Residential Charge (based on previous years)</i>	Minimum \$720	\$3.10
TRADE WASTE CHARGE		
<i>Liquid Trade Waste charge (per kilolitre based on water consumption) with appropriate pre treatment</i>		\$2.15
<i>Liquid Trade Waste charge (per kilolitre based on water consumption) without appropriate pre-treatment</i>		\$20.00
WASTE MANAGEMENT CHARGES		
<i>Domestic Kerbside Collection</i>	\$407.00	
<i>Vacant Properties</i>	\$30.00	
<i>Business Waste Collection</i>	\$407.00	
<i>Waste Management Environmental Charge</i>	\$123.00	
STORMWATER MANAGEMENT CHARGE		
<i>Stormwater Management Charge</i>	\$25.00	
ON SITE SEWAGE MANAGEMENT CHARGE		
<i>On Site Sewer Management Charge</i>	\$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

Minutes of the Ordinary Meeting of Council held on 24 June 2020

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.

.....
Rowena Abbey
Mayor

6.1 2020/21 LOCAL HERITAGE GRANT PROGRAM

SUMMARY

To present a report on the completion of the 2019/20 Local Heritage Grants and the recommendations from the 2020/21 Local Heritage Grants Assessment Panel.

RECOMMENDATION

That:

1. *The expenditure and reimbursement for the 2019/20 Local Heritage Grants Program be noted.*
2. *The following funding be provided under the 2020/21 Local Heritage Grant Program:*

<i>The Binalong Court House</i>	<i>\$4,000</i>
<i>The Binalong Mechanics Institute</i>	<i>\$2,900</i>
<i>The Royal Hotel Binalong</i>	<i>\$3,200</i>
<i>St Patricks Church Binalong</i>	<i>\$3,500</i>
<i>Uniting Church Yass</i>	<i>\$4,000</i>
<i>Sutton Public School</i>	<i>\$1,400</i>

3. *In the event that a project listed above does not proceed, funding to a maximum of \$4,000 be provided to 46 Orion Street Yass.*

FINANCIAL IMPLICATIONS

In June 2019, Council accepted a two year funding offer from the NSW Heritage for 2019/20 and 2020/21 of 1:1 up to \$5,500 (ex GST) per year. In 2019/20 Council contributed \$13,500 towards a total budget of \$19,000.

POLICY & LEGISLATION

- *Yass Valley Local Environmental Plan 2013*
- *Local Heritage Grants Policy*
- *Heritage Strategy 2017-2020*

REPORT

Each year Council with the assistance from Heritage NSW, facilitates an annual Local Heritage Grant Program. The funding offered to Council from Heritage NSW varies from year to year.

In May 2019, Council accepted a two year funding offer for 2019/20 and 2020/21 of 1:1 up to \$5,500 (ex GST) per year. In 2019/20 and 2020/2021 Council contributed \$13,500 towards a total annual budget of \$19,000.

2019/20 Local Heritage Grant Program

As part of the 2019/20 Local Heritage Grants program six grants were awarded with projects successfully completed. The types of work undertaken included painting and restoration work.

At the completion of the 2019/20 program \$19,000 was awarded to six applicants that successfully completed the program as detailed below:

Heritage Item Address	Project description	Project cost	Applicant's contribution	Local Heritage Funding
33 Fitzroy Street Binalong	Preparation and painting of the exterior of the residence	\$8,000.00	\$4,000.00	\$4,000.00
St Columba's Church 20 Fagan Drive Bookham	Replace the roof of St Columba's Catholic Church	\$23,328.04	\$19,328.04	\$4,000.00
The Caledonia Store 32 Cork Street Gundaroo	Restore the verandah adding a new balustrade	\$4,025.97	\$2,650.97	\$1,375.00
Gundaroo Literacy Institute, 27 Cork Street, Gundaroo	Preparation and painting of external walls and to upgrade electrical items	\$3,669.98	\$1,944.98	\$1,725.00
"Muirhead" 71 Bendenine Road Binalong	Preparation and painting of the exterior of the residence	\$7,800.00	\$3,900.00	\$3,900.00
The Old Bank Building 30-32 Fitzroy Street Binalong	Restoration of the Old Bank Building	\$33,108.46	\$29,108.46	\$4,000.00
TOTAL		\$79,932.45	\$60,932.45	\$19,000.00

2020/2021 Local Heritage Grant Program

This year's Local Heritage Program received nine applications. A panel comprising of Council's Heritage Advisor, Strategic Planning Manager and Cr Frost assessed all applications against the Local Heritage Grants Policy.

Declarations of pecuniary and non-pecuniary interests were determined prior to assessment. No interests were declared by Panel Members.

A summary of the Assessment Panel's findings are included in **Attachment A**.

The Panel recommends that the following applications be offered funding under the 2020/21 Local Heritage Grants Program:

Heritage Item Address	Project Description	Proposed Project Cost	Requested Funding	Recommended Funding
Binalong Court House Queen Street, Binalong	Restore the front entry of the Courthouse and the courtroom flooring	\$9,535	\$4,000	\$4,000
Binalong Mechanics Institute 15 Wellington Street, Binalong	Prepare and paint timber window frames, barge boards, wooden doors and steel hand rails	\$5,800	\$2,900	\$2,900
The Royal Hotel 11 Queen Street,	Improve drainage on the street side of building and	\$6,420	\$3,200	\$3,200

Binalong	preparation and paint windows and posts			
St Patricks Church Binalong Monteagle Street, Binalong	Restoration of stain glass windows to the back of the church	\$56,695	\$4,000	\$3,500
Uniting Church Yass 2 Cliff Street, Yass	Prepare and paint timber fascia boards	\$11,650	\$5,500	\$4,000
Sutton Public School 18 Victoria Street, Sutton	Install an interpretive board to record the history of the school – 150 years in 2021	\$2,817	\$1,408	\$1,400
			Total	\$19,000

There were three grant applications, which were lodged that the Panel determined should not be eligible for funding in 2020/21 ie:

- Interpretive sign for Sutton Waterwise garden**
The proposed project does not fit with the terms of the grant program. It is suggested that this project may align more closely with the Community Grants program.
- Binalong Post Office**
Due to the number of applications received – particularly in Binalong, this application was the lowest priority as alternative funding is available through rental income and the ability to claim the project on tax.
- ‘Benochy’ – 46 Orion Street Yass**
An application was lodged without sufficient supporting information about the proposed solution for the cracks in the walls or with any discussion with the Heritage Advisor. However, it was suggested that the project has sufficient merit and if any of the successful applicants do not progress with their projects, funding could be reallocated to this, subject to provision of heritage advice and/or supporting information.

STRATEGIC DIRECTION

Key Pillar 3. Our Community

CSP Strategy CO4 - Recognise and celebrate our diverse cultural identities, and protect and maintain our community’s natural and built cultural heritage

Delivery Program Action CO4.3 - Continue the local Heritage Grants Program

Operational Plan Activity CO4.3.1 - Encourage owners of local heritage properties to seek funding for small conservation projects

ATTACHMENTS: A. 2020-21 Assessment Matrix  

Yass Valley Local Heritage Grants - 2020/2021 Assessment

Applicant	Property	Project	Initial project quote	Funding sought	Extent of previous funding	Heritage Significance *Listed in Yass Valley LEP 2013 Heritage Schedule *In Heritage Conservation Area Y/N (If No, project not eligible)	Is Application for retrospective financing? Y/N (If Yes, project not eligible)	Does the project require Development Consent/Approval under the LG Act? (If yes, evidence of approval?)	Is the project objective clear?	Is the project clear in its design and how it will be implemented?	Is the project clear how it will contribute to Community Strategic Plan 2016-36? Recognise and celebrate our diverse cultural identities and protect and maintain our communities..... Built heritage."	Is the budget / quote clear?	The capacity of the organisation/landowner to successfully undertake the project or initiative?	Is there an alternative source of funding?	Has the applicant advised they are recipient of the Age Pension	Comments	Recommended Funding Offer
Sutton and District Community Association	Sutton Recreation Ground	Install an interpretive board recording the history of the water wise garden and ephemeral wetland at Sutton Oval	\$2817.00 + volunteer hours	\$1,550	Funding in 2018/2019 (not for this project/property)	No	No	Possibly	Yes	Yes	Yes	Yes	Yes	Community Grant?	No	The proposed work does not fit with the terms of the grant program as outlined in the Local Heritage Grants Policy. It is suggested that this project would be more appropriately considered within the Community Grants program.	Nil
Libby Elliot	Binalong Courthouse	Restore front entry and courtroom flooring	\$9,535	\$4,000	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	These changes to the courthouse will ensure access to the courtroom and will go towards an overall restoration of the courthouse	\$4,000
Alison and Benjamin Spencer	Binalong Post Office	Repaint the roof of Binalong post office and residence	\$6,490	\$3,500	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No	The owners of the post office rent out the residence and also the Post Office so a source of income. The project is also able to be considered as a tax deduction.	Nil
Belinda Pigram	Binalong Mechanics Institute	Prep and paint exterior timber window frames, barge boards, doors and hand rails	\$5,800	\$2,900	Funding in 2015/2016	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	Painting the the outside of the institute will keep with character of the building whilst also preserving the timber. Note: the grant will be offered in line with the quote provided.	\$2,900
Greg Weller	Royal Hotel Binalong	Improve drainage on the street side and prep and paint windows and posts	\$6,420	\$3,200	Funding in 2016/2017	Yes	No	Will require approval for works in road reserve	Yes	Yes	Yes	Yes	?	No	No	It will prevent further water damage to the building but is subject to approval for works in the road reserve	\$3,200
Rebecca and Jamie Duncan	Benochy - 46 Orion Street Yass	Repair structural damage (cracks) in front wall	\$10,406	\$4,000	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	An application was lodged without sufficient supporting information about the proposed solution for the cracks in the walls or without any discussion with the Heritage Advisor. If another project does not proceed, funding could be reallocated pending advice and information.	Nil
Jackie Groom	St Patricks Church Binalong	Restoration of stained glass windows to the back of the church	\$56,695	\$4,000	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	The restoration work of the windows is important to the Community and to future generations that may visit the church.	\$3,500
Ruth Thompson	Uniting Church Yass	Prep and paint timber fascia boards	\$11,650	{5,500} \$4000	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	This building is in need of a significant amount of restoration works, particularly as it is now the focus of Uniting Church worship in the area.	\$4,000
Clare Sullivan	Sutton Public School	Interpretive board to record the history of the school - 150 years in 2021	2817	1408	No previous funding in past 5 years	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	No	This project would be extremely beneficial in promoting a positive attitude toward heritage within the Sutton Community and it is a great opportunity for the children of the school to be involved in the project as the school has plans to celebrate its 150th year.	\$1,400
TOTAL																19,000	

7.1 FIXING LOCAL ROADS GRANT PROGRAM

SUMMARY

Grant funding has been received to value of \$5,540,000 under the NSW Fixing Local Roads Grant Program Round 1 for resealing of 56km and rehabilitation of 8km of local roads.

