



## **Ordinary Meeting of Council**

**Wednesday 25 November 2020  
4.00pm  
Council Chambers  
209 Comur Street, Yass**

**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**

**December 2020**

**Wednesday 16th**

**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.

<b>1. Prayer</b>	
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Nil

**11. Questions with Notice**

Nil

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**Close of Meeting Time**

**Chris Berry**  
**GENERAL MANAGER**





## **Minutes of the Ordinary Meeting of Council**

**Wednesday 28 October 2020**

4.00pm

Council Chambers

209 Comur Street, Yass

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## **Minutes of the Ordinary Meeting of Council held on 28 October 2020**

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## Open Forum

### Presentations to Council – Items on the Meeting Agenda

- Urgent item – Yass Swimming Club Carnival December 2020  
Donna Wullaert

### Presentation to Council

Police Presentation – Yass Local Area  
Acting Inspector Dave Cowell

**Council Meeting - The Deputy Mayor declared the meeting open at 4.56pm.**

### Present

Councillors Nathan Furry, Deputy Mayor, in the Chair Rowena Abbey, Mayor (via Zoom), Geoff Frost, Allison Harker, Jasmin Jones, Mike Reid and Kim Turner.

Also present were the General Manager – Chris Berry, Director of Planning & Environment – Julie Rogers, Interim Director of Infrastructure & Assets – Steven Beasley, Director of Corporate & Community – Mark Eady and Corporate Planning & Executive Support Officer – Shirree Garland.

### Acknowledgement of Country

#### 1. Prayer

#### 2. Apologies

***RESOLVED that apologies be received from Councillors Burgess and McManus and leave of absence be granted.***

***(Reid/Frost) 165***

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

AGAINST: Nil

### Urgent Business

#### Motion

***RESOLVED that consideration of a request by the Yass Swimming Club to hold a carnival on 6 December 2020 be considered as urgent business and the late Report on the request be accepted into the meeting.***

***(Harker/Turner) 166***

### Reason

The matter is urgent as the November 2020 Council meeting will not give sufficient time for the Club to organise and promote the event.

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

AGAINST: Nil

**Motion**

***RESOLVED that the urgent business be brought forward as the first report for consideration.***

***(Frost/Harker) 167***

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

AGAINST: Nil

**3. Declaration of Interest/Disclosures**

**Councillor Abbey** declared a significant, pecuniary conflict of interest in Item 6.3 - and stated that she believed her interest would preclude her from voting.

**Reason:** Councillor Abbey declared an interest as she is part owner of the land that is being sold for the development.

**4. Confirmation of Minutes**

***RESOLVED that the minutes of the Ordinary Council Meeting held on 23 September 2020 resolution numbers 143-164 inclusive be taken as read and confirmed.***

***(Turner/Reid) 168***

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

AGAINST: Nil

**5. Mayoral Minute**

Nil

**Urgent Business**

**7.6 YASS SWIMMING CLUB CARNIVAL DECEMBER 2020**

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**SUMMARY**

In September 2020 the capacity of the Yass Swimming Pool was limited to 226 persons as a COVID-19 response. This limit did not address swimming carnivals. A request has been received from the Yass Swimming Club to hold a carnival on 6 December 2020 for 500 persons.

This limit has been reviewed in light of the club's submission and it is recommended that the number of persons be limited to 265 (swimmers, spectators and officials) for swimming carnivals at the Yass pool including the Yass Swimming Club carnival on 6 December 2020.

**RESOLVED that:**

- 1. The number of persons for all swimming carnivals at the Yass Swimming Pool complex be limited to 300 persons (including swimmers, spectators and officials).**
- 2. For the swimming carnival on 6 December 2020 the number of persons at the Yass Swimming Pool complex be limited to 300 persons (including swimmers, spectators and officials) in accordance with the Yass Swimming Club's COVID Safety Plan.**
- 3. To minimise the social distancing risk the event be conducted in accordance with the Yass Swimming Club's COVID Safety Plan.**
- 4. The Yass Swimming Pool complex be closed to the general public for the full day on 6 December 2020 to allow the end of event cleaning of the facility by the Yass Swim Club.**

**(Turner/Reid) 169**

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

AGAINST: Nil

## **6. Director of Planning & Environment Reports**

### **6.1 GRAFFITI ART PROPOSAL**

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#### **SUMMARY**

Council deferred consideration of the graffiti wall proposal pending further consultation. Further consultation has been completed and additional sites identified. Approval of the proposed site is recommended.

***RESOLVED that proposal from Jade Roche to convert the face of the bridge support under the Laidlaw Street end of the Hume Bridge to a 'free wall' for graffiti art be approved as an initial trial.***

**(Frost/Reid) 170**

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

AGAINST: Nil

### **6.2 PUBLIC SPACE LEGACY PROGRAM**

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#### **SUMMARY**

To advise of the application to the Public Space Legacy Program and the development assessment performance for September 2020.

***RESOLVED that the report on the Public Space Legacy Program and development assessment performance for September 2020 be noted.***

**(Jones/Reid) 171**

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

AGAINST: Nil

At 05:50 pm Councillor Abbey left the meeting.

### **6.3 DEVELOPMENT APPLICATION NO. DA165280 - HIGHWAY SERVICE CENTRE, YASS VALLEY WAY, YASS**

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#### **SUMMARY**

To present the assessment of the application for a highway service centre on proposed Lot 1 of the subdivision of Lot 1 DP 842644 and Lot 34 DP 871286 Yass Valley Way, Yass. Two submissions were received in relation to the proposal. It is recommended the application be approved subject to deferred commencement conditions.

#### **RESOLVED that :**

- 1. A Deferred Commencement Development Consent be issued for Development Application No. DA165280 for the establishment of a Highway Service Centre on proposed Lot 1 of the subdivision of Lot 1 DP 842644 and Lot 34 DP 871286 Yass Valley Way.***
- 2. The commencement of the Development Consent be deferred until such time that the Applicant has completed the subdivision DA145283 works enabling the creation of legal title for the land subject of DA165280.***

***(Reid/Frost) 172***

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

AGAINST: Nil

At 05:54 pm Councillor Abbey returned to the Meeting.

### **6.4 DEVELOPMENT APPLICATION DA200184 - DWELLING AND TWO LOT SUBDIVISION, 2 ROSE STREET, MURRUMBATMAN**

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#### **SUMMARY**

To present the assessment of an application for a dwelling and two lot subdivision at 2 Rose Street, Murrumbatman. The application is referred to Council due to a variation (greater than 10%) to the minimum lot size development standard contained in the LEP. There have been no submissions received and approval is recommended.

#### **RESOLVED that :**

- 1. Conditional Development Consent be issued for a dwelling house and two lot subdivision at 2 Rose Street, Murrumbatman; and***
- 2. The removal of the two eucalyptus is not approved and the Applicant is encouraged to lodge a separate tree removal application with the necessary supporting documentation.***

***(Reid/Frost) 173***

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

AGAINST: Nil

## **7. Director of Infrastructure & Assets Reports**

### **7.1 SOLAR PANEL INSTALLATION PROPOSAL - YASS WATER TREATMENT PLANT, YASS WASTEWATER TREATMENT PLANT AND YASS VALLEY COUNCIL DEPOT**

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#### **SUMMARY**

This report is to advise on progress in relation to the possible implementation of solar panels and other associated electricity infrastructure on the Water Treatment Plant, Wastewater Treatment Plant and Council's Works Depot.

#### ***RESOLVED that :***

- 1. The proposed installation of solar panels and associated equipment at the Yass Wastewater Treatment Plant, Yass Water Treatment Plant and Works Depot be considered within the quarterly budget review to allocate funds of \$20,000 for commencement of the project in FY2020/21 and \$130,000 (including contingencies) for installation in 2021/22.***
- 2. Opportunities for external funding of solar energy generation projects on its buildings and facilities where practical continue to be pursued.***

**(Jones/Reid) 174**

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

AGAINST: Nil

### **7.2 TENDER EVALUATION REPORT - YASS SEWER RELINING PROJECT YVC/IA/WWW/06.2020**

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#### **SUMMARY**

This report provides information on the submission of tenders for the 2020/21 Yass Sewer Relining Project.

***RESOLVED that this item of the Director Infrastructure and Assets Report be classified as Confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public relating to commercial information of a confidential nature that would, if disclosed, prejudice the position of the person who supplied it.***

**(Turner/Harker) 175**

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

AGAINST: Nil



### **7.3 TENDER EVALUATION REPORT - DESIGN AND CONSTRUCTION OF THREE CONCRETE BRIDGES YCC/ASS/05.2020**

---

#### **SUMMARY**

This report provides advice on the submission of tenders for the design and construction of three concrete bridge structures.

***RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.***

**(Turner/Harker) 176**

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

AGAINST: Nil

### **7.4 TENDER EVALUATION REPORT - NANIMA ROAD RECONSTRUCTION (STAGE 1 CH 0-5KM) YVC/ASS/07.2020**

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#### **SUMMARY**

This report provides advice on the submission of tenders for the Nanima Road Reconstruction (Stage 1 - Ch 0-5km).

***RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.***

**(Turner/Harker) 177**

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

AGAINST: Nil

### **7.5 SCOPE OF WORKS - YASS VALLEY WAY RECONSTRUCTION YVC/ASS/03.2020**

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#### **SUMMARY**

This report seeks the allocation of surplus grant funding associated with the rehabilitation of Yass Valley Way to extend the scope of works and thereby vary Contract No YVC/ASS/03.2020.

***RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.***

**(Turner/Harker) 178**

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

AGAINST: Nil

## **8. Director of Corporate & Community Reports**

### **8.1 INVESTMENT AND BORROWINGS REPORT**

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#### **SUMMARY**

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

***(Harker/Turner) 179***

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

AGAINST: Nil

### **8.2 RATES ARREARS**

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#### **SUMMARY**

To update Council on rate arrears to the end of the first quarter of the 2020/21 financial year.

Rate arrears totalled \$1,129,323.95 as at 30 June 2020 and this has now been reduced to \$855,511.56 as of 30 September 2020. This represents an improvement of \$273,812.39 or 24.25%.

***RESOLVED that the report on rates arrears be noted.***

***(Reid/Frost) 180***

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

AGAINST: Nil

### **8.3 POLICY REVIEW**

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#### **SUMMARY**

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*. Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Gifts & Benefits Policy* has been reviewed and determined to be unnecessary.

***RESOLVED that the Gifts & Benefits Policy GOV-POL-21 be rescinded.***

***(Reid/Frost) 181***

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

AGAINST: Nil

## **9. General Manager Reports**

### **9.1 JOHN LEWIS WILLIAMS BEQUEST**

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#### **SUMMARY**

To provide an update on the management of the John Lewis Williams bequest for the advancement of the interests of young people of Yass. The executor of the Estate of John Lewis Williams is supportive of the bequest being forwarded to the Yass District Education Foundation.

#### ***RESOLVED that:***

- 1. The matter be deferred to the November 2020 Council meeting pending further information.***
- 2. A report be prepared for the November 2020 Council meeting regarding the previous handling of bequests.***
- 3. The Executor of the John Lewis Williams Estate be invited to address Council.***

***(Turner/Harker) 182***

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

AGAINST: Nil

### **9.2 AUSTRALIA DAY AWARDS SELECTION PANEL**

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#### **SUMMARY**

Australia Day is a significant civic celebration in Yass Valley. Advertising for Australia Day Award nominations will commence shortly and run until December 2020. Council needs to form an assessment panel to decide on the successful recipients of the 2021 Australia Day Awards.

***RESOLVED that an assessment panel, consisting of the Mayor, Deputy Mayor, Councillors Burgess and Turner, to select 2021 Australia Day award recipients be established.***

***(Jones/Frost) 183***

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

AGAINST: Nil

## **10. Notice of Motion**

Nil

## **11. Questions with Notice**

### **11.1 QUESTIONS WITH NOTICE - CR GEOFF FROST**

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

1. What is the current status of the Wellington Drive development? Has the developer been able to connect to Council services, including water and sewerage to their satisfaction? Have any problems arisen with regard to servicing this estate, how have they been solved and at what cost to ratepayers?
2. What is the current position and status of access to the Yarrah estate across the old tram line? When will Council provide legal access for the estate across the tram line? What is the current state of negotiations with respect to this access?
3. What is the capacity of the Yass sewerage system to provide access to homes in the Yarrah estate? What arrangements have been made with the developer to ensure early stages of the development are able to access existing capacity?
4. Can the General Manager assure Councillors that these developments will not be unduly delayed?

***RESOLVED that the responses provided to Councillor Frost's Questions With Notice be noted.***

***(Frost/Turner) 184***

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

AGAINST: Nil

## **12. Minutes and Recommendations of Council Committees**

### **12.1 MINUTES OF THE BANGO WIND FARM COMMUNITY CONSULTATIVE COMMITTEE HELD ON 18 AUGUST 2020**

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

***(Frost/Reid) 185***

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

AGAINST: Nil

## **13. Confidential Matters**

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

- 13.1** ***Tender Evaluation Report - Yass Sewer Relining Project YVC/IA/WWW/06.2020***  
***Item 13.1 is confidential in accordance with section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.***
- 13.2** ***Tender Evaluation Report - Design and Construction of Three Concrete Bridges YVC/ASS/05.2020***

*Item 13.2 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**13.3 Tender Evaluation Report - Nanima Road Reconstruction (Stage 1 Ch 0-5km) YVC/ASS/07/2020**

*Item 13.3 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**13.4 Scope of Works - Yass Valley Way Reconstruction YVC/ASS/03.2020**

*Item 13.4 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

(Frost/Turner) 186

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

AGAINST: Nil

Closed Council commenced at 6.25 pm.

At 06:25 pm Councillor Abbey left the meeting.

**13.1 TENDER EVALUATION REPORT - YASS SEWER RELINING PROJECT  
YVC/IA/WWW/06.2020**

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**SUMMARY**

This report provides information on the submission of tenders for the 2020/21 Yass Sewer Relining Project.

**RESOLVED that :**

- 1. The tender submitted by Interflow Pty Ltd for the Yass Sewer Relining Project (Contract No: YVC/IA/WWW/06.2020) be accepted for a total cost of \$257,880.22 (ex GST); inclusive of a Provisional Sum of \$52,887.56 (ex GST) in accordance with Interflow Pty Ltd's tender documentation, addendum, submission and subsequent clarifications.**
- 2. The General Manager (or delegate) be authorised to execute the Contract documentation necessary for the works and to approve any necessary variations in accordance with the contract.**
- 3. The original budget estimate for the project be increased from \$200,000 to \$260,000 at the next Quarterly Budget Review.**
- 4. The unsuccessful tenderers be advised of the tender evaluation decision.**

(Frost/Turner) 187

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

AGAINST: Nil

### **13.2 TENDER EVALUATION REPORT - DESIGN AND CONSTRUCTION OF THREE CONCRETE BRIDGES YVC/ASS/05.2020**

---

#### **SUMMARY**

This report provides advice on the submission of tenders for the design and construction of three concrete bridge structures.

***RESOLVED that the tender submitted by Complete Civil Pty Ltd to undertake the design and construction of the three concrete road bridges (Contract No. YVC/ASS/05.2020) be accepted for a total cost of \$1,093,590.***

***(Turner/Frost) 188***

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

AGAINST: Nil

### **13.3 TENDER EVALUATION REPORT - NANIMA ROAD RECONSTRUCTION (STAGE 1 CH 0-5KM) YVC/ASS/07/2020**

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#### **SUMMARY**

This report provides advice on the submission of tenders for the Nanima Road Reconstruction (Stage 1 - Ch 0-5km).

***RESOLVED that :***

- 1. The tender submitted by Denrith Pty Ltd to undertake Nanima Road Reconstruction (Stage 1 Ch 05km) (Contract no. YVC/ASS/07.2020) be accepted for a total cost of \$2,631,354.22***
- 2. A contingency of \$200,000 be allocated for latent conditions and unsuitable material.***

***(Reid/Frost) 189***

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

AGAINST: Nil

### 13.4 SCOPE OF WORKS - YASS VALLEY WAY RECONSTRUCTION YVC/ASS/03.2020

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#### SUMMARY

This report seeks the allocation of surplus grant funding associated with the rehabilitation of Yass Valley Way to extend the scope of works under Contract No YVC/ASS/03.2020.

***RESOLVED that the scope of works for Yass Valley Way Reconstruction Tender YVC/ASS/03.2020 be increased to include additional rehabilitation sites on Yass Valley Way and the extension of the approaches of Old Gap Road to Yass Valley Way to seal to the RFS shed at a total additional cost of \$360,000.***

***(Turner/Frost) 190***

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

AGAINST: Nil

***RESOLVED that the meeting move into Open Council.***

***(Reid/Jones) 191***

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

AGAINST: Nil

Open Council resumed at 6.31 pm.

***RESOLVED that the recommendations in Closed Council be adopted.***

***(Turner/Frost) 192***

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

AGAINST: Nil

The meeting closed at 6.32 pm.

## 6.1 COUNCIL OWNED AND MANAGED LAND ASSETS

### SUMMARY

A review has been undertaken of land assets which Council either owns or manages on behalf of others. This report makes recommendations in relation to land which is potentially surplus to Council operational or community requirements.

### RECOMMENDATION

*That:*

1. *The recommendations in Table 1 for properties 1-24 be endorsed.*
2. *The preparation of a Yass Valley Open Space Strategy be included in the 2021/22 Operational Plan.*

### FINANCIAL IMPLICATIONS

The retention or disposal of Council owned property has varying implications depending on its current or any proposed future use. Not only does the value of the land need to be considered, but any income received from leases as well as costs associated with maintenance or remediation of the land.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Yass Valley Local Environment Plan 2013*
- Property Acquisition and Disposal Policy

### REPORT

#### 1. Introduction

A review was recently undertaken of land assets which are either owned or managed by Council. This involved:

- Confirming the land classification (Operational or Community) under the *Local Government Act 1993*
- Confirming the land use zoning under the *Yass Valley LEP 2013*
- Reviewing Deposited Plans for any restrictions or reserve status
- Determining whether a current lease is in place for the land

Land which has been classified as Community Land under the *Local Government Act 1993* cannot be sold or exchanged, and any lease entered into needs to be expressly provided for within the Plan of Management for the land.

As such, any Community Land which is identified as potentially surplus to requirements will be required to be reclassified as Operational Land through a Planning Proposal and associated public hearing with the community.

#### 2. Property Acquisition & Disposal Policy

Council's *Property Acquisition & Disposal Policy* provides a framework for property acquisition or disposal. It is noted that most of the land identified within this review was acquired prior to the development of this policy, and was unlikely to be assessed against any specified criteria. The policy



requires Council to undertake regular reviews of its property portfolio, with the objective of minimising cost and maximising usage of land for the benefit of the community now and into the future.

The policy requires the value of each property to be assessed against operational, strategic and commercial value criteria and a summary has been provided below:

## 2.1 Operational Value

*Council service/s cannot (or would struggle to) function effectively without this property or public amenity and would be detrimentally impacted without the property e.g. Council offices, carparks, community halls, parks, sporting facilities, water, sewerage, waste, recreational open space, playgrounds etc.*

Parts of the Chinamans Creek Carpark have operational value in the form of amenity and connectivity values of the creek. Council has recently committed to progressing the Chinamans Creek Interpretive and Education Trail and Wetlands if funding is secured through the NSW Public Space Legacy Program. As discussed in the table below, if it is agreed to dispose of the parcel at the rear of the Yass Soldiers Club, it should be on the basis of an exchange of a strip of land to ensure this section of Chinamans Creek is in contiguous public ownership.

Part of the carpark also provides access to the rear of some businesses fronting Comur Street. For this reason, these lots are recommended to be retained at this time. Should there be a future redevelopment of the Atherfield Medical Centre, rights of way/easements to each business could be revisited at that time, with a view to adjusting boundaries. In the interim the land needs to remain in Council's ownership.