RECOMMENDATION

That:

1. *The grant for \$2,395,000 under the NSW Fixing Local Road Grant Program Round 1 be accepted for the resealing of 56km of Council's local road network.*
2. *A \$350,000 Council contribution, as required by the grant approval, be allocated from the Development Contributions Reserve.*
3. *The grant for \$3,145,000 under the NSW Fixing Local Road Grant Program Round 1 be accepted for the rehabilitation of 8kms of Council's local road network.*
4. *A \$450,000 Council contribution, as required by the grant approval, be allocated from the Development Contributions Reserve.*
5. *The projects be included in the 2020/21 Operational Plan at the 1st quarter review.*

FINANCIAL IMPLICATIONS

Council's Development Contribution Reserve balance is current \$5.5M. A total contribution of \$800,000 to these projects would reduce this Reserve to \$4.7M.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

In late 2019 the NSW Government made a \$500M commitment to improve council roads across rural and regional NSW under the Fixing Local Roads Program. Recently this program has received an additional \$191M from the Australian Government.

This program was unique in that it was specifically aimed at providing funding to councils to repair, maintain and seal local roads whereas most previous funding programs were premised on asset upgrades with a particular emphasis on improving freight connectivity. The program objective was to support well-maintained, reliable and safe roads and to assist councils to sustainably manage their assets.

In December 2019 Council submitted two funding applications under the Fixing Local Roads Program Round 1. This program requires that all work be completed within 24 months.

The two applications were based on improving Council's local road network by supplementing and supporting the two primary annual asset renewal activities normal undertaken by Council:

- Resealing – details of roads to be resealed (refer **Attachment A**)
- Rehabilitation – details of roads to be rehabilitated (refer **Attachment B**)

The two applications were prepared utilising Council's asset management software that utilised actual sealed road condition parameters to develop a program of work that optimises the sealed road network condition rating.

Application	Project Deliverables	Funding			Cashflow	
		Total	Grant	Council	2020/21	2021/22
1	Resealing 56 km of local roads	\$2,745,000	\$2,395,000	\$350,000	\$1,310,000	\$1,435,000
2	Rehabilitating 8 km of sealed roads	\$3,595,000	\$3,145,000	\$450,000	\$1,550,000	\$1,795,000

It is noted that the grant funding is to supplement Council’s current programs. As per the recently adopted 2020/21 Operational Plan Council has already committed the following funding for local roads:

- Resealing – various roads - \$695,000
- Rehabilitation – Dog Trap Road Segment 7b - \$460,000

Council has recently been advised that it has been successful in both applications. It is recommended that Council accepts both grant offers and sources its contribution funding requirements from the Development Contribution Reserve.

STRATEGIC DIRECTION

Key Pillar 4. Our Infrastructure

CSP Strategy IN3 - Maintain and improve road infrastructure and connectivity

Delivery Program Action IN3.1 - Deliver transport asset infrastructure, maintenance, renewal and enhancement programs for urban, rural and regional roads to maintain or improve overall condition

Operational Plan Activity IN3.1.1 - Develop and deliver annual programs for urban, rural and regional road renewal and construction, including bridges and stormwater

- ATTACHMENTS:**
- A. Fixing Local Roads Grant - Proposed Resealing Program  
 - B. Fixing Local Roads Grant - Proposed Rehabilitation Program  

7.1 Fixing Local Roads Grant Program
Attachment A Fixing Local Roads Grant - Proposed Resealing Program

Asset ID	Road Name	Suburb	Chainage From	Chainage To	Asset Class	Segment Location	Treatment Name
1200-1	Keirs Road	Murrumbateman	0	1.007	Rural Sealed		Spray Seal
1600-25	Mountain Creek Rd	Wee Jasper	0	0.981	Rural Sealed		Spray Seal
1600-7	Mountain Creek Rd	Wee Jasper	0	1.003	Rural Sealed		Spray Seal
1847-1	Broughton Circuit	Murrumbateman	0	1.01	Rural Sealed		Spray Seal
1847-2	Broughton Circuit	Murrumbateman	0	0.997	Rural Sealed		Spray Seal
1847-3	Broughton Circuit	Murrumbateman	0	0.376	Rural Sealed		Spray Seal
1880-1	Pollux Street	Yass	0	0.219	Urban Sealed	Laidlaw St to Glebe St	Spray Seal
1880-2	Pollux Street	Yass	0	0.314	Urban Sealed	Glebe St to Hume St	Spray Seal
1880-3	Pollux Street	Yass	0	0.134	Urban Sealed	Hume St to Ford St	Spray Seal
1880-5	Pollux Street	Yass	0	0.234	Urban Sealed	O'Brien St to Hovell St	Spray Seal
1945-1	Red Gum Drive	Yass	0	0.705	Rural Sealed		Spray Seal
2070-1	Shearsby Crescent	Yass	0	1	Rural Sealed		Spray Seal
2190-1	East Tallagandra Lane	Gundaroo	0	0.996	Rural Sealed		Spray Seal
2190-2	East Tallagandra Lane	Gundaroo	0	1.002	Rural Sealed		Spray Seal
2190-3	East Tallagandra Lane	Gundaroo	0	1.004	Rural Sealed		Spray Seal
2190-5	East Tallagandra Lane	Gundaroo	0	1.003	Rural Sealed		Spray Seal
2320-10	Wargeila Road	Bowning	0	1.004	Rural Sealed		Spray Seal
2320-12	Wargeila Road	Bowning	0	1.005	Rural Sealed		Spray Seal
2320-6	Wargeila Road	Yass	0	1.003	Rural Sealed		Spray Seal
2320-7	Wargeila Road	Bowning	0	1.01	Rural Sealed		Spray Seal
2485-2	Cooks Hill Road	Yass	0	1.005	Rural Sealed		Spray Seal
2485-3	Cooks Hill Road	Yass	0	0.995	Rural Sealed		Spray Seal
2485-5	Cooks Hill Road	Yass	0	0.998	Rural Sealed		Spray Seal
2485-8A	Cooks Hill Road	Yass	0	0.826	Rural Sealed		Spray Seal
2524-1	Brooklands Road	Gundaroo	0	1.001	Rural Sealed		Spray Seal
2524-2	Brooklands Road	Gundaroo	0	1.006	Rural Sealed		Spray Seal
2524-3-S	Brooklands Road	Gundaroo	0	0.298	Rural Sealed		Spray Seal
2534-2-S	Oakey Creek Road	Gundaroo	0	0.932	Rural Sealed		Spray Seal
260-11	Black Range Road	Yass	0	1.002	Rural Sealed		Spray Seal
260-12	Black Range Road	Yass	0	1.003	Rural Sealed		Spray Seal
260-13-S	Black Range Road	Yass	0	0.091	Rural Sealed		Spray Seal
260-3	Black Range Road	Yass	0	0.988	Rural Sealed		Spray Seal
290-1	Blakney Creek Road	Yass	0	1	Rural Sealed		Spray Seal
290-2	Blakney Creek Road	Yass	0	1.005	Rural Sealed		Spray Seal
365-1	Bowning Road	Bowning	0	0.64	Rural Sealed		Spray Seal
365-5	Bowning Road	Bowning	0	0.099	Urban Sealed	Red Hill Rd to Playfair St	Spray Seal

7.1 Fixing Local Roads Grant Program
Attachment A Fixing Local Roads Grant - Proposed Resealing Program

Asset ID	Road Name	Suburb	Chainage From	Chainage To	Asset Class	Segment Location	Treatment Name
365-6	Bowning Road	Bowning	0	0.298	Urban Sealed	Playfair St to Short St	Spray Seal
365-8	Bowning Road	Bowning	0	0.117	Urban Sealed	Short St to Silver St	Spray Seal
365-9	Bowning Road	Bowning	0	0.193	Urban Sealed	Silver St to Montem St	Spray Seal
490-1	Childowla Road	Bowning	0	1.006	Rural Sealed		Spray Seal
490-2	Childowla Road	Bowning	0	1.007	Rural Sealed		Spray Seal
490-3	Childowla Road	Bowning	0	1.009	Rural Sealed		Spray Seal
490-4	Childowla Road	Bowning	0	1	Rural Sealed		Spray Seal
490-5	Childowla Road	Bowning	0	1.004	Rural Sealed		Spray Seal
490-6	Childowla Road	Bowning	0	1.007	Rural Sealed		Spray Seal
490-7	Childowla Road	Bowning	0	1	Rural Sealed		Spray Seal
490-8	Childowla Road	Bowning	0	1.012	Rural Sealed		Spray Seal
490-9	Childowla Road	Bowning	0	1.009	Rural Sealed		Spray Seal
515-1	Clydesdale Close	Murrumbateman	0	0.669	Rural Sealed		Spray Seal
550-1	Coolalie Road	Yass	0	1.022	Rural Sealed		Spray Seal
550-2	Coolalie Road	Yass	0	1	Rural Sealed		Spray Seal
550-5	Coolalie Road	Yass	0	1	Rural Sealed		Spray Seal
550-6	Coolalie Road	Yass	0	1.008	Rural Sealed		Spray Seal
550-7-S	Coolalie Road	Yass	0	0.681	Rural Sealed		Spray Seal
560-3	Caves Road	Wee Jasper	0	1.007	Rural Sealed		Spray Seal
560-4	Caves Road	Wee Jasper	0	1.004	Rural Sealed		Spray Seal
560-6	Caves Road	Wee Jasper	0	0.393	Rural Sealed		Spray Seal
690-1	Dicks Creek Road	Murrumbateman	0	1.005	Rural Sealed		Spray Seal
690-2	Dicks Creek Road	Murrumbateman	0	0.982	Rural Sealed		Spray Seal
690-3-S	Dicks Creek Road	Murrumbateman	0	0.552	Rural Sealed		Spray Seal
710-12	Dog Trap Road	Murrumbateman	0	0.998	Rural Sealed		Spray Seal
710-3	Dog Trap Road	Yass	0	0.997	Rural Sealed		Spray Seal
710-4	Dog Trap Road	Yass	0	1.009	Rural Sealed		Spray Seal
710-5	Dog Trap Road	Murrumbateman	0	1	Rural Sealed		Spray Seal
710-6a	Dog Trap Road	Murrumbateman	0	0.362	Rural Sealed		Spray Seal
710-8	Dog Trap Road	Murrumbateman	0	1.006	Rural Sealed		Spray Seal
710-9	Dog Trap Road	Murrumbateman	0	1.018	Rural Sealed		Spray Seal
715-1	Dorset Drive	Murrumbateman	0	0.82	Rural Sealed		Spray Seal

56.091

7.1 Fixing Local Roads Grant Program
 Attachment B Fixing Local Roads Grant - Proposed Rehabilitation Program

Asset ID	Road surface area	Suburb	Chainage From	Chainage To	Segment length	Road Name	Asset Class	Treatment Name
350-6	6500	Bowning	0	1.01	1.01	Illalong Road	Rural Sealed	Rehabilitation
350-7	6500	Bowning	0	1.016	1.016	Illalong Road	Rural Sealed	Rehabilitation
2480-4	6400	Murrumbateman	0	1.008	1.008	Yass River Road	Rural Sealed	Rehabilitation
2480-6	6400	Murrumbateman	0	0.93	0.93	Yass River Road	Rural Sealed	Rehabilitation
370-3	6000	Bowning	0	1.008	1.008	Walls Junction Road	Rural Sealed	Rehabilitation
630-1	6370	Yass	0	0.919	0.919	Cusack Place	Rural Sealed	Rehabilitation
810-2	7000	Yass	0	0.996	0.996	Faulder Avenue	Rural Sealed	Rehabilitation
950-9	6600	Yass	0	1.034	1.034	Good Hope Road	Rural Sealed	Rehabilitation
					7.921			

7.2 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

SUMMARY

To determine the allocation of funds of \$857,227 provided by Australian Government under the Local Roads and Community Infrastructure (LRCI) Program.