Council has also been historically responsible for management of the Mullion Old School House and the Yass Senior Citizens' Hall. As there is no operational need for this arrangement to continue, and these facilities duplicate other facilities within the immediate area in Council ownership, there is no operational need to continue these arrangements.

## 2.2 Strategic Value

*Property held for future operational need, commercial value or future community enhancement*

'Hawthorn', Murrumbateman has strategic value for the future growth of Murrumbateman as identified within the *Yass Valley Settlement Strategy*. It also has the potential to deliver future community benefit through the conservation of areas with high biodiversity values and some heritage structures and landscape on the Hawthorn property. In August 2020 Council determined to proceed with strategic bio certification of 'Hawthorn', as this will deliver future commercial and community benefit.

Land that is a Public Reserve and/or actively being used for that purpose needs to be considered as part of a holistic Public Open Space Strategy. Only land which has no infrastructure and not actively or likely to be used as open space has been identified within this review.

Other than the above, the main 'strategic value' which was considered was the commercial value of the asset and how leasing, retaining or disposing land may facilitate Council realising its other strategic objectives.

## 2.3 Commercial Value

*Properties that do not have a strategic or operational component*

Where the Valuer General's land value is known it is provided in the table below, as well as the details of any current return being received through a lease. The Valuer General's assessment is the unimproved land value – it is not the market value. Prior to the disposal of any parcels of land, an independent valuation will be required.

A number of parcels of land require additional works to be undertaken prior to re-development or lease/disposal of the land including land surveys or remediation. The cost and scope of these works is unknown at this stage, however it has been identified that there is a need to establish a budget reserve to manage (including remediate) Council owned land. As such, no timing has

been attributed to these works, other than a low-medium-high priority, and the funding of each of these will be considered within the annual budget process once cost estimates are known.

## 2.4 Disposal of Property

The policy provides for the disposal of land not required for a community or operational purpose i.e.

- Open market sale (including auction)
- Expressions of interest
- Select tender
- Open tender
- By negotiation

The method chosen will depend upon:

- The number of known potential purchasers of the property
- Delegation limits, taking into consideration accountability, responsibility, operational efficiency and urgency of the disposal
- The total estimated value of the disposal
- Compliance with statutory and other obligations

As required under the policy, information relating to valuation, sale price and rationale for method of disposal will be made public through a resolution of Council.

## 3. Identified land

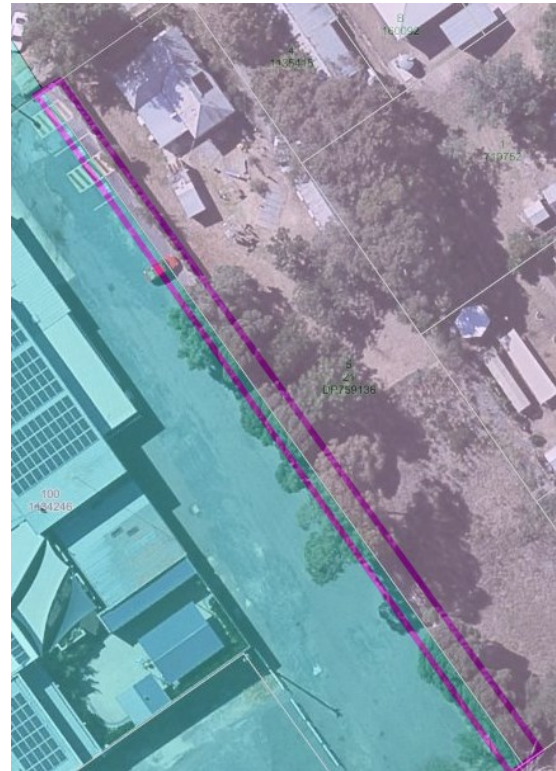
Based on the above considerations, the review revealed a number of parcels which appear no longer meet Council's operational and strategic land needs or which require additional work to be undertaken to allow the land to be re-developed, leased or sold. These are included and number 1-24 in **Table 1** below. The corresponding aerial photo of each property is shown in **Attachment A**.

Land Description	Valuer General Value 1/7/2019  (Pro Rata where part of larger valuation)	Lease Income/ Expenditure	Recommendation	Priority
<b>OPERATIONAL LAND</b>				
<b>1</b>  <i>Former Yass Saleyards, Yass Valley Way, Yass</i>  Lot 1 DP230230, Lot 1 DP328041, Lot 1 DP323783  Zoned R1 General Residential  4.6ha	\$360,000	N/A	Obtain quote for site remediation.  Include funding for remediation in a forthcoming budget.	Medium

<p><b>2</b></p> <p><i>'Hawthorn', Barton Highway, Murrumbateman</i></p> <p>Lot 12 DP1129955 Lot 6 DP1046081 Lot 11 DP1129955</p> <p>Zoned RU1 Primary Production</p> <p>286ha</p>	\$3,170,000	\$60,000 pa  Lease to be renewed early 2021	Continue with strategic bio certification as per August 2020 resolution.	High
<p><b>3</b></p> <p><i>116 Laidlaw Street, Yass</i></p> <p>Lot 1 DP783758</p> <p>Zoned B5 Business</p>	\$482,000	\$24,700 pa  Lease expires 20 August 2021	<p>Obtain quote for contaminated land/UPSS site assessment.</p> <p>Include funding for assessment in a forthcoming budget.</p> <p>Proceed with existing Development Consent for subdivision of Orion Street extension in 2021.</p> <p>After this consider whether to continue leasing or dispose.</p>	Medium
<p><b>4</b></p> <p><i>Corner Red Hill and Bowning Road, Bowning</i></p> <p>Lot 101 DP1223128</p> <p>Zoned RU5 Village</p> <p>1,148m<sup>2</sup></p>	\$73,800	N/A	<p>Engage surveyor to prepare boundary adjustment to address building/fence encroachment. Include funding for survey work in a forthcoming budget.</p> <p>Dispose upon registration of adjusted boundary.</p>	High
<p><b>5</b></p> <p><i>17 Dutton St, Yass (rear Goodradigbee Centre)</i></p> <p>Lot 1 DP61675</p> <p>Zoned R3 Medium Density Residential</p> <p>689m<sup>2</sup></p>	\$73,162 (pro rata)	N/A	<p>Obtain quote for contaminated land assessment.</p> <p>Include funding for assessment in a forthcoming budget.</p> <p>Dispose upon completion of remediation</p>	Medium

<p><b>6</b></p> <p><i>Future extension of Saxon Avenue, Murrumbateman</i></p> <p>Lot 4 DP854301</p> <p>Zoned R5 Large Lot Residential</p> <p>6,810m<sup>2</sup></p>	<p>\$58,911 (pro rata)</p>	<p>N/A</p>	<p>Road extension not required into (recent) Isabel Drive development.</p> <p>Obtain valuation and negotiate/ seek Expressions of Interest from adjacent owners including Merryville Community Association.</p>	<p>High</p>
<p><b>7</b></p> <p><i>9-13 Dutton Street, Yass</i></p> <p>Lot 9 DP1099562</p> <p>Lot 10 DP1107012</p> <p>Lot 11 Sec 19 DP759136</p> <p>Lot 12 Sec 19 DP759136</p> <p>Zoned R3 Medium Density Residential</p> <p>7,265m<sup>2</sup> (total)</p>	<p>\$537,666</p>	<p>N/A</p>	<p>Undertake structural/heritage assessment on Squatter's Home Inn ruins in 2020-21.</p> <p>Obtain quote for contaminated land assessment.</p> <p>Include funding for assessment in a forthcoming budget.</p> <p>Review occupation of Lot 12 and prepare formal lease of site if appropriate.</p> <p>Progress creation and acquisition of strip of land at rear from NSW Land Registry (not in any ownership).</p> <p>Depending on outcome of above assessments dispose of Lots 9, 10 and 11.</p>	<p>Medium</p>
<p><b>8</b></p> <p><i>Chinamans Creek Carpark, Yass</i></p>	<p>Lot 4 DP 557069 \$122,196 (pro rata)</p> <p>Lot 5 DP 559028 \$19,541 (pro rata)</p>	<p>N/A</p>	<p>Obtain valuations and negotiate/seek Expression of Interest from adjacent landowner for <b>Lot 5 DP559028</b> (adjoins rear of Bargain Base /Elders building).</p> <p><b>Discussion:</b> Lot 5 is not relied on to access any other businesses in the vicinity and forms part of the rear loading and parking area to the adjacent premises.</p> <p>Obtain valuation and negotiate/seek Expression of Interest from the adjacent landowner, the Yass Soldiers Club for <b>Lot 4 DP557069</b>.</p> <p><b>Discussion:</b> The Soldiers Club land holding abuts the north west and north east boundaries of the site. They have previously expressed an interest in acquiring this lot for car parking purposes (refer separate report). Lot 4 is currently underutilised by surrounding businesses and the general community. It is not relied on to access any other businesses in the vicinity.</p> <p>Any disposal of Lot 4 DP557069 should incorporate an exchange of the strip of land which includes the channelised section of Chinamans Creek between Meehan Street</p>	

and the rear of the Australian Hotel (part Lot 5 Section 21 DP759136, Part Lot 100 DP1134246).



*In addition, there would be significant community benefit in creating continuous public pedestrian access from Park and Ride to Riverbank Park. This will also assist the delivery of the Chinamans Creek Interpretive and Education Trail and Wetlands project under the current Public Space Legacy Program.*

*Lot 2 DP503355 and Lot 8 DP562963 contain the Atherfield medical centre/ part Australian Hotel carpark (accommodation). While they predominantly support those businesses, they also provide access from Lead Street to the rear of Carpet Court, Belle Mere, Lien's and Silver Gully businesses. It also has right of ways/easements over Lot 2 which would be costly and complex to resolve. It is recommended that these lots, and well as the two lots over Chinamans Creek, be retained by Council at this time.*

<p><b>9</b></p> <p><i>West corner Grampian and O'Brien St, Yass</i></p> <p>Lot 1 DP1087704</p> <p>Zoned R1 General Residential</p> <p>1,011m<sup>2</sup></p>	\$139,000	N/A	Not a designated reserve, however due to location and passive function consider any need to remain in public ownership within proposed <i>Open Space Strategy</i> .	Low
<p><b>10</b></p> <p><i>End of Grevillea Close, Murrumbateman</i></p> <p>Lot 3 DP812518</p> <p>Zoned R5 Large lot Residential</p> <p>1,998m<sup>2</sup></p>	\$12,900	N/A	Not required for extension of road network or access to lots to north.  Obtain valuation and negotiate/seek Expressions of Interest from adjacent owners.	Medium
<p><b>11</b></p> <p><i>Corner Hadlow Drive &amp; Brooks Creek Lane, Gundaroo</i></p> <p>Lot 1 DP544857</p> <p>Zoned RU1 Primary Production</p> <p>974m<sup>2</sup></p>	\$3,610	N/A	Ascertain interest and negotiate with adjacent owner to acquire.	Low
<p><b>12</b></p> <p><i>Faulder Avenue, Yass (north of Transfer Station)</i></p> <p>Lot 5 DP582330 (part)</p> <p>Zoned B5 Business Development</p> <p>3.155 ha</p>	\$52,426 (pro rata)	N/A	Undertake updated biodiversity assessment. Engage consultant/ surveyor to prepare a Development Application for subdivision (7 lot plus road, plus expansion area for Transfer Station. Between Faulder Avenue and spur rail line only.)  Obtain quote for updated biodiversity assessment and subdivision proposal for land between Faulder Ave and tram line only.  Include funding for finalising subdivision application in a forthcoming budget.	High

<b>13</b> <i>67 Rossi St, Yass - (Goodradigbee Centre)</i> Lot 8 DP1132197 (part) Zoned B2 Local Centre	\$214,838 (pro rata for all of lot 8))	\$26,000 pa Lease with Valmar over Goodradigbee Building, parking area and carport only	Engage consultant/surveyor to prepare Development Application for a 2 lot subdivision separating Goodradigbee building from adjacent sheds. Include funding for survey and consultancy work in a forthcoming budget. Upon registration of plan, obtain valuation and seek expressions of interest or undertake open market sale for lot occupied by sheds.	High
<b>14</b> <i>Gasworks, Dutton Street, Yass</i> Lots 13,15,16 Sec 19 DP759136 Lot 14 DP1130367 Zoned SP1 Special Activities 4,578m <sup>2</sup>	\$207,334 (pro rata)	\$50 pa	Include contaminated land monitoring as required under current EPA Voluntary Management Plan in forthcoming budget. Review and update existing lease of site.	High
<b>COMMUNITY LAND</b>				
<b>15</b> <i>Stage 3 Discovery Drive, Yass</i> Lot 63 DP1079585 Zoned R1 General Residential 8,428m <sup>2</sup>	\$53,600	N/A	Reclassify to Operational Land. Engage consultant/ surveyor to prepare modification to development consent, replacing road extension with cul-de-sac head and pedestrian/cycle path to Reddall Street. Include funding for survey and consultancy work in a forthcoming budget. Upon registration of plan, obtain valuation and seek expressions of interest or undertake open market sale for lots.	High
<b>16</b> <i>Discovery Drive Reserves, Yass</i> Lots 9 and 19 DP1071431 Zoned R1 General Residential 842m <sup>2</sup> and 705m <sup>2</sup>	\$130,300	N/A	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan. Determine whether need to retain both areas of open space opposite each other.	Low

<b>17</b> <i>Yeo Crescent, Yass</i> Lot 20 DP813992 Zoned RE1 Public Recreation	\$268,000	N/A	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan.  Determine need to retain given no recreational infrastructure on site and proximity to Walker Park.	Medium
<b>18</b> <i>Cnr Discovery Drive and Cooks Hill Road, Yass</i> Lot 4 DP1071431 Zoned R1 General Residential 5,958m <sup>2</sup>	\$51,100	N/A	Determine interest in the land from Onerwal LALC.  May be some development potential on eastern part of lot – (excluding Rocky Knoll) however new Aboriginal Cultural Heritage Assessment will be required to demonstrate this.	Medium
<b>19</b> <i>Walker Park, Yass</i> Lot 1 DP 163390 (part) Zoned RE1 Public Recreation 7 ha	\$235,385	\$618.80 pa (2020/21)  Lease Expiry Date: 30 July 2023	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan.  Undertake preliminary Biodiversity assessment to determine values present.  Determine whether part of lot which is currently fenced and leased is required to remain as open space.	Medium
<b>20</b> <i>Merriman Drive, Yass</i> Lot 1 DP862942 (part) Zoned RE1 Public Recreation	\$87,000 (pro rata for all of Lot 1)	N/A	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan.  Determine whether part of lot adjacent to existing residential development is required to remain as open space.	Low
<b>21</b> <i>Woods Close, Murrumbateman</i> Lot 14 DP832243 Zoned R5 Large Lot Residential 6,808m <sup>2</sup>	\$65,800	\$211.40 pa (2020/21)  Lease Expiry Date: 30 June 2023	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan.  Although this was created as a Public Reserve as part of the subdivision, it is leased to the adjoining landowner. Determine whether need to retain.	Medium



<b>22</b> <i>Wee Jasper village</i> Lot 14 DP255410 Zoned part RU5 Village part W1 Waterway 4.53ha	\$18,300	\$247.40 pa (2020/21) Lease Expiry Date: 30 June 2023	Include preparation of an <i>Open Space Strategy</i> within next Operational Plan. Although this was created as a Public Reserve as part of the subdivision, it is leased to the adjoining landowner. Determine whether any need to retain.	Medium
YVC LEASE or TRUSTEE FOR				
<b>23</b> <i>Senior Citizens' Hall, Yass</i> Lot 2 DP523871	Purchased in 1967 with funds provided by Yass Senior Citizens' Club. Land and facility is within the APEX facility.	Note: Senior Citizens Club pays no rates and charges are waived under current <i>Donations Policy</i> .	As Council does not manage nor maintain the Hall, the Trust should be extinguished and handed back to Yass Senior Citizen's Club.	Medium
<b>24</b> <i>Old Mullion Schoolhouse</i> Lot 258 DP821085 Lot 139 DP751834 Zoned RU1 Primary Production 9,394m <sup>2</sup>	N/A	Lease with NSW Education expired in 2009. Minimal community use of the building/land, and there is another community hall on Council land nearby.	Advise NSW Education that Council has no further interest in the property.	High

## 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

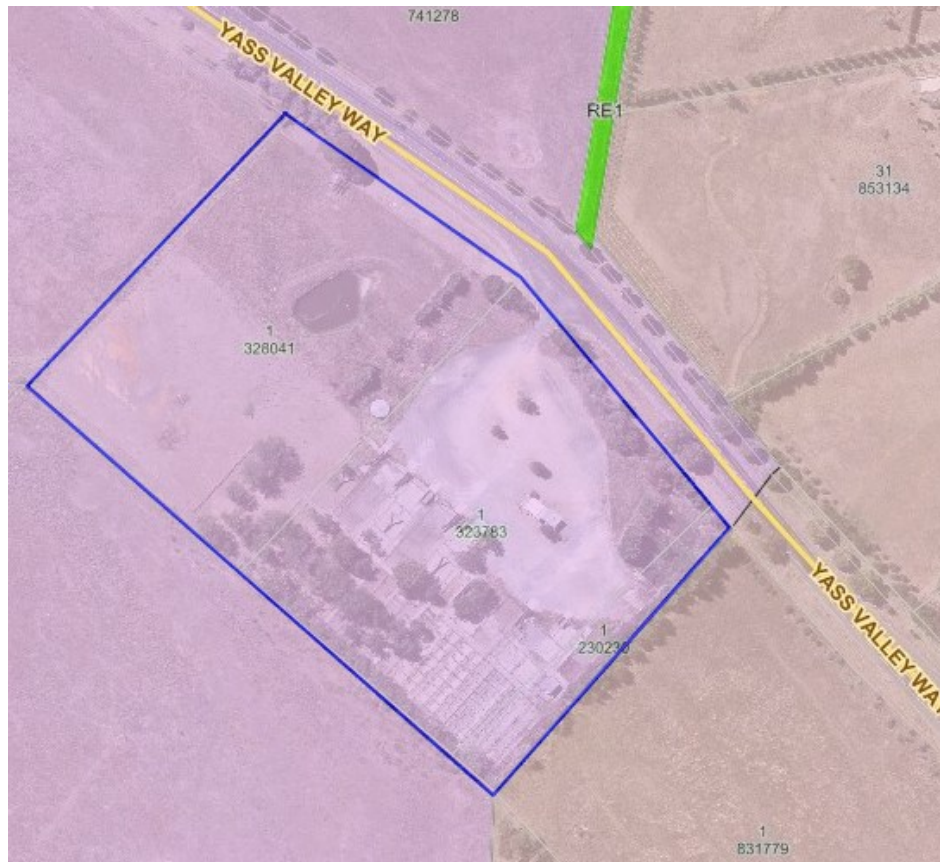
Delivery Program Action IN4.2 - Ensure sufficient land is appropriately located for future Council facilities and emergency services

Operational Plan Activity IN4.2.1 - Ensure that as settlement grows locations are appropriately earmarked for Council facilities and emergency services