RECOMMENDATION

That:

1. *The Local Roads and Community Infrastructure Program grant for the amount of \$857,227 be accepted.*
2. *The projects listed in this report be delivered utilising this grant fund.*

FINANCIAL IMPLICATIONS

Nil – all works will be funded by the LRCI grant program

POLICY & LEGISLATION

Grant Agreement with Commonwealth Department of Infrastructure, Transport, Regional Development and Communications.

REPORT

The Local Roads & Community Infrastructure (LRCI) Program aims to assist a community led recovery from COVID-19 by supporting local jobs, firms and procurement. It is expected Councils, where possible will use local businesses and workforces to deliver projects under the LRCI Program to ensure stimulus funds flow into local communities.

Council has received advice from the Deputy Prime Minister that we have been offer a grant \$857,227 under the LRCI Program. For a project(s) to be eligible for the funding the following requirements must be met:

- In addition to Council's existing 2020/21 works program
- Be completed by 30 June 2021
- Deliver benefits to the community
- Eligible road projects including:
 - General road improvements including:
 - Construction of new road
 - Sheeting/re-sheeting
 - Reconstruction
 - Rehabilitation
 - Widening
 - Sealing
 - Resealing
 - Drainage
 - Traffic signs
 - Traffic control equipment
 - Street lighting equipment
 - A bridge or tunnel
 - Facility off the road used by heavy vehicles (eg rest area)
 - Facility off the road that supports the visitor economy
 - Road and sidewalk maintenance

- Eligible community including:
 - CCTV
 - Bicycle and walking paths
 - Repairing and replacing fencing
 - Improved accessibility
 - Landscaping improvements
 - Picnic sheltered or bbq at parks
 - Playgrounds and skate parks
 - Toilet blocks
 - Replacement of light bulbs in street lights
 - Noise and vibration mitigation
 - Off road car parks

Council staff have reviewed the list of potential future work that would satisfy the grant requirements particularly in relation to selecting work that can be readily delivered by local business. It is recommended that the projects listed in the following table, and detailed below, be undertaken utilising the grant funding:

Project Description	Quantity	Estimate Cost
LED Upgrade of Council's Street Lighting Infrastructure	951 upgraded luminaries	\$472,341
Construction of a shared path between Nash Place to Yass Valley Way then to Grand Junction Road	130m	\$35,000
PAMP - Construction of a shared path Dutton Street – Rossi to Riverbank Park	200m	\$55,000
PAMP - Construction of a shared path Victoria Street – Sutton Public School to Bywong Street includes allowance for pedestrian refuge on Sutton Road	136m	\$45,000
PAMP - Construction of a shared path Victoria Street – Bywong Street to Recreation Grounds includes allowance for pedestrian refuge on Sutton Road	162m	\$50,000
PAMP - Construction of a shared path Queen Street - Fitzroy Street to Richmond Street including ramps and refuge	130m	\$40,000
Upgrade of BBQ equipment Coronation and Riverbank Parks		\$20,000
Playground Equipment replacement - Binalong		\$60,000
Roadside weed management program		\$79,886
Total		\$857,227

Street Lighting

Essential Energy in-line with the requirements from the Australian Energy Regulator and with support from the NSW Government is progressively upgrading the majority of street lighting to utilise the more efficient LED luminaries which are also mercury free. Council has two options to work with Essential Energy in the upgrade process both require Council to fund significant portion of the capital cost of the upgrade. The cost of the upgrade will then be offset primarily by energy savings. The two options are:

- Option 1 – Council funds its share of the capital upgrade cost up front (i.e. \$472,340.51)

- Option 2 – Essential Energy funds the capital upgrade cost and recovers this and other cost through increase SLUOS charges for a 10 year period – cost to Council \$616,500

Option 2 will cost Council an additional \$144,160 over 10 years

It is recommended that Council accepts Option1 and these works be undertaken utilising part of the funding received under the LRCI Program.

Shared Path

Nash Place to Yass Valley Way to Grand Junction Road – this project has been identified on Council’s future works ledger for several years. It has been the subject of a number of representations from residents, the local member and the Department of Housing. It is recommended these works be undertaken utilising part of the funding received under the LRCI Program.

Bike Plan and Pedestrian Access Mobility Plan (PAMP)

In 2017 Council adopted the *Bike Plan & Pedestrian Access Mobility Plan (PAMP)* to guide the future provision and management of pedestrian access, mobility facilities and cycleways. This plan identified, costed and prioritised a range of projects to be undertaken over the life of the plan. It is recommended these works be undertaken utilising part of the funding received under the LRCI Program to deliver the four shared paths identified in the PAMP, as listed in the above table. The cost for these projects as identified in the PAMP have been adjusted to allow for CPI.

BBQ Equipment

In 2017 Council adopted the Parks and Playground Strategy to guide the future provision and management of parks and playgrounds within the Yass Valley. This strategy identifies a park hierarchy for our playgrounds which includes typical facilities and levels of service available within those hierarchies. Coronation Park and Riverbank Park are both category one playgrounds that includes:

- Large playground unit
- Table and seating
- Lighting
- Toilets
- Bins
- Bubblers
- Formalised gardens and pathways
- BBQ Facilities

The barbeques at Riverbank Park and Coronation Park were installed over 15 years ago and are now at the end of their lifecycle. Council has also received many complaints that the barbeques are not working at both locations.

It is recommended these works be undertaken utilising part of the funding received under the LRCI Program.

Playground Equipment Replacement – Binalong

In 2017 Council adopted the *Parks & Playground Strategy* to guide the future provision and management of parks and playgrounds within the Yass Valley. The strategy identifies a priority list for asset replacement based on the following components:

- The age of the playground
- Inspection condition reports
- The level of use
- Community interest in the facility

The playground at the Binalong Recreation Ground was installed in 2005 and is now at the end of its predicted lifecycle. Based on the age, the ranking in the priority list and various community requests received for upgrading it proposed that these works occur.

It is recommended these works be undertaken utilising part of the funding received under the LRCI Program.

Weed Spraying

Prior to 2018 Council managed its responsibilities for roadside weed management under an agreement with Hilltops Council. Since this time Council has been investigating an option to directly undertake these works including recently completing trials utilising contractors, which have been successful. It is recommended that for 2020/21 these works be undertaken utilising part of the funding received under the LRCI Program.

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN3 -	Maintain and improve road infrastructure and connectivity
Delivery Program Action	IN3.1 -	Deliver transport asset infrastructure, maintenance, renewal and enhancement programs for urban, rural and regional roads to maintain or improve overall condition
Operational Plan Activity	IN3.1.3 -	Implement sound asset management practices in accordance with industry standards

ATTACHMENTS: Nil

7.3 EXPRESSION OF INTEREST YVC/IA/04.2020 - OPERATION OF REUSE/RECYCLE FACILITY

SUMMARY

Reporting on outcomes from the Expressions of Interest (EOI) for the operation of a Recycle/Reuse Facility to be located adjacent to but operated independently of the Yass Transfer Station located at Faulder Avenue, Yass.

RECOMMENDATION

That the operation of a reuse/recycling facility at the Yass Transfer Station be further considered at a Councillor Workshop.

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

In November 2019 Council determined to seek Expressions of Interest from local community/not for profit groups, interested in the commercial operation of a community recycling/reuse facility.

Council resolved that:

1. *The funding of a Community Recycling Facility to be constructed adjacent to the Yass Transfer Station be considered during the 2020/2021 budget process by Council.*
2. *Council staff meet with community proponents for a community recycling facility to obtain more detailed information about operation of similar facilities and the benefits they are seeking on behalf of the wider community.*
3. *Expressions of Interest (EOI) be called from the local community to operate a Community Recycling Facility adjacent to the Yass Transfer Station, with the view to commencing such operations on the completion of a suitable facility by Council.*
4. *The results of the EOI be referred to a Councillor Workshop in the first half of 2020.*
5. *The opportunities for residents and ratepayers to exchange recyclable materials be promoted.*

Funding of \$120,000 has been provided in the capital works budget 2020/21 for the construction of a facility on land adjacent to Yass Transfer Station.

Council Staff met with community proponents in early 2020, operational requirements were discussed and the EOI prepared for advertising.

The EOI was advertised publically between 27 May and 19 June 2020.

During the advertising period, the EOI was forwarded to one local proponent upon request and staff spoke to one other not for profit organisation who inspected the site to gauge type and quantity of reuse/recycle items and to ascertain the viability of setting up such an enterprise in Yass.

No Expressions of Interest proposals had been received.

It is recommended that this matter to referred to a Councillor Workshop for further discussion.

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN6 -	Implement safe, accessible, and efficient management and recycling options for general waste, green waste, and sewage
Delivery Program Action	IN6.2 -	Provide an efficient and sustainable waste service
Operational Plan Activity	IN6.2.1 -	Operation of domestic and commercial waste collection

ATTACHMENTS: Nil

7.4 GUNDAROO CEMETERY FENCE

SUMMARY

Providing a report on the Gundaroo cemetery boundary fence adjoining the Gundaroo Common for further consideration in determining funding of replacement of approximately 200 metres of boundary fence on the northern side of the cemetery as requested by the Gundaroo Common Trust.

RECOMMENDATION.

That:

1. *Approximately 20 metres of tree damaged fence located at the eastern end of the northern boundary fence adjoining the Gundaroo Common be repaired by Council.*
2. *The two gate entry points providing access between the Gundaroo Cemetery and the Gundaroo Common be removed and the void fenced with a similar material to prevent access.*

FINANCIAL IMPLICATIONS

Council has not provided any resources in its current or forward budgets toward maintenance or replacement of any fence along the boundaries of its reserves, parks etc.

Funding of boundary fencing is not budgeted and is not a responsibility of Council.