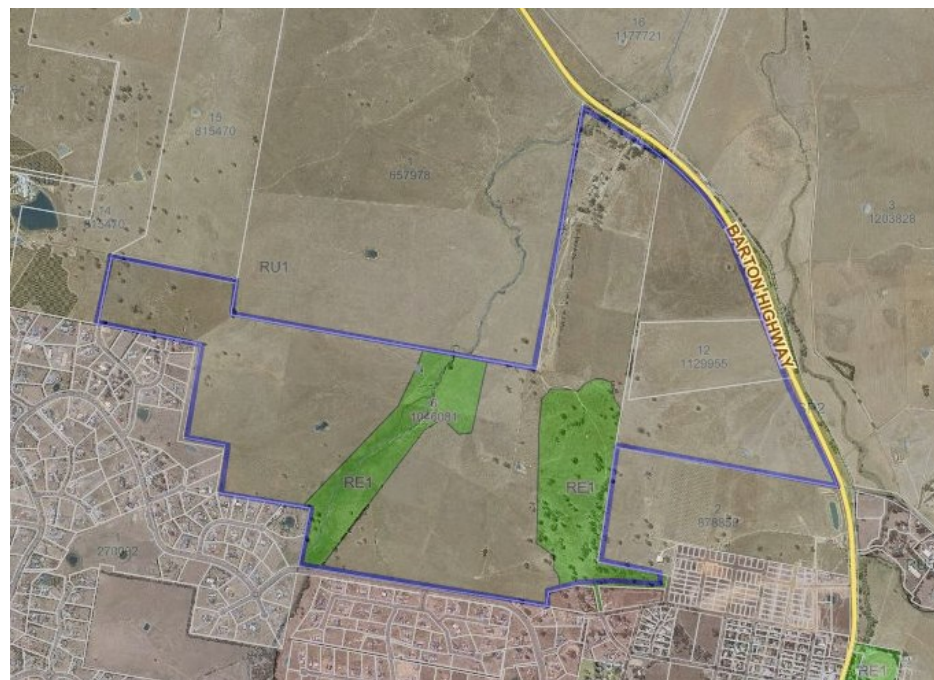
**ATTACHMENTS:** A. Aerial Photos of Properties [↓](#)

**Aerial Photos- Council Owned & Managed Land**

1.



2.



6.1 Council Owned and Managed Land Assets  
Attachment A Aerial Photos of Properties

3.



4.





5.



6.





## 6.1 Council Owned and Managed Land Assets

**7.**



**8.**





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10.



11.

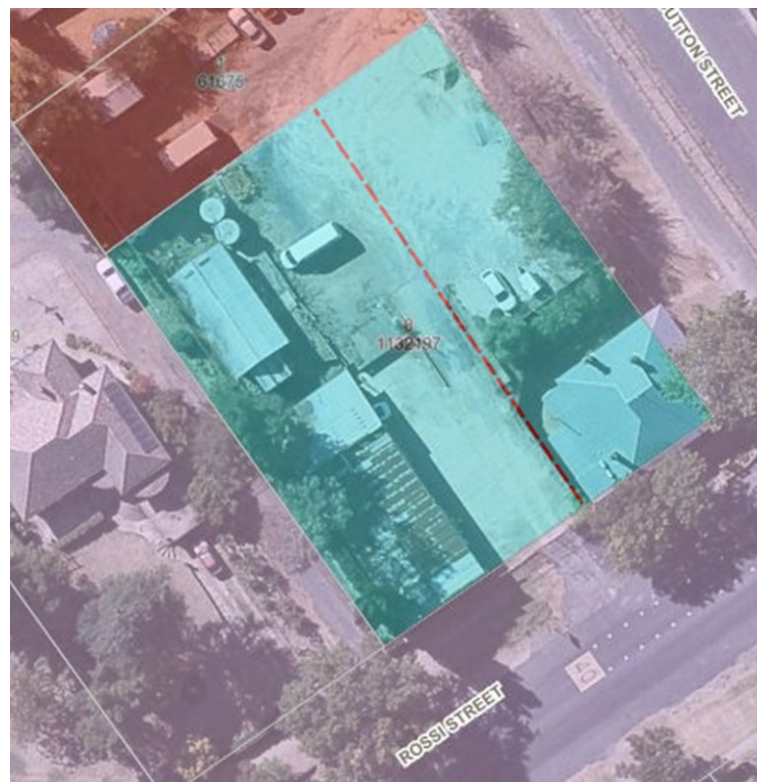


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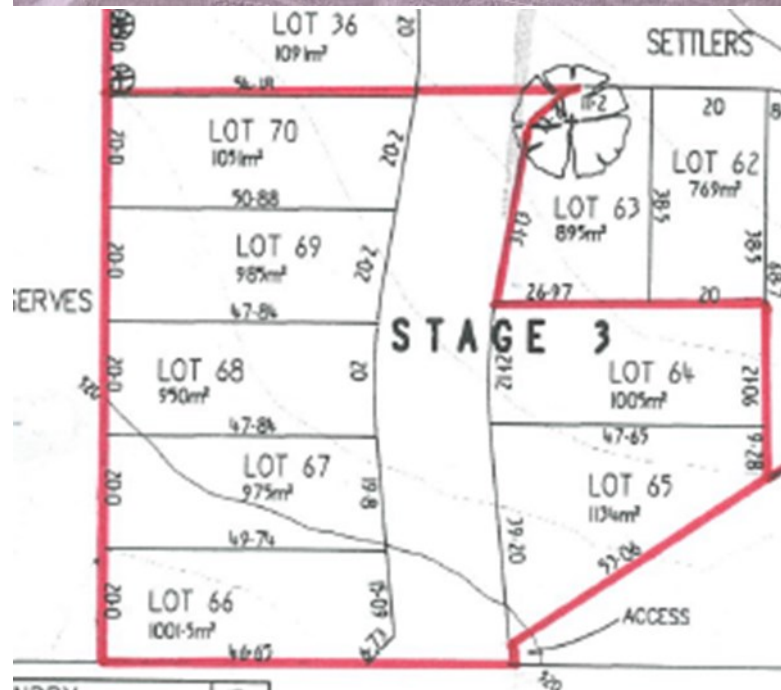


14.





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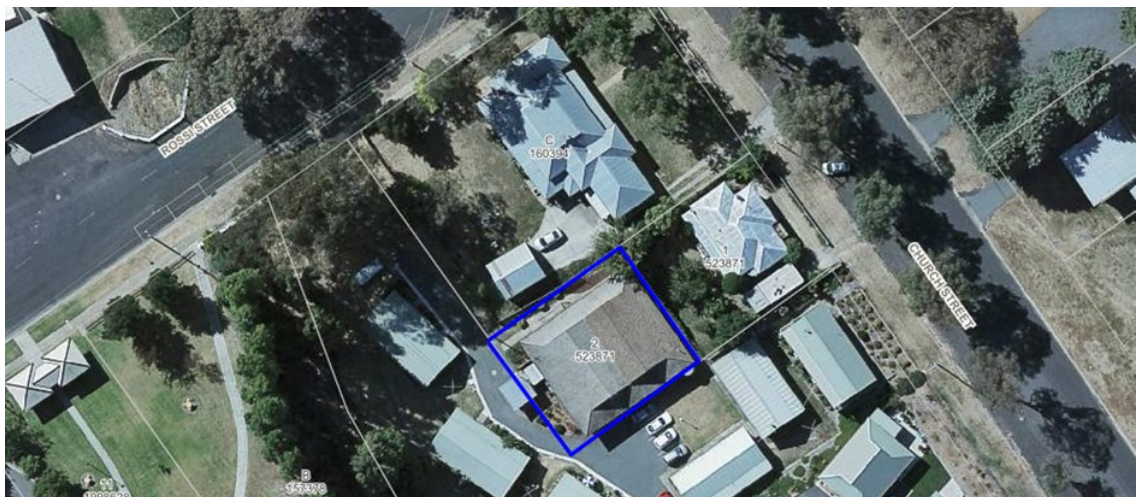




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23.



24.



## 6.2 YASS SOLDIERS CLUB

### SUMMARY

To present a request to purchase Council owned land at the rear of the Yass Soldiers Club. It is recommended that an exchange of land be negotiated.

### RECOMMENDATION

*That negotiations be undertaken with the Yass Soldiers Club for the exchange of Lot 4 DP557069 at the rear of the Club for part Lot 100 DP1134246 and part Lot 5 Sec 21 DP759136 along Chinamans Creek.*

### FINANCIAL IMPLICATIONS

Disposal of assets reduces Council's asset maintenance liabilities.

### POLICY & LEGISLATION

- Local Government Act 1993
- Regional Community Strategic Plan 2016-36, Delivery Program 2017-21 and Operational Plan 2020-21.
- Yass Valley Local Environmental Plan 2013
- Property Acquisition & Disposal Policy

### REPORT

#### 1. Introduction

A request has been received from the Yass Soldiers Club to purchase Council land at the rear of their site in Meehan Street (refer **Attachment A**). The Club are seeking to use the land for parking purposes and would integrate this area with their existing car park by removal of the existing barriers. The Club has not made a purchase offer at this stage.

The site forms part of several Council owned parcels in this locality (refer **Attachment B**). The Council land and current uses are summarised in the following table:

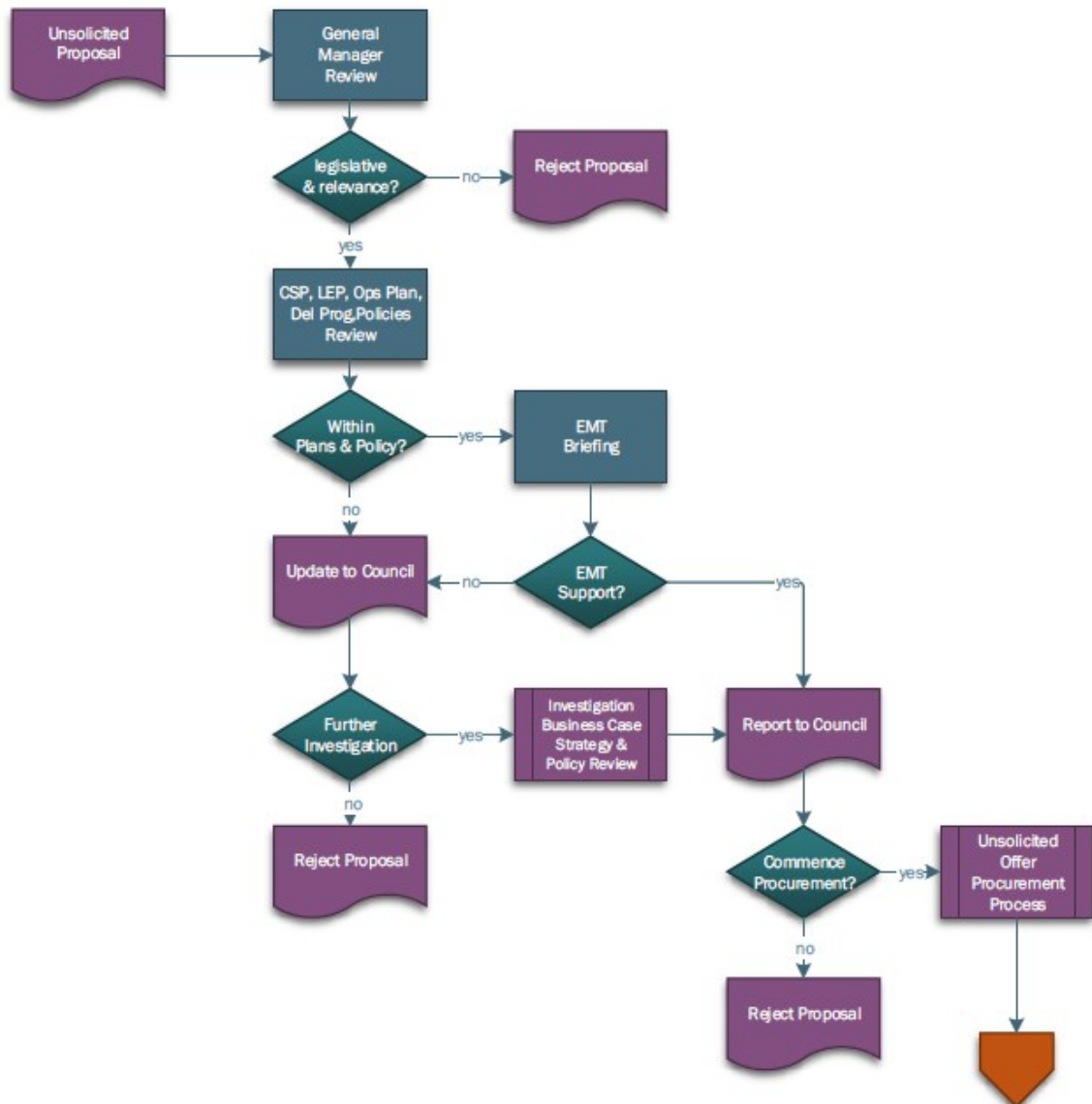
Land	Use
Lot 2 DP503355	<ul style="list-style-type: none"> <li>• Car park area accessed off Lead Street.</li> <li>• Provides rear access to commercial properties fronting Comur Street</li> </ul>
Lot 1 DP745721 Lot 11 DP603281	<ul style="list-style-type: none"> <li>• Part of Chinamans Creek</li> </ul>
Lot 8 DP562963	<ul style="list-style-type: none"> <li>• Access way at the rear of the Australia Hotel linking the car park area off Lead Street with the land at the rear of the Yass Soldiers Club</li> </ul>
Lot 4 DP557069	<ul style="list-style-type: none"> <li>• Unformed informal access area</li> <li>• Provides rear access to adjoining commercial properties (Bargain Base, Elders)</li> </ul>
Lot 5 DP559028	<ul style="list-style-type: none"> <li>• Unformed informal parking area</li> <li>• Adjoining rear of Yass Soldiers Club</li> </ul>

The Council land is classified as “Operational Land” under the *Local Government Act 1993* in recognition of its parking and access functions.

## 2. Decision Making Process

Council develops forward plans for its activities to guide future decision making. A review of Council’s land holdings has been identified as a project to determine whether the holdings align with its strategic priorities. Work on this project has commenced and priorities identified are included in a separate report in these business papers.

However there are times outside of the usual planning process in which strategic opportunities arise that warrant evaluation. To assist with this evaluations Council endorse a flowchart for such proposals i.e.



The evaluation of the Yass Soldiers Club proposal is to follow this process.

## 3. Legislation

Section 8A *Local Government Act 1993* specifies the guiding principles for Councils which includes managing land and other assets so that current and future community needs can be met in an affordable way. There is an expectation that the acquisition or disposal of land follows a robust business case analysis. The disposal of Council land at the rear of the Yass Soldiers Club needs to follow this process and needs to consistent with Council’s strategic priorities.



#### **4. Regional CSP, Delivery Program and Operational Plan**

The disposal of surplus land is not specifically referenced in Council's Regional CSP, Delivery Program or Operational Plan. These strategic documents make a broad reference to:

- CSP Strategy IN4 – maintain and upgrade existing community facilities and support development of new community facilities
- DP IN4.2 - Ensure sufficient land is appropriately located for future Council facilities and emergency services

Matching property assets with the need for community facilities is consistent with meeting these aspirational objectives. Assets that do not meet these needs can be considered as surplus and suitable for disposal.

#### **5. Local Planning**

The land is zoned 'Local Centre' under the *Yass Local Environmental Plan 2013* and is located within a Heritage Conservation Area. The site itself has no heritage values.

Water, sewer and stormwater infrastructure in the area is included in **Attachment C**.

#### **6. Councillor Workshop**

A Councillor Workshop was held on 12 October 2020 to discuss its property portfolio and its alignment with its strategic priorities.

The workshop examined the Council land between Lead Street and the rear of the Yass Soldiers Club. The land provides for off street parking, rear access for commercial properties and Chinamans Creek.

Part of Chinamans Creek is owned by the Yass Solders Club.

Council has recently nominated the development of Chinamans Creek as an open space/stream restoration project for open space funding.

One option could be to exchange land between the Club and Council to secure public land along the creek.

The Council land also has an important access function for adjoin commercial properties and to allow vehicle and pedestrian movements between each parking area. This access will need to be retained with any transfer of Council land.

#### **7. Property Acquisition & Disposal Policy**

Council has adopted a *Property Acquisition & Disposal Policy*. This policy details the criteria for property disposal. An assessment against this criteria is as follows:

##### **7.1 Usefulness of the property**

The land was most likely acquired for car parking however it has not been constructed for this purpose.

The area is used informally for parking and rear access to adjoining commercial properties.

##### **7.2 Opportunity to promote economic growth and development**

If purchased by the Club this land would assist that organisation with growth and development of their business.

##### **7.3 Opportunity to deliver social and community benefits**

The Club has indicated they wish to use the area for parking and are prepared to develop it for this purpose.

The parking design will need to ensure the site continues to provide rear access to adjoining commercial properties and integrate with other Council land.

An alternative option is to exchange land with the Club to secure contiguous public land for the Chinamans Creek project.

**7.4 Current market value**

An independent valuation has not yet been sought at this stage. However based on Council records of land values the site has an estimated value of \$122,196.

**7.5 Maintenance costs**

The site is currently unformed and is receiving no maintenance.

**7.6 Alternative future use**

The site appears to have been acquired for future parking and has been used informally for this purpose along with rear access to adjoining commercial properties.

At this stage the development of the site as a car park has not been identified as a priority.

If the Club acquired the land for parking this could be an alternate means of achieving the same outcome. In addition the Club would become responsible for ongoing maintenance of the parking area.

**7.7 Duplication of the property**

The land is adjacent to an existing parking area off Lead Street. While the existing parking area is well used it is not operating at full capacity suggesting that additional parking is not yet required.

**7.8 Impact of the disposal on the community**

The submitted proposal is to use the land for car parking in association with the Club. This will be primarily for the benefit of the Club patrons.

As the area also provides rear access to adjoining commercial properties any disposal of the Council land should include appropriate ongoing access rights (e.g. carriageway access easements).

The design of the car park should also provide for integration into the existing car park off Lead Street.

**7.9 Cultural/Heritage significance**

The land is located within the Heritage Conservation Area but in itself has no cultural or heritage significance.

**7.10 Impact of disposal on operations**

Disposing of the land reduces Council's asset management liability.

If the Club acquires the site for parking purposes it should be designed to maintain access to the adjoining commercial properties and integrate with the adjoining car park area.

Any proceeds from the sale can be added to the Infrastructure Replacement Reserve for future asset management.

**7.11 Long term plan**

There are currently no long term plans for the site.

**7.12 Benefits and risks**

As the site is 'land locked' there are limited potential purchasers. If there are no Council long term plans then ideally the land would be best used in conjunction with an adjoining property.

**7.13 Community consultation**

No formal community consultation has been undertaken other than the approach by the Club.

Seeking Expressions of Interest from adjoining owners will provide an opportunity for all to compete for the land.

#### 7.14 Restriction

Any disposal of the land should be conditional upon preserving rear access to adjoin properties. If the area is to be used for parking this should be designed to integrate with nearby parking.

### 8. Method of Disposal

The land being sought by the Club is at the rear of their existing premises and has no direct road frontage. Access to the area is via adjoining Council owned land. The land also provides rear access for adjoining commercial properties.

The acquisition of land over Chinamans Creek (refer **Attachment D**) to provide a contiguous public land holding over this watercourse for the upcoming open space project is a priority project for grant funding. A directly negotiated land exchange is consistent with achieving this strategic outcome for the community.

Alternatively if Council considered that the development of the land is best undertaken with an adjoining property then an Expression of Interest process should be followed rather than an open market sale. The Expression of Interest process should seek submissions that demonstrate:

- The intended use of the land
- How existing access arrangements into adjoin properties and between parking areas are to be maintained
- Community benefits
- Consideration being offered

### 9. Conclusion

No unfulfilled community need in the public interest has been identified warranting the retention of the land for future public purposes.

While the existing parking area is well used it is not operating at full capacity suggesting that additional parking is not yet required. Any future parking demand could be met if the land is developed as a parking area that integrates with Council's existing car park off Lead Street.

Retention of the site has not been identified in Council's Regional Community Strategic Plan and associated documents other than Council assets matching community needs.