Funding to repair the 20m of damaged fence will be expensed to the Gundaroo cemetery maintenance budget.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Dividing Fences Act 1991*

REPORT

1. Request

A request was received through a submission to the 2020/21 Operational Plan by the Gundaroo Common Trust seeking Council funding for the replacement of the northern boundary fence that separates the Gundaroo Cemetery and the Gundaroo Common.

The Gundaroo Cemetery is classified Crown Land under Council control, whereas the Common is classified Crown Land under control of the Gundaroo Common Trust.

Under the *Dividing Fences Act 1991*, there is no obligation for Council to fund replacement to boundary fencing for Crown Land under Council control. Therefore, Council has no legal obligation to replace the boundary fence or even contribute towards part cost of replacement.

By Council replacing or contributing to the cost of replacement of boundary fencing associated with Crown Land it would set a precedence for all other Crown Land throughout Yass Valley. There are other boundary fences associated with other cemeteries, parks and recreation grounds that adjoining landowners may have the same expectations of Council to have boundary fencing replaced.

2. Existing Fence

Staff have inspected the condition of the cemetery fence. The Gundaroo cemetery is an area of 3.29ha and shares an adjoining boundary fence with the Common on the northern boundary of approximately

200m. The fence is a 3 plain wires, ring lock with one top barb wire. It is a standard stock fence which is old but in most part reasonable condition.

Halfway along the fence line there is a foot traffic gate which is chained and padlocked plus a farm gate which appears to have been chained and padlocked in the past. Presently the gate is not padlocked and can be opened to gain access to the cemetery. It is recommended that these gates be removed and the voids be fenced with a similar fence material to match the existing fence. This would eliminate these gates being accidentally left open or not correctly secured thus potentially allowing stock access to the cemetery land and creating a risk of stock further damaging memorial monuments.

It would appear that approximately 20m section of this fence at the eastern end has been damaged by a fallen tree on the Cemetery land. The tree was removed and the fence was repaired at the time. On further inspection it would appear a number of star pickets had broken at ground level due to the strain placed in the fence from the fallen tree. It is recommended that this section of fence be repaired at Council cost as this damaged was associated with a fallen tree from the cemetery site. The cost to repair this 20m section of fence is approximately \$400.

The full replacement cost of the 200m northern boundary fence line that adjoins the Common as requested by the Gundaroo Common Trust would cost approximately \$4,000.

There is a further 200m boundary fence adjoining private property on the southern boundary and 155m boundary fence on the eastern side adjoining the Common that are in the same condition as the northern boundary fence. Replacing these fences is estimated to be \$7,100.

The Cemetery entrance fence faces Judith Street is in good condition and would not require replacement. The main entry has ample parking and vehicle gate access into the cemetery from this point.

Fencing all three sides of the Gundaroo Cemetery could cost in excess of \$11,100 to replace.

3. *Dividing Fences Act 1991*

The *Dividing Fences Act 1991* is clear that the Act does not apply to public authorities (including local Councils) with control over Crown Land, public parks, reserves and roads. Council is not liable for the fencing costs.

The Gundaroo Common Trust is leasing the Common for grazing purposes. The cost associated with making the land available for this purpose (including fencing, weed control, water) is the responsibility of the Trust and should be reflected in the leasing costs.

It is the responsibility of each landowner or land manager to ensure their livestock is confined to their property and not allowed to enter or interfere with adjoining land. The maintenance of the fence is therefore a matter for the Trust in this instance.

The former Gunning Shire may have contributed to the installation of the fence in the past but this may have been undertaken as a community grant or at the discretion of the Council at the time. However it is clear that under the *Dividing Fences Act 1991* there is no obligation of Council to contribute to the fencing.

If Council determined to fund the replacement of the fence then it is likely to create a precedent in which properties adjoining any Council managed land or reserves (e.g. cemeteries, recreation grounds, sportsgrounds and parks) would also seek a contribution toward the cost of fencing.

4. *Bowning Cemetery*

Staff have also inspected the Bowning Cemetery fencing. The boundary fencing with private landowners is in quite poor condition however the Road Reserve fence is in good condition. The section of fencing in poor condition is 638m and the estimated cost to replace this is \$12,760.

5. *Conclusion*

There has been prior requests for full and part replacement of boundary fencing from a landowners whose boundary fences adjoin Council controlled Crown Land and recreational grounds land. These requests have been rejected in accordance with the provision of the *Dividing Fences Act 1991*.

Inconsistent decisions regarding funding for replacement of boundary fencing associated with any Council managed land or reserves may reflect adversely on Council. In addition, contributions to fencing of Council owned or managed land would set a precedence for future requests and significantly add to Council maintenance costs.

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN4 -	Maintain and update existing community facilities, and support the development of new community infrastructure as needed
Delivery Program Action	IN4.1 -	Develop and maintain new and existing recreational and community assets to address our communities needs in a sustainable manner
Operational Plan Activity	IN4.1.6 -	Develop and operate Council's cemeteries

ATTACHMENTS: Nil

8.1 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.

RECOMMENDATION

The Investment Report as at 30 June 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.

FINANCIAL IMPLICATIONS

Council’s investment portfolio provides funding for some projects identified in the Operational Plan.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulation 2005*
- Investment Policy

REPORT

1. Comments on Economic Climate

The RBA kept the official cash rate at 0.25% at its June meeting amid calls for it to move into negative territory. The RBA has declared it “extraordinarily unlikely” that it will embark on such a policy. RBA Governor, Philip Lowe said that while the pandemic has led to a “severe” global downturn, a recovery might be sooner than expected. Continuing, Lowe noted that the Australian economy is going through its biggest economic challenges since the 1930s. The RBA considers the economic outlook to be highly uncertain, with much of the recovery dependent on consumer confidence.

2. Council Investments

Valuations of Council investments are detailed in **Attachment A**.

Details of investment compliance with Council’s Investment Policy are provided in the tables below. Due to the uncertainty around the potential impacts of COVID-19, Council is currently holding a higher than usual balance in its transactional account. Funds have been transferred to Council’s TCorp investment in early July 2020.

Table 1 – Exposure by Credit Rating Type as at 30 June 2020

S&P Rating (or equivalent)	Exposure	Maximum % Invested per Policy
A1+/AAA	Nil	100%
A1/AA	63.63%	100%
A2/A	Nil	60%
A3/BBB	6.17%	30%
N/A	30.20%	<i>Note 1</i>

Note 1 – The TCorp Strategic Cash Facility is an allowable investment under the Ministerial Order.

Table 2 – Exposure to Single Institutions at 30 June 2020

Institution	S&P Rating (or equiv)	Exposure	Max Exposure per Policy
NAB	A1/AA	34.08%	50%
IMB	A3	6.17%	30%
CBA	A1/AA	29.55%	50%
TCorp	N/A	30.20%	<i>Note 1 above</i>

3. Council Loans

Council has four loans with an estimated 30 June 2020 value of \$16.914m. It should be noted that there may be small balance variations as current balances are based on indicative payment schedules. The table below provides loan details at 30 June 2020. Indicative repayments for 2019/20 are shown for both principal and interest for all current loans. Balances will not change on a monthly basis as the most frequent repayment cycle is quarterly. The NSW Treasury interest free loan sourced for the raising of the dam wall has been completed with the final payment of \$750k having been made in December 2019.

	Current Balance	Interest rate	Comment	Principal 2019/20	Interest 2019/20
General Loan	\$507,379	5.91% fixed	To be fully repaid in 2020/21	\$ 645,058	\$ 53,967
Sewer - CBA Loan for Sewer Infrastructure	\$3,954,301	4.82% fixed	Payable over 20 years, fully repaid in 2035/36	\$ 168,053	\$ 195,684
Water – NSW Treasury Loan for Dam wall	\$0	Interest free	FULLY REPAID December 2019	\$ 750,000	\$ -
Water – NAB Dam wall	\$9,036,057	6.96% fixed	Total loan over 30 years. Fixed rate period of 10 years to 2022, to be renegotiated at that time.	\$ 250,019	\$ 649,390
Water - Yass to Murrumbateman water supply (TCorp)	\$2,209,286	2.55% fixed	Payable over 10 years.	\$ 215,714	\$ 59,786
Water main and pump station upgrades (TCorp)	\$1,207,136	2.55% fixed	Payable over 10 years.	\$ 117,864	\$ 32,666
TOTAL LOANS	\$16,914,159.00			\$ 2,146,708	\$ 991,493

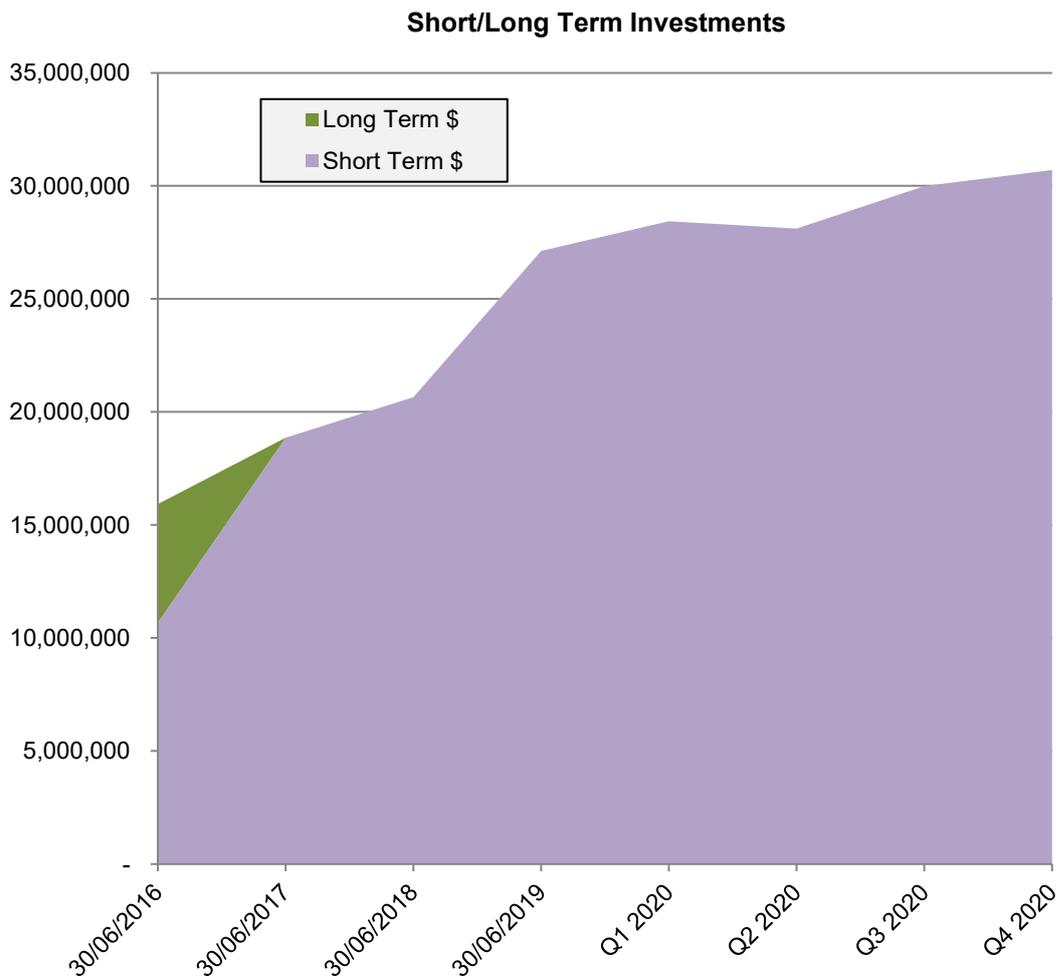
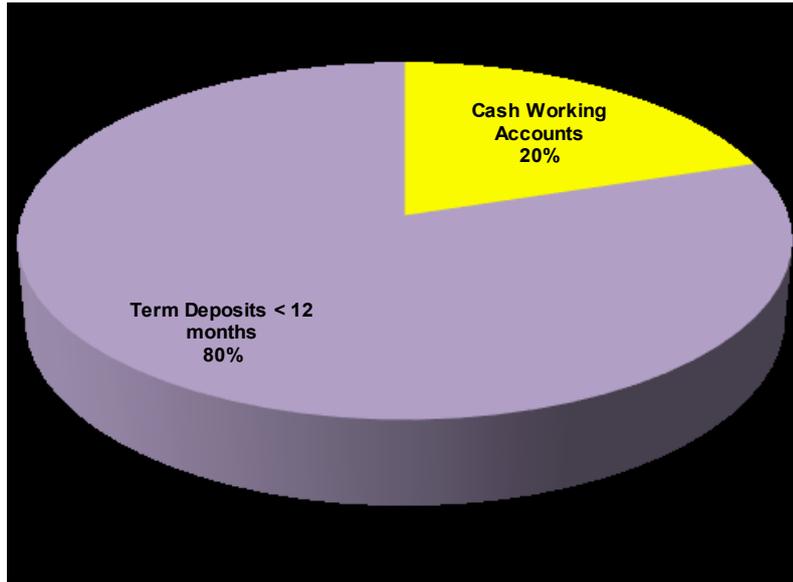
STRATEGIC DIRECTION

- Key Pillar 5. Our Civic Leadership
- CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community
- Delivery Program Action CL1.6 - Maximise Council's ability to generate income
- Operational Plan Activity CL1.6.3 - Review commercial activities to ensure Council is maximising returns

ATTACHMENTS: A. Investment Valuations  

Short Term Investments (Cash Accounting) as at 30 June 2020

Investment Type	Par Value \$	Market Value \$	Maturity	Rate	Interest \$ July 19 to June 20
Cash Working Accounts					
NAB Working Account	6,147,458.79	6,147,458.79	n/a	0.25%	45,340.85
	6,147,458.79	6,147,458.79			45,340.85
Term Deposits < 12 Months					
IMB 29876	1,769,554.92	1,769,554.92	31/07/2020	1.10%	40,013.26
IMB - Youth Bequest	125,590.59	125,590.59	31/07/2020	1.10%	3,169.51
NAB Term Deposit	2,709,691.73	2,709,691.73	29/09/2020	0.85%	52,979.05
NAB Term Deposit	1,608,658.70	1,608,658.70	29/09/2020	0.85%	40,411.92
CBA	2,102,128.56	2,102,128.56	30/10/2020	0.69%	56,271.48
CBA	1,179,588.48	1,179,588.48	7/09/2020	1.15%	14,116.25
CBA	2,134,990.36	2,134,990.36	30/09/2020	0.67%	39,612.67
CBA	1,586,745.25	1,586,745.25	25/09/2020	0.68%	21,179.20
CBA	2,069,106.21	2,069,106.21	9/10/2020	0.68%	35,408.41
Tcorp Strategic Cash Facility	9,271,881.10	9,271,881.10	at call	n/a	106,857.48
Interest Recalled Funds *					-
	24,557,935.90	24,557,935.90			410,019.23
Total Short Term	30,705,394.69	30,705,394.69			455,360.08
Investment Property					
Hawthorn - Current Fair Value		4,350,000.00	Revalued March 2020		
* Refers to interest received in the current financial year for investments no longer held by council					



8.2 COUNCILLOR FEES 2020/21

SUMMARY

To detail the determination of the Local Government Remuneration Tribunal regarding Councillor fees for the 2020/21 year.

RECOMMENDATION

That:

1. *The decision of the Local Government Remuneration Tribunal that there will be no increase in Councillor Fees and Mayoral Allowance for 2020/21 be adopted;*
2. *The annual payment for Councillors will remain at \$12,160, and \$26,530 for the Mayor to be paid in arrears in equal monthly instalments; and*
3. *In accordance with clause 4.1.2 Councillor Expenses & Facilities Policy, an amount of \$1,500 to be paid in arrears in equal monthly instalments to the Deputy Mayor from the Mayoral Allowance.*

FINANCIAL IMPLICATIONS

A small increase in fees was included in the 2020/21 budget and this will be adjusted at the first quarter budget review.

POLICY & LEGISLATION

- *Local Government Act 1993*
- Councillor Expenses and Facilities Policy

REPORT

In accordance with s239 and s241 *Local Government Act 1993*, the Local Government Remuneration Tribunal determines in each category of Council the maximum and minimum amount of fees to be paid to Mayors and Councillors of Councils. In making its determination, the Tribunal reviewed the key economic indicators, including the Consumer Price Index and Wage Price Index and determined that the minimum and maximum fees applicable to each category of council will be increased by 2.5% which is consistent with the government's policy on wages. The Local Government Remuneration Tribunal Annual Report and Determination is provided in **Attachment A**.

In accordance with the *Local Government Act 1993* the tribunal undertook a review of the categories and allocation of Councils into each listed category as part of its 2020 review. This review is undertaken every three years with the last review being that of 2017. This year two new categories have been created and one category has been renamed. Details of these changes are available in the attached report. None of these changes impact the classification of Yass Valley Council.

Yass Valley Council remains categorised as a *Rural* Council and in the past has resolved to adopt the maximum levels for Councillor fees and mayoral allowance. The 2019/20 fee for Councillors was \$12,160pa and the mayoral allowance was \$26,530pa (prior to any payment to the Deputy Mayor).

The Tribunal has determined that there will be no increase in the minimum and maximum fees applicable to each existing category. Council may determine the annual fees to be any amount between the minimum and maximum amounts determined by the Tribunal for a *Rural* Council. The minimum annual fee for a Councillor is \$9,190pa and the maximum fee is \$12,160pa. The minimum annual Mayoral allowance is \$9,780pa and the maximum allowance is \$26,530pa.

STRATEGIC DIRECTION

Key Pillar 5. Our Civic Leadership

CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community

Delivery Program Action CL1.4 - Be compliant, more efficient and effective

Operational Plan Activity CL1.4.2 - All regulated compliance is adhered to

ATTACHMENTS: A. 2020/21 Annual Determination Local Government Remuneration Tribunal [!\[\]\(e1fb41f4b2b70194bf6a365468b84fdd_img.jpg\)](#) 

**Local
Government
Remuneration
Tribunal**

**Annual Report and
Determination**

*Annual report and determination under sections 239 and
241 of the Local Government Act 1993*

**10 June
2020**

[NSW Remuneration Tribunals website](#)

Local Government Remuneration Tribunal

Contents

Contents	1
Executive Summary	2
Section 1 Introduction	4
Section 2 2019 Determination	4
Section 3 Review of categories	5
Scope of review	5
Submissions received - categorisation	6
Findings - categorisation	7
Allocation of councils into categories	9
Section 4 Fees	13
Section 5 Other matters	15
Conclusion	16
Section 6 Determinations	17
Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2020	17
Table 1: General Purpose Councils - Metropolitan	17
Table 2: General Purpose Councils – Non-Metropolitan	18
Table 3: County Councils	18
Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors	19
Table 4: Fees for General Purpose and County Councils	19
Appendices	20
Appendix 1 Criteria that apply to categories	20

Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2017. In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each of those categories as part of the 2020 review.

In reviewing the categories, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils and Local Government NSW (LGNSW). Having regard to that information, the Tribunal has determined to retain a categorisation model which differentiates councils primarily on the basis of their geographic location, and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.

For the Metropolitan group the Tribunal has determined to retain the existing categories and has amended the population criteria applicable to Metropolitan Large and Metropolitan Medium. For the Non-Metropolitan group, the Tribunal has determined to: create two new categories - Major Strategic Area and Regional Centre; rename one category - Regional City to Major Regional City; and revise the criteria for some of the existing categories to account for the new categories.

In accordance with section 239 of the LG Act the categories of general purpose councils are determined as follows:

Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

Non-metropolitan

- Major Regional City
- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural

Local Government Remuneration Tribunal

Fees

The Tribunal has determined that there will be no increase in the minimum and maximum fees applicable to each existing category. For the new categories, the Tribunal has determined fees having regard to relevant relativities.

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.
2. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
3. In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.
4. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
5. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A (3) of the LG Act.
6. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2019 Determination

7. The Tribunal considered ten requests for re-categorisation. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data. In reviewing the submissions received the Tribunal applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the

Local Government Remuneration Tribunal

relativities within the categories.

8. The Tribunal found that the allocation of councils into the current categories was appropriate but again noted that some of those councils seeking to be moved were likely to meet the criteria for re-categorisation in future determinations.
9. The Tribunal's 2019 Determination was made on 15 April 2019 and provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.
10. The Tribunal's findings for North Sydney was not addressed in the 2019 Determination and is dealt with in Section 3 below.

Section 3 Review of categories

Scope of review

11. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last reviewed the categories during the 2017 annual review.
12. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in section 240 of the LG Act:
"240 (1)
 - the size of areas
 - the physical terrain of areas
 - the population of areas and the distribution of the population
 - the nature and volume of business dealt with by each Council
 - the nature and extent of the development of areas
 - the diversity of communities served
 - the regional, national and international significance of the Council
 - such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government
 - such other matters as may be prescribed by the regulations."
13. The Tribunal foreshadowed in the 2019 Determination of its intention to undertake a review of the categories in accordance with the LG Act:

Local Government Remuneration Tribunal

“12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.”

14. The Tribunal wrote to all mayors in October 2019 advising of the commencement of the 2020 review and invited submissions from councils on the following matters:

1. *Proposed classification model and criteria*
2. *Allocation in the proposed classification model*
3. *Range of fees payable in the proposed classification model*
4. *Other matters*

15. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.

16. The Tribunal also met with the Mayors and General Managers of Central Coast and Maitland Councils and the Tribunal thanks them for making the time to meet with the Tribunal.

Submissions received - categorisation

17. The Tribunal received 38 submissions from individual councils, a submission from LGNSW and a submission from Regional Cities NSW. Most of the submissions addressed the Tribunal's proposed categorisation model, the allocation of councils into those categories and fees. A summary of the matters raised, and the Tribunal's consideration of those matters is outlined below.

Proposed classification model and criteria

18. Submissions from 20 councils and LGNSW supported the Tribunal's proposal to create a new category of Regional Centre for the Non-Metropolitan group and were of the view

Local Government Remuneration Tribunal

that the range of fees would be somewhere between Regional Strategic Area and Regional Rural.

19. Several submissions from Non-Metropolitan councils proposed alternative changes to the model such as, the merging of the Regional Rural and Rural categories, the creation of a new 'Regional' category and the renaming of Regional City to 'Gateway City' or 'Nationally Significant Regional City'.
20. Four submissions from Metropolitan councils sought the creation of a new Metropolitan category with the title of 'Metropolitan Large – Growth Area' or 'Metropolitan Major'.

Allocation in the proposed classification model

21. The Tribunal proposed to allocate 24 councils in the proposed new category of Regional Centre. Of these 24 councils, 14 provided a submission - 11 councils noted or supported their allocation as Regional Centre and 3 councils sought re-categorisation as Regional Strategic Area.
22. In addition to the 3 councils, another 17 councils sought re-categorisation into one of the categories included in the Tribunal's proposed model or into requested alternative new categories. The 20 re-categorisation requests are addressed in Section 3 – Allocation of councils into categories.

Findings - categorisation

23. The Tribunal acknowledges the significant number of submissions received this year and is grateful for the positive response and effort made in those submissions to comment on the proposed categorisation model and suggest alternatives for consideration.
24. There has been broad support to the Tribunal's proposal to create a new Non-Metropolitan category of Regional Centre and rename Regional City to Major Regional City. On that basis the Tribunal will determine the new category of Regional Centre and rename Regional City to Major Regional City. There have been some new criteria added to the category of Major Regional City to acknowledge the broader national and state focus of these cities which impact upon the operations of the council.
25. After considering the views in submissions the Tribunal re-examined the Non-Metropolitan category of Regional Strategic Area in terms of its criteria and the

Local Government Remuneration Tribunal

characteristics of the councils allocated into it. The Tribunal concluded that the characteristics of the two councils allocated to this category – Central Coast and Lake Macquarie – were sufficiently different to warrant further differentiation. Central Coast has a population greater than 340,000 making it the third largest council by population in NSW and the sixth largest council by population in Australia. It also has the second largest revenue base of all councils in NSW. Central Coast is a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region. A new category has been created for Central Coast Council and is to be titled Major Strategic Area. The criteria for this category include local government areas with a minimum population of 300,000, and larger scale and scope to those categorised as Regional Strategic Area. There is no change to the population threshold for the category of Regional Strategic Area, however the other criteria have been amended to account for other changes in the Non-Metropolitan group.

26. The Tribunal's preliminary thinking was that no changes to the categories and criteria for Metropolitan and County Councils were warranted. In respect to the categories, the Tribunal continues to hold that view. In respect to the criteria, after considering submissions the Tribunal re-examined the population criteria for both the Metropolitan Medium and Metropolitan Large categories.

27. North Sydney and Willoughby councils again put forward cases for non-resident workers to be included in the population for Metropolitan Medium. To examine this claim more broadly the Tribunal reviewed non-resident working populations across all metropolitan councils. After careful consideration the Tribunal concluded there was a strong case to recognise the impact on councils of serving significant numbers of non-resident workers. The criteria now provide for councils with a non-resident working population of 50,000 or above to move to another category if their combined resident and non-resident working population exceeds the minimum population threshold. The criteria for Metropolitan Medium and Metropolitan Large have been amended as follows:

Metropolitan Large

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Metropolitan Medium

Local Government Remuneration Tribunal

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

28. In making this determination the Tribunal reviewed the criteria for other Metropolitan categories and found that the current population thresholds are appropriate.

29. The revised model which will form the basis of this determination is as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural • Rural

30. The criteria for each of the categories are outlined at Appendix 1. Minor changes have been made to the criteria for some of the existing categories to account for the new categories. As with the previous categorisation model the predominant factor to guide categorisation is population. Other common features of councils within those categories are also broadly described. These criteria have relevance when population alone does not adequately reflect the status of one council compared to others with similar characteristics. In some instances, the additional criteria will be significant enough to warrant the categorisation of a council into a group with a higher population threshold.

31. There is no change to the categorisation of county councils.

Allocation of councils into categories

32. In accordance with section 239 of the LG Act the Tribunal is required to allocate each of the councils into one of the categories. The allocation of councils is outlined in Determination No. 1 of Section 6.

33. Twenty (20) submissions received from councils requested re-categorisation and were considered having regard to the case put forward and the criteria for each category.

34. At the time of making the determination the Tribunal had available to it the 30 June 2019 population data released by the Australian Bureau of Statistics (ABS) on 25 March 2020.

Local Government Remuneration Tribunal

35. A summary of the Tribunal's findings for each of the applications for re-categorisation is outlined in the following paragraphs.

Metropolitan Large Councils

36. Canterbury-Bankstown, Penrith and Blacktown have requested the creation of new categories into which they be re-categorised. Canterbury-Bankstown has requested a new category named 'Metropolitan Major'. Penrith and Blacktown have requested a new category named 'Metropolitan Large – Growth Centre'.

37. The Tribunal considers that Canterbury-Bankstown, Penrith and Blacktown are appropriately categorised as Metropolitan Large.

Metropolitan Medium Councils

38. Inner West has again sought to be re-categorised as Metropolitan Large. The Tribunal outlined in the 2019 determination that Inner West's June 2018 population of 198,024 was below the indicative population of other Metropolitan Large councils, but based on growth predictions it was likely Inner West would meet the minimum population threshold for inclusion in Metropolitan Large in 2020.

39. Inner West's June 2019 population is 200,811 and the council now meets the criteria to be categorised as Metropolitan Large.

40. Ryde has sought to be re-categorised as Metropolitan Large on the basis of the large non-resident working population in the Macquarie Park Business Park (MPBP) precinct, the economic output of the precinct and its array of significant regional services.

41. The Hills has requested the creation of a new category named 'Metropolitan Growth' and that it be categorised into it. Recognition is sought for councils experiencing significant growth. The submission also notes that while Ryde does not meet the residential population criteria for Metropolitan Large it meets the other relevant criteria.

42. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-residents visitors and workers and revised the criteria for Metropolitan Large Councils. Ryde and The Hills have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Large if their residential population combined*

Local Government Remuneration Tribunal

with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

43. Both Ryde and The Hills have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Large councils. Both councils also provide a sphere of economic influence and provide regional services considered akin to those of other metropolitan large councils.

Metropolitan Small Councils

44. Camden, Willoughby and North Sydney have sought to be re-categorised as Metropolitan Medium.
45. The Tribunal outlined in the 2019 determination that Camden's June 2018 population of 94,159 was below the indicative population of other Metropolitan Medium councils, but based on growth predictions it was likely Camden would meet the minimum population threshold for inclusion in Metropolitan Medium in 2020.
46. Camden's June 2019 population is 101,437 and the council now meets the criteria to be categorised as Metropolitan Medium.
47. The Tribunal has previously considered requests from Willoughby and North Sydney Councils to be re-categorised as Metropolitan Medium in 2018 and 2019. Both Councils have populations within the indicative population range for Metropolitan Small councils but well below that of Metropolitan Medium. Both Councils have argued that their scale of operations, degree of regional servicing and high number of non-resident visitors and workers more closely align with the characteristics of Metropolitan Medium Councils.
48. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-resident workers and revised the criteria for Metropolitan Medium Councils. Willoughby and North Sydney have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.*
49. Both Willoughby and North Sydney have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Medium councils. Both councils also meet the

Local Government Remuneration Tribunal

other criteria having: a significant regional role as the third and fourth biggest CBDs in Sydney after Sydney City and Parramatta; strategic significance as either transport hubs, business, cultural or employment centres.

50. Both North Sydney and Willoughby meet the criteria for re-categorisation as Metropolitan Medium.

Regional City Councils

51. Newcastle and Wollongong have proposed new categories into which they have sought to be re-categorised. Newcastle has proposed a new category named 'Gateway City' and Wollongong a new category named 'Nationally Significant Regional City'.
52. The Tribunal's revised categorisation model re-named the existing category of Regional City to Major Regional City and found no case to adopt the new categories proposed by Newcastle and Wollongong. The Tribunal considers that both councils are appropriately categorised as Major Regional City.

Regional Strategic Area Councils

53. Central Coast has again sought to be re-categorised as Regional City. The council submits that its characteristics are more like Newcastle and Wollongong (Regional City) and substantially different to Lake Macquarie (Regional Strategic Area).
54. Central Coast does not meet the broader criteria applicable to other councils in the category of Major Regional City - being Newcastle and Wollongong. As previously discussed a new category - Major Strategic Area - has been created to recognise the scale and unique position of Central Coast Council to both the Sydney and Hunter regions.

Local Government Remuneration Tribunal

Regional Rural Councils

55. Bathurst, Maitland, and Shoalhaven noted that under the Tribunal's proposed allocation of councils they would be allocated to the new Regional Centre category, however the three councils sought to be re-categorised as Regional Strategic Area.
56. Bathurst's June 2019 population of 43,618, Maitland's June 2019 population of 85,166 and Shoalhaven's June 2019 population of 105,648 are below the indicative population of Regional Strategic Area councils. The Tribunal considers that Bathurst, Maitland and Shoalhaven are all appropriately categorised as Regional Centre.
57. Bega, Byron and Eurobodalla have sought to be re-categorised to the new Regional Centre category. Bega's June 2019 population of 34,476, Byron's June 2019 population of 35,081 and Eurobodalla's June 2019 population of 38,473 are significantly below the indicative population of Regional Centre councils. These councils have not demonstrated the additional criteria to warrant inclusion in the Regional Centre group.

Rural Councils

58. Muswellbrook and Federation have again sought to be re-categorised as Regional Rural. Muswellbrook's June 2019 population of 16,377 and Federation's June 2019 population of 12,437 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.

Section 4 Fees

59. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
60. The current policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). When the Tribunal undertook the annual review the effect of the IR Regulation 2014

Local Government Remuneration Tribunal

was that public sector wages could not increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

61. The Tribunal received submissions for consideration during the annual review in late 2019. Those submissions were made prior to the pandemic and overwhelmingly supported a 2.5 per cent increase in the ranges of fees which was consistent with the Government's wages policy at the time. A summary of those submissions is outlined in the paragraphs 62 and 63.
62. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also reiterated the long-held view that fees for mayors and councillors are well behind, the current fee structure fails to recognise the work of elected representatives and is inadequate to attract and retain individuals with the necessary skills and experience. Comparative information was again presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. The LGNSW submission also noted the Tribunal's previous observations that it does not have jurisdiction on the matter of non-payment of superannuation but again invited the Tribunal to make a recommendation to the NSW State Government for councillor remuneration to include a payment for superannuation equivalent to the Superannuation Guarantee.
63. Several submissions sought an increase to the allowable maximum of 2.5 per cent acknowledging the restrictions on the Tribunal from the Government's wages policy. Several submissions sought an increase greater than 2.5 per cent by requesting that fees be aligned to councillor fees in Victoria and Queensland or to NSW members of Parliament.
64. Since receiving and considering those submissions there have been a number of factors which have influenced the Tribunal's views in regard to the annual increase. These include the impact of the bushfires and the current COVID-19 pandemic on the state and federal economies and the wellbeing of our communities.
65. To ensure the Tribunal had sufficient time to consider the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government*

Local Government Remuneration Tribunal

(General) Amendment (COVID-19) Regulation 2020 which extends the time for the making of this determination to no later than 1 July 2020.

66. On 29 May 2020 the Premier, the Hon Gladys Berejiklian MP, made the *Industrial Relations (Public Sector Conditions of Employment) Amendment (Temporary Wages Policy) Regulation 2020*. That regulation amended the IR Regulation 2014 to implement a temporary wages policy, being a 12-month pause on wage increases for public sector employees covered by the IR Act.
67. On 2 June 2020 the amending regulation was disallowed by the Legislative Council. The effect of that disallowance is that the Government's wages policy which provides for increases of up to 2.5 per cent continues to apply.
68. While the Tribunal is required to give effect to the Government's wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 2.5 per cent or no increase at all. Given the current economic and social circumstances, the Tribunal has determined that there be no increase in the minimum and maximum fees applicable to each existing category.
69. The minimum and maximum fees for the two new categories of Major Strategic Area and Regional Centre have been set having regard to relevant relativities. The new category of Major Strategic Area has equivalent annual fees to Major Regional City. The new category of Regional Centre has annual fees between those applicable to Regional Strategic Area and Regional Rural. In accordance with the LG Act councils can be placed in a new category with a higher range of fees without breaching the Government's wages policy.

Section 5 Other matters

70. The Tribunal addressed the matter of non-payment of superannuation in the 2019 Determination:

"40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:

Local Government Remuneration Tribunal

“54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69).”

71. By way of clarification, the amount redirected under this ruling is funded from the annual fees as determined by Tribunal – it is not an additional amount funded by the council.
72. The Tribunal notes that the Hon Shelly Hancock MP, Minister for Local Government released the *Councillor superannuation discussion paper* in March 2020, to seek the views of councils and their communities on whether councillors should receive superannuation payments. The deadline for submissions was Friday 8 May 2020.

Conclusion

73. The Tribunal’s determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories, pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

The Local Government Remuneration Tribunal

Signed

Dr Robert Lang

Dated: 10 June 2020

Local Government Remuneration Tribunal

Section 6 Determinations

Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2020

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta

Metropolitan Large (11)	Metropolitan Medium (9)
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Camden
Fairfield	Georges River
Inner West	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	North Sydney
Penrith	Randwick
Ryde	Willoughby
Sutherland	
The Hills	

Metropolitan Small (8)
Burwood
Canada Bay
Hunters Hill
Lane Cove
Mosman
Strathfield
Waverley
Woollahra

Local Government Remuneration Tribunal

Table 2: General Purpose Councils – Non-Metropolitan

Major Regional City (2)		Major Strategic Area (1)		Regional Strategic Area (1)	
Newcastle		Central Coast		Lake Macquarie	
Wollongong					

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabarine	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Coabar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth
			Yass

Table 3: County Councils

Water (4)		Other (6)	
Central Tablelands		Castlereagh-Macquarie	
Goldenfields Water		Central Murray	
Riverina Water		Hawkesbury River	
Rous		New England Tablelands	
		Upper Hunter	
		Upper Macquarie	

Local Government Remuneration Tribunal

Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2020 are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Major Regional City	18,430	32,040	39,160	99,800
	Major Strategic Area	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Centre	13,820	24,320	28,750	60,080
	Regional Rural	9,190	20,280	19,580	44,250
County Councils	Rural	9,190	12,160	9,780	26,530
	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

The Local Government Remuneration Tribunal

Signed

Dr Robert Lang

Dated: 10 June 2020

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Local Government Remuneration Tribunal

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Local Government Remuneration Tribunal

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.
- Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

8.3 WRITE OFF DEBT

SUMMARY

In accordance with the clause 213 *Local Government (General) Regulation 2005*, this report provides details of a debt currently owed by Mr Mark Olsen for an amount of \$5,280.35. This debt relates to an amount owed for 2,250L of emulsion and subsequent legal fees.

After reasonable attempts to recover this debt by Council staff and Council's debt recovery agent, Recoveries & Reconstructions (Aust) Pty Ltd, it is believe that it is unlikely we are able to recover this debt and continued attempts to recover would not be cost effective.

RECOMMENDATION

That a debt of \$5,280.35 owed by Seal Right Dust Control be written off.

FINANCIAL IMPLICATIONS

This debt write off will impact on Council's 2020/21 budget.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulation 2005*
- Debt Recovery Policy

REPORT

In June 2011, Seal Right Dust Control incurred a debt of \$2,587.50 for 2,250L of emulsion at a unit price of \$1.15. A further debt of \$1,748.00 was incurred for an additional 1,520L of emulsion. Mr Mark Olsen was the owner of this business when it incurred the debt.

The debt of \$4,335.50 remained unpaid and was referred to Recoveries & Reconstructions (Aust) Pty Ltd for debt recovery action in April 2012.

Particulars of debt: The debt was incurred on 08/06/2011

Invoice 36350 - 2,250L of emulsion @ \$1.15 = \$2,587.50

Invoice 36377 - 1,520L of emulsion @ \$1.15 = \$1,748.00

Invoice 40292 - Legal Fees \$474.40

Invoice 46669 Legal Fees \$162.00

Invoice 49910 Legal Fees \$394.75

Invoice 54643 Legal Fees \$265.20

Credit 30/10/2017 -\$351.50 (reversal of QLD enforcement warrant solicitors fee)

Recoveries & Reconstructions (Aust) Pty Ltd attempted to recover the debt. The debtor claimed he had paid the amount owing, however there is no record of this payment. The last action recorded by Recoveries & Reconstructions (Aust) Pty Ltd stated "We have his mobile number but he keeps moving all the time. He has no assets and can find no evidence of him trading. We have affected his credit rating so he cannot get a loan unless he makes payment."

It is unlikely that this debt will be paid.

STRATEGIC DIRECTION

Key Pillar 5. Our Civic Leadership

CSP Strategy CL1 - Effect resourceful and respectful leadership and attentive representation of the community

Delivery Program Action CL1.6 - Maximise Council's ability to generate income

Operational Plan Activity CL1.6.3 - Review commercial activities to ensure Council is maximising returns

ATTACHMENTS: Nil

10.1 NOTICE OF MOTION - SAFETY BARRIERS, BURLEY GRIFFIN WAY, BINALONG

Councillor Jasmin Jones has given notice that at the Ordinary Council Meeting on 22 July 2020, she will move the following motion.

MOTION

That a report be presented to the August 2020 Council Meeting on the options for the installation of safety barriers in the vicinity of Fitzroy Street and Burley Griffin Way, Binalong and the potential sources of funding.

BACKGROUND

The Local Traffic Committee, residents and Council staff have referred the issue of safety barriers to Transport for NSW (formerly Roads & Maritime Services) for action on several occasions. TfNSW have not agreed to physical barriers in the past and have given no indication to Council staff that they will in the future.

The number of incidents of vehicles leaving the road due to driver behaviour has left residents with no doubt that their property and lives are in danger. While a physical barrier on TfNSW land is the preferred option as it would stop vehicles before the incline, no work has been proposed. A request for a meeting on this issue with the Regional Director, Lindsay Tanner, has been made.

Vehicles leaving the road are reaching speeds of 80km/hour once on the incline and that 90 degree impacts would be the threshold to stop. Staff have advised a wire fence is the most appropriate to do so if we are installing.

Without any commitment from TfNSW the only option is for Council to directly assist residents by installing a barrier on Council road reserve. TfNSW concurrence may still be required as the site is in close proximity to Burley Griffin Way which is a State Road.

Councillor: Jasmin Jones, Councillor
14 July 2020

General Manager Comments:

A report to the August 2020 Council Meeting can be prepared. This will allow the opportunity to again meet with TfNSW representatives, undertake some research into the potential options and identify potential sources for funding.

ATTACHMENTS: Nil

11.1 QUESTIONS WITH NOTICE - CR GEOFF FROST

The following Questions on Notice have been received from Councillor Frost:

1. Have any senior Council staff met with the proponents of the renovation and refurbishment of the Liberty Theatre? What was the outcome of the discussions?
2. What is the current status of the proposals to renovate and repurpose the Commercial Hotel? What has been Council involvement so far?
3. How does Council and its staff propose to assist in the development of these two sites and so restore the integrity of Comur Street?
4. What is the current average time taken to process and standard Development Application? Are there enough qualified staff to meet the demand? What is the anticipated demand over the next two to five years?
5. What Yass Valley Council specific measures have been taken to ease the impact of COVID 19 restrictions on Yass Valley residents? What further measures are under consideration?

Response

1. ***Have any senior Council staff met with the proponents of the renovation and refurbishment of the Liberty Theatre? What was the outcome of the discussions?***

A meeting was held on 2 July 2020 with Paul Brennan who is working toward establishing a Trust to obtain ownership of the site from the current owners. The Trust aims to restore and reuse the building as a performing arts centre/cinema. Once the Trust has been established, plans for the restoration can then be prepared.

Mr Brennan has also been provided with information, previously given to the current owner in February 2015, indicating Council expectations for any development of the building and the planning challenges. An invitation for pre-lodgement meeting(s) has been extended to Mr Brennan once concept plans have been prepared. A preliminary meeting with Council's Heritage Advisor was held on 6 July 2020.

As part of this process, consideration is also being given by Mr Brennan to applying for the building to be listed on the NSW State Heritage Register. This would potentially open up grant funding for the owners to assist with restoration. Council support for such an application has been offered once a submission has been drafted.

2. ***What is the current status of the proposals to renovate and repurpose the Commercial Hotel? What has been Council involvement so far?***

Council held a pre-lodgement briefing session with the Applicant in May 2019. A Development Application was lodged in December 2019 however as it was incomplete it was not registered. Advice was received from the Applicant on 26 May 2020 withdrawing the application.

3. ***How does Council and its staff propose to assist in the development of these two sites and so restore the integrity of Comur Street?***

Planning staff will continue to be available to meet with any prospective developers to discuss any regulatory requirements and to provide preliminary advice on expected outcomes and the approvals process.

Council's key preference for these two sites is an adaptive reuse of the buildings and restoration of the heritage features rather than demolition. There is a recognition that this will require a willing purchaser/developer to achieve. If adaptive reuse is not possible retention and restoration of the facade along the street frontages with key interior design features salvaged, restored and reused in the new development may be acceptable.

4. ***What is the current average time taken to process and standard Development Application? Are there enough qualified staff to meet the demand? What is the anticipated demand over the next two to five years?***

With the conversion to the new Magiq software system the Development Application Register is unable to generate reports on processing times. This issue now appears to have been resolved and it is anticipated that reporting will be provided shortly.

Generally, there are enough qualified planning and building staff to process the number of applications received. However, staff leave and resourcing levels (especially engineering support) and increasing requirements for specialist reports (e.g. biodiversity assessment) have affected processing times. Overtime is offered to staff to deal with any spikes and backlogs however, this is not mandatory. Options for locums to assist with overloads are currently being investigated via the usual procurement process. The new Director Planning & Environment will also review processing and resourcing for development assessment.

5. ***What Yass Valley Council specific measures have been taken to ease the impact of COVID 19 restrictions on Yass Valley residents? What further measures are under consideration?***

The Executive Management Team meet every Monday morning to determine the organisational response to any announcements made by State and Federal Governments in relation to the introduction of any COVID-19 restrictions or relaxation of restrictions. A monthly update is provided to Councillors through the Councillor Briefing Reports.

Operational decisions are made to adjust Council services to comply with Public Health Orders and to disseminate information to the wider community. Council's web site and social media platforms are updated regularly to provide information to the wider community. In some instances, direct contact is made to an organisation regarding specific requirements likely to impact on their operations (e.g. sporting clubs).

Council's Tourism & Business Liaison team have been compiling information on financial assistance for businesses and distributing this through the Business Chamber and through usual media channels.

For organisations and individuals having difficulties meeting payment of Council fees and charges a *Hardship Policy* has been developed.

12.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE AND RESCUE COMMITTEE MEETINGS

REPORT

The minutes of the Local Emergency Management Committee and Rescue Committee meetings held on 7 July 2020 are included in **Attachments A** and **B**.

From these minutes there are no items which covers matters that:

- Requires expenditure not provided for in the current Operational Plan
- Involves a variation to a Council policy
- Is contrary to a previous decision or position of Council
- Relates to a matter which requires Council to form a view or adopt a position
- Deals with a matter of specific interest

RECOMMENDATION

That the minutes of the Local Emergency Management Committee and Rescue Committee meetings held on 7 July 2020 be noted.

- ATTACHMENTS:**
- A. Rescue Committee Minutes 7 July 2020 [!\[\]\(84f353cc0acfed8ed2cbb420e40cf9e6_img.jpg\) !\[\]\(09e513e73b61c6c85d4ad85b98a57d11_img.jpg\)](#)
 - B. Local Emergency Management Committee Minutes 7 July 2020 [!\[\]\(52bfc423b1a012d2c78d240227f23461_img.jpg\) !\[\]\(3914d76835ceeb38846b16e98b6f87ff_img.jpg\)](#)

DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 7 July 2020

Present

Mathew Carroll – A/g LEOCON (NSW Police), Paul Lloyd – REMO (NSW Police), Paul Vasey (Binalong VRA), Nick Whiting (Fire Rescue NSW), Kurt Bailey (SES), George Shepherd (NSW RFS) and Chris Harris (LLS) (Zoom)

Also Present

Shirree Garland (Yass Valley Council), Craig Paterson & Gavin Cason (Downer – Bango Wind Farm)

Apologies

Dave Cowell (LEOCON) and Paul Box (Ambulance)

Meeting commenced at 9.30 am

Downer – Bango Wind Farm Presentation

Craig Paterson and Gavin Cason, (Downer – Bango Wind Farm Contractors) were welcomed to the meeting. A powerpoint presentation was provided to Committee members.

1. Confirmation of Minutes

Recommended that the Minutes of the Committee meeting held on 5 May 2020 be taken as read and confirmed.

(G Shepherd/P Vasey)

2. Business Arising from Minutes

Marine Rescue Exercise

Marine rescue exercise to be rescheduled.

Wind Turbine Exercise

Exercise to take place today.

In relation to a recent wind farm incident at the Biala Wind Farm, discussion was held in concerning the closest rescue agencies not being notified. George Shepherd advised that he had raised this issue at a recent Upper Lachlan LEMC meeting. Paul Lloyd to take issue up with Inspector Matt Hinton.

3. Correspondence

Nil

4. Delegates Reports

4.1 Binalong Volunteer Rescue

Paul Vasey reported that the service was back up and running, training is currently being undertaken.

Paul expressed his disappointment that the VRA were not called to a recent three car accident at Bookham. Mat Carroll and Paul Lloyd advised that the VRA would only be notified if the incident was classified as a road crash rescue. It was noted that if additional resources are required the Officer in Charge may call in extra resources.

Paul advised that the VRA were not happy with the proposed changes to the Fagan Drive intersection at Bookham, and advised that they had put in a submission.

DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 7 July 2020

4.2 Fire & Rescue NSW

Nick Whiting reported that FRNSW had attended the recent accident at Bookham and also the single vehicle accident on Gums Lane. There are currently three trainees undertaking rescue training, with further to undertake training towards the end of the year. Once completed more than half of the crew will be trained in rescue. Incidences of heavy vehicle roll overs are on the increase.

4.3 Rural Fire Service

George Shepherd advised that it was quiet at the moment and business as usual.

4.4 SES

Nil

4.5 NSW Police

Mat Carroll reported that COVID-19 was still in the foreground for the Police. The pending border closure between NSW/VIC will be intensive on police resources.

Need for protocols to be developed for attending emergencies at Valmar homes was raised. There are currently six homes which have full time carers, two homes have part time carers. Two of these homes are locked 24/7 with two having lock boxes at the front of the premises. Mat to meet with Valmar to discuss protocols and how emergency services would manage incidences. To be further discuss at next meeting.

5. General Business

Nil

Next Meeting

13 October 2020 at 9.30 am

Meeting closed at 10.33 am

DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 7 July 2020

Present

LEMC Members

Steven Beasley (Chair), Tony Stevens - Yass Valley Council, George Shepherd (RFS), Mathew Carroll (NSW Police), Kurt Bailey (NSW SES), Nick Whiting (FR NSW), Paul Lloyd (REMO), Paul Vasey (Binalong VRA) and Chris Harris (LLS – Zoom)

Also Present

Shirree Garland (Yass Valley Council)

Apologies

Dave Cowell (LEOCON) - NSW Police, Nicola Barnes (Southern NSW Health Services) and Paul Box (NSW Ambulance)

Confirmation of Minutes

It was resolved that the minutes of the meeting held on 4 February 2020 be accepted.

(T Stevens/K Bailey)

Business Arising from meeting

Action Sheets were updated.

Correspondence

Director Emergency Management Policy and Coordination – Strategic review of regional and local emergency operations centres (EOCs) across NSW.

Delegates Reports

1. NSW Police

Mat Carroll advised that the Inspector position had still not be filled permanently. Dave Cowell is still acting as the Inspector and will remain as LEOCON. COVID-19 is still at the forefront for the police. The pending border closure between NSW/VIC will be intensive on police resources.

2. NSW Ambulance

Nil

3. Fire Rescue NSW

Nick Whiting advised that due to COVID-19 no fire home safety checks have been undertaken. Staffing is currently at 19, which is three above what we are allocated. Training has resumed post COVID-19. Trainees are undertaking rescue training. An EOI for the Acting Deputy Captain position is currently being advertised.

4. Rural Fire Service

George Shepherd advised that Peter Alley is currently on long service leave for 11 months, and that he is acting as the Manager until his return. George's role is currently out on EOI with interviews due to take place next week. Staff numbers are down at the moment.

DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 7 July 2020

Preparations for the upcoming fire season to commence shortly. Training has commenced.

There have been 137 incidents for the zone, 45 for Yass Valley (16 fires, 23 MBA and 6 others).

COVID-19 making sure appropriate PPE available. There have been an additional 100 part time permanent fire fighter positions created for a 12 month period, with the possibility of extension. One station will be situated in Yass, but controlled at a regional level.

Upgraded radios have been provided for all trucks and portables, GPS trackers have also been placed in trucks. Adequate supply of PPE (COVID-19) has been sourced.

5. State Emergency Service

Kurt Bailey spoke to report, as provided

6. Binalong Volunteer Rescue Association

Paul Vasey advised that the VRA were up and running, training is being undertaken. Two trainees have commenced, one having the ability to do sign language.

7. Local Land Services

Chris Harris advised that lot of LLS training has been rolled back due to COVID-19, there are still a number of staff working from home. Chris advised that he would review Livestock CMG.

8. Ambulance

Nil

Regional Emergency Management Officer Report – Paul Lloyd

The next REMC meeting is scheduled for 25 July, via a TEAMS meeting.

Paul provided a copy of the NSW Government Evacuation Management Guidelines – COVID-19 Supplement to members. An electronic copy to be forwarded to members.

Fire emergency management courses have been funded for this financial year, two Introduction to Emergency Management and Emergency Operations Centre Concepts and one Evacuation Management

General Business

Large Animal Training

Kurt Bailey asked what was the progress on Large Animal training. Paul Lloyd advised that he was waiting for further advise.

Accident at Rugby

Kurt Bailey raised the matter of a recent incident at Rugby where not enough information was provided through Comms. Paul Lloyd to follow up to see whether the issue can be rectified for future incidents.

Fagan Drive, Bookham

Paul Vasey raised the issue of the proposed changes by TfNSW to Fagan Drive, Bookham. IT was noted that the exhibition period has been extended until 10 July. Council to seek further advise from the General Manager re provision of submission from Council and LEMC.

Meeting closed at 11.32am

Next Meeting

Next meeting Tuesday 13 October 2020 at 10.30am, Transgrid

DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 7 July 2020



Yass Valley LEMC/LRC Agency Report

To: Yass Valley LEMC/LRC
From: SES NSW Yass-Hilltops Local Commander Kurt Bailey
Date: 06 July 2020

Information Covering Period 03 February to 06 July 2020

Community engagement

- Due to the Covid Virus there have been no Community Engagement Events during this period

Preparedness

- Due to the Covid Virus there have been no face to face activities during this period

General:

Training

- Face to Face training will resume from the 14th of July at both Yass and Sutton units

Requests for assistance

- During this period we have had a total of 48 Requests For Assistance between Sutton and Yass units.

Recruitment

- Yass have had 4 new recruits join in this period
- Sutton has had 3 new recruits join in this period

DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 7 July 2020

Position Changes

- Jodie Marshall has stood down as Yass Unit Commander.
- Rob Bolin is Acting in this position until it is advertised. The Commander phone number remains the same. Email is robert.bolin@member.ses.nsw.gov.au

END OF REPORT

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