The land is undeveloped and is surplus to Council requirements at this point in time. Disposal of the site by land exchange with the Club is recommended.

### 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	IN4.1.4 - Manage Council's properties and buildings

### ATTACHMENTS:

- A. Locality Plan [↗](#)
- B. Council Owned Land [↗](#)
- C. Infrastructure Plan [↗](#)
- D. Proposed Area for Chinamans Creek Public Open Space [↗](#)

## 6.2 Yass Soldiers Club Attachment A Locality Plan



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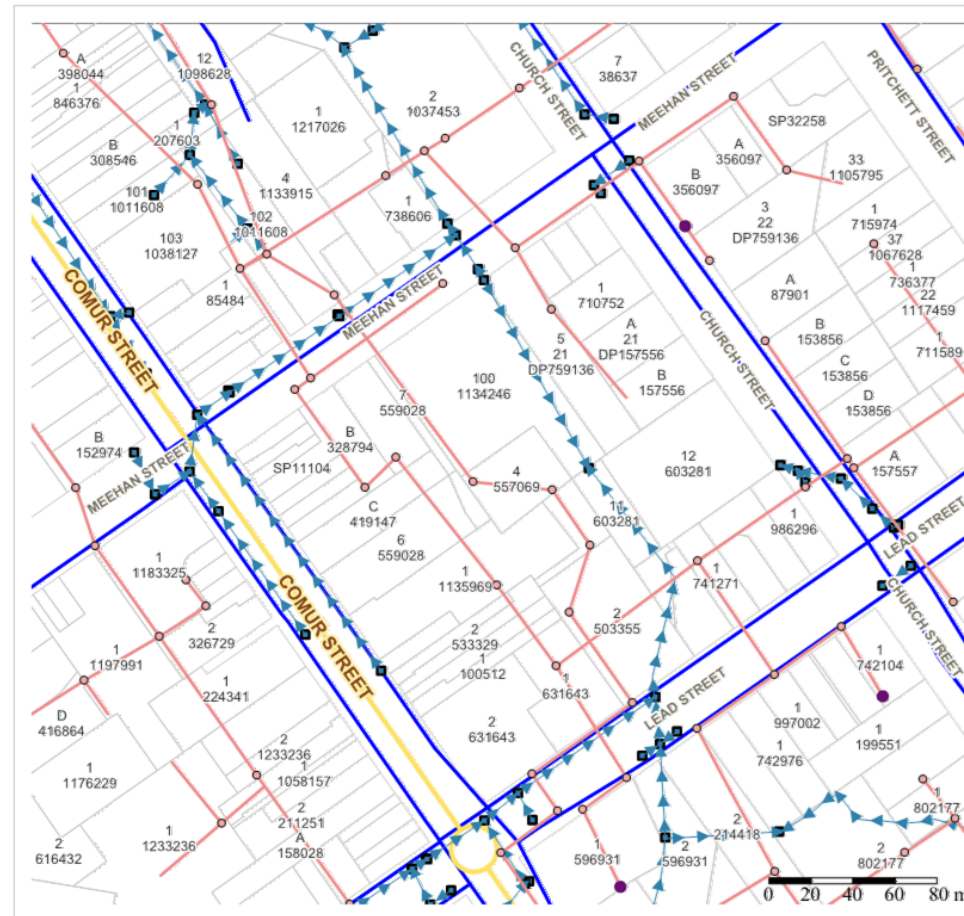
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**DISCLAIMER**

As per your enquiry, Council has provided map(s) showing water supply, sewerage and stormwater drainage assets near your intended location of work.  
The followings shall apply with regard to the information provided.

1. Accuracy of the map **CANNOT** be guaranteed.
2. Individual property/house connections are not shown.
3. Actual locations can significantly differ from that shown on the map.
4. Actual location and depth of pipes shall be positively confirmed by hand excavation/pot holing etc. prior to mechanical excavation.
5. All excavation including hand excavation shall be performed in accordance with "Work near Underground Assets" guideline published in 2007 by the WORK COVER AUTHORITY. The guideline is available at: [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)
6. These plans have been prepared solely for the use of Yass Valley Council and any reliance placed on these plans by you is entirely at your own risk.
7. Yass Valley Council makes no warranty as to the accuracy or completeness of plans supplied and does not assume any duty of care to you nor any responsibility for the accuracy, suitability or completeness of the plans or for any error, omission, lack of detail in the information of the detail provided. Yass Valley Council does not accept any loss that you or anyone else may suffer in connection with the provision of these plans, however that loss may arise (including whether or not arising from the negligence of Yass Valley Council its employees, agents and officers).
8. The recipient of these plans must use their own care and diligence in carrying out their works and must carry out further surveys to locate services at their work site. Persons excavating or carrying out earthworks will be held responsible for any damage caused to Yass Valley Councils underground mains and equipment.
9. In case of any accidental damage to Council Assets, call  
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0428 636 566 – Water on call  
0428 162 497 – Sewer on call



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**LEGEND**

- Sewer Asset
- Sewer Main
- Property
- Lot

**Projection:** GDA94 / MGA zone 55

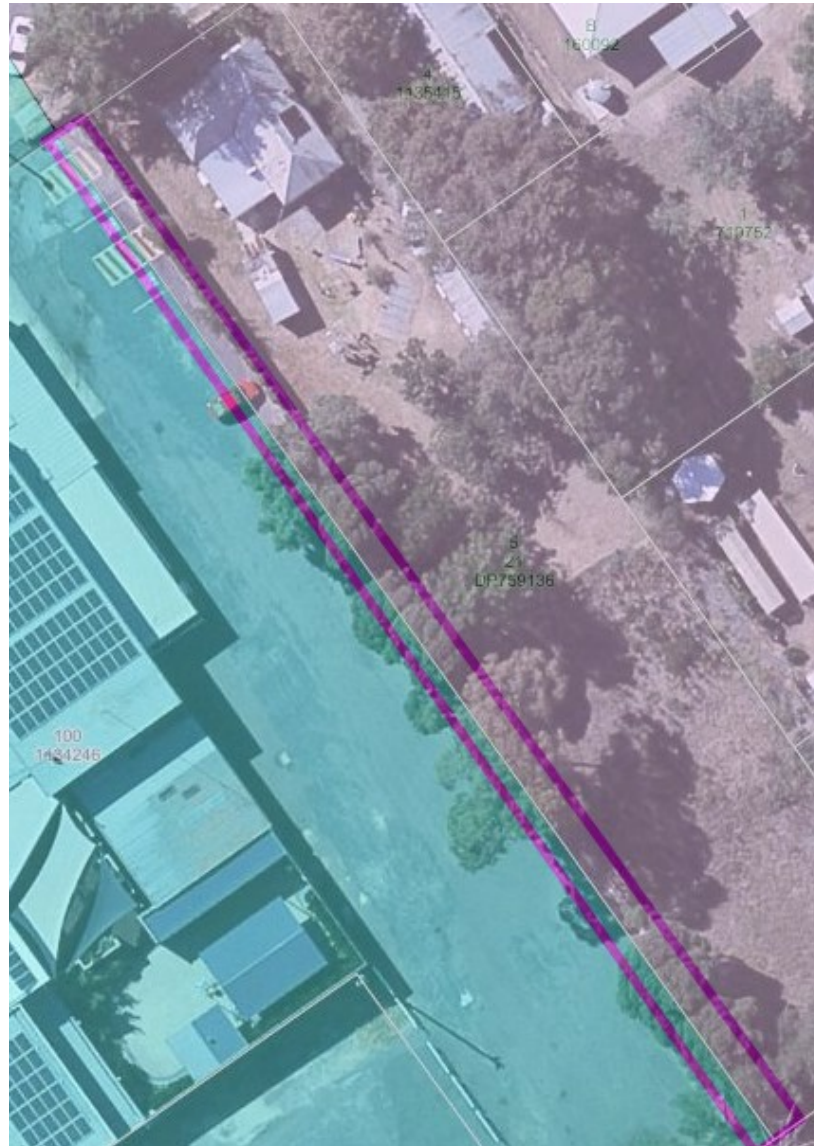
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**Proposed Area for Land Exchange – Chinamans Creek**



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## 6.3 PLANNING PROPOSAL - 'COOLAWIN', 208 SIBLEY ROAD, GUNDAROO

---

### SUMMARY

To advise on the outcome of the request for a Gateway determination for the draft Planning Proposal for part 208 Sibley Road, Gundaroo.

### RECOMMENDATION

*That the Gateway determination for 208 Sibley Road, Gundaroo be noted.*

---

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- Yass Valley Local Environmental Plan 2013
- South East Tableland Regional Plan 2036
- Yass Valley Settlement Strategy 2036
- Gundaroo Masterplan 2017

### REPORT

In June 2020 Council supported a draft Planning Proposal for part of 'Coolawin', 208 Sibley Road, Gundaroo to be rezoned from RU1 Primary Production (40 ha) to R5 Large Lot Residential (2ha) and 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. *Staff bring back to Council a report based on the Town & Villages Study 2010 outlining arguments for and against the rezoning of the draft Planning Proposal (PP.2016.02)*

On 10 November 2020 the Department of Planning, Industry & Environment advised that the Planning Proposal should not proceed. The reasons are included in **Attachment A**.

Based on this advice the need to revise/amend the Gundaroo Master Plan and a further report on the Town & Villages Study are no longer required.

There is provision for either Council or the proponent to seek a review of a Gateway Determination. It is not intended that Council seek a review given the site was not originally identified within the Gundaroo Masterplan, however the proponent may choose to pursue a review.

### STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN4 - Maintain a balance between growth, development and environmental protection through sensible planning



Delivery Program Action EN4.1 - Ensure Council's statutory planning instruments are up to date and reflective of the community needs

Operational Plan Activity EN4.1.1 – Undertake ongoing strategic land use planning and reviews of existing instruments

**ATTACHMENTS:** A. Gateway determination [↓](#)



Planning,  
Industry &  
Environment

PP\_2020\_YASSV\_003\_00/IRF20/4529

Mr Chris Berry  
General Manager  
Yass Valley Council  
PO Box 6  
YASS NSW 2582

Dear Mr Berry

**Planning proposal PP\_2020\_YASSV\_003\_00 to amend Yass Valley Local Environmental Plan 2013**

I write in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Yass Valley Local Environmental Plan 2013 to rezone part of Lot 6 DP 1056285, 'Coolawin', Gundaroo Road, Gundaroo to R5 Large Lot Residential Zone with a 2 hectare minimum lot size.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should not proceed for the reasons provided in the enclosed Gateway determination.

I have also determined, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones, 2.1 Environmental Protection Zones, 2.6 Remediation of Contaminated Land, 4.3 Flood Prone Land and 5.10 Implementation of Regional Plans have not been adequately justified in accordance with the terms of the Directions.

Should you have any enquiries about this matter, I have arranged for Mr Graham Judge to assist you. Mr Judge can be contacted on 6229 7906.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson'.

10/11/2020  
Monica Gibson  
Executive Director  
Local and Regional Planning

Encl: Gateway determination



## Gateway Determination

**Planning proposal (Department Ref: PP\_2020\_YASSV\_003\_00):** to amend the Yass Valley Local Environmental Plan 2013 to rezone part of Lot 6 DP 1056285, 'Coolawin', Gundaroo Road, Gundaroo to R5 Large Lot Residential with a 2-hectare minimum lot size.

I, the Executive Director, Local and Regional Planning, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Yass Valley Local Environmental 2013 as described above should not proceed for the following reasons:

1. Council has not provided adequate justification for the proposed amendment, including demonstrating the strategic need for the planning proposal to meet housing demand.
2. The planning proposal is inconsistent with the Yass Valley Local Strategic Planning Statement 2020 and the Yass Valley Settlement Strategy 2017-2036 which seek to provide only limited growth in Gundaroo to protect its character and due to limited availability of services. The site is not identified in either strategy for rural residential development.
3. The planning proposal is inconsistent with the South East and Tablelands Regional Plan because:
  - a) it would result in fragmentation of productive agricultural land which has the potential to increase land use conflicts between rural lifestyle development and adjoining agricultural uses, therefore is inconsistent with Action 8.2;
  - b) it would result in an urban release area being located on flood prone land containing a designated waterway and erosion hazards with the potential to impact on groundwater sources, therefore is inconsistent with Actions 16.1 and 18.1;
  - c) the subject land has not been identified for rural residential development in the Yass Valley Settlement Strategy 2017-2036 prepared by Council and endorsed by the Department, therefore is inconsistent with Direction 28 and Action 28.1; and
  - d) the site has limited access to infrastructure and services (water, sewer), constitutes productive agricultural land affected by natural hazards and could result in increased land use conflicts with adjoining productive zoned agricultural land, therefore is inconsistent with Direction 28 and Action 28.2.

4. The planning proposal is inconsistent with section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environmental Protection Zones, 3.1 Residential Zones, 4.3 Flood Prone Land and 5.10 Implementation of Regional Plans, and the inconsistencies have not been adequately justified.
5. There is already sufficient urban zoned land located in the north and south Gundaroo urban release areas to meet projected housing demand until 2036.
6. The planning proposal may create a precedent for the rezoning of rural land in the area for residential development that has not been identified in the Yass Valley Settlement Strategy.

Dated 10<sup>th</sup> day of November 2020.



**Monica Gibson**  
**Executive Director**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**

## 6.4 PLANNING PROPOSAL - KYEEMA, GUNDAROO

### SUMMARY

To present a report on the draft Planning Proposal to amend the zone and lot size boundaries as they currently apply to land north of Gundaroo within the *Yass Valley LEP 2013*, so as to align with the subdivision layout approved by Development Consent DA 185092.

### RECOMMENDATION

*That:*

1. *Planning Proposal for Kyeema Administrative Amendment (PP.2020.04) be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.*
2. *Planning Proposal (PP.2020.04) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979.*

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley LEP 2013*

### REPORT

#### 1. Background

Amendment 2 to the *Yass Valley LEP 2013* was gazetted in 2 March 2018, which included the land to north of the Gundaroo Village known as 'Kyeema'.

An error occurred during the survey and design of the subdivision in the Development Application, where the lot layout did not align with the zone boundaries. This error was not identified and a Development Consent subsequently issued on 21 December 2018.

The draft Planning Proposal seeks to amend the *Yass Valley LEP 2013* to adjust the boundaries of the applicable zones to be consistent with Development Consent.

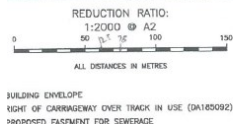
#### 2. Need for Planning Proposal

The discrepancies between the *Yass Valley LEP 2013* and the approved Development Consent layout are shown below. These only became apparent following the registration of the plan of subdivision and Council's receipt of the updated cadastre from NSW Spatial Services.





(Areas of land where there are discrepancies are highlighted blue and orange)



(Areas of land where there are discrepancies are highlighted blue and orange)

- Amend the *Yass Valley LEP 2013* zone boundaries between the R2 Low Density Residential, E3 Environmental Management and E4 Environmental Living zones
- Amend the Lot Size Map in the *Yass Valley LEP 2013* to align with the adjusted zone boundaries

- Amend the extent of the land edged blue on the Lot Size Map relating to the provision of reticulated sewerage (i.e. Clause 6.12 *Yass Valley LEP 2013*)

### 3. Conclusion

The draft Planning Proposal is substantially administrative in nature, however the proposed amendment will still need to address the usual requirements of consistency with local and regional strategies as well as the physical features of the site including flood affected areas.

It is recommended that the draft Planning Proposal be endorsed and be forwarded to the Minister for Planning & Public Spaces to request a Gateway determination. The Minister's Delegation to make the amendment as local plan-making authority should also be sought.

### STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN4 - Maintain a balance between growth, development and environmental protection through sensible planning
Delivery Program Action	EN4.1 - Ensure Council's statutory planning instruments are up to date and reflective of the community needs
Operational Plan Activity	EN4.1.1 – Undertake ongoing strategic land use planning and reviews of existing instruments

**ATTACHMENTS:** Nil

## 6.5 DEVELOPMENT CONSENT NO DA200049 - SUBDIVISION, ISABEL DRIVE, MURRUMBATEMAN

### SUMMARY

To present a request for a review of determination of Development Consent No DA200049 for the subdivision at Isabel Drive, Murrumbateman. Specifically the request seeks review of conditions relating to conditions imposed for demonstrating electricity and telecommunication supply availability, the voluntary planning agreement (VPA), provision of shared paths, and provision of bus stops.

### RECOMMENDATION

*That:*

1. *The conditions requiring the Applicant to demonstrate electricity and telecommunications prior to Subdivision Works Certificate be removed as they are not required by Council policy.*
2. *The conditions relating to the Voluntary Planning Agreement (VPA) be amended to allow a resolution of Council for the draft VPA to be placed on public exhibition as the acceptable point for when a Subdivision Works Certificate could be issued.*
3. *The conditions relating to the location of shared paths remains in accordance with the conditions of Development Consent, however the standard of construction for the horse trail be reduced to decomposed granite.*
4. *The condition relating to bus stops be amended to increase the flexibility for achieving the most suitable outcome.*

### FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Biodiversity Conservation Act 2016*
- *Water Management Act 2000*
- *National Parks & Wildlife Act 1974*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Settlement Strategy*
- *Murrumbateman Structure Plan*
- *South East & Tablelands Regional Plan 2036*
- *Yass Valley Community Engagement Strategy*
- *Yass Valley Development Contributions Plan 2018*
- *Road Standards Policy*
- *Building Line Policy*
- *Application Assessment & Decision Making Policy*
- *Water Supply for Rural Areas & Villages Policy*



- Provision of Electricity Supply & Telecommunications Service for Subdivisions Policy
- Parks & Playgrounds Strategy

## REPORT

### 1. Application Details

Date Review Received	- 2 November 2020
Land	- Lot 1 DP 125138, Isabel Drive, Murrumbateman
Area	- 99.55ha
Zoning	- R2 Low Density Residential and R5 Large Lot Residential

### 2. Site Description and Locality

The development site is approximately 100ha in size and located west-southwest of the Murrumbateman village. It is an irregular shape, with frontage to Isabel Drive, McIntosh Circuit, Colonial Place and Merryville Drive. The site is bordered by Shaw Winery, Merryville Estate and Carrington Park Estate and was formerly part of the Shaw Vineyard Estate but has been excised from that holding.

The site is generally undulating with the highest areas being towards the centre. McClungs Creek bisects the site and there are several other drainage lines and dams. Part of the site is identified as having significant native vegetation. There is currently no significant development located on the land other than bores and historically has been used primarily for stock grazing.

The site is subject to two zones and minimum lot sizes under the *Yass Valley LEP 2013*. The eastern portion is zoned R2 Low Density Residential with a minimum lot size of 6,500m<sup>2</sup> and the western portion is zoned R5 Large Lot Residential with a minimum lot size of 1ha.

A Locality Plan is included in [Attachment A](#).

### 3. Background and Proposal

The approved development is a 101 lot subdivision, including 100 residential lots and one public open space lot (refer [Attachment B](#)). The subdivision is approved in two stages with stage one being the eastern portion and stage two the western portion. The lot sizes range from 5,800m<sup>2</sup> to 14,800m<sup>2</sup>.

The public open space lot includes a shared horse/bike/pedestrian trail from Isabel Drive to Merryville Drive. The open space lot is to be dedicated to Council subject to a Voluntary Planning Agreement covering the dedication, associated works and an initial maintenance period.

The Applicant has now lodged a request for review of determination of Development Consent (refer [Attachment C](#)). Specifically the request seeks review of conditions for electricity and telecommunication supply availability, the Voluntary Planning Agreement (VPA), provision of shared paths and bus stops.

### 4. Public Exhibition

Public exhibition of the request review was sent to all persons who previously made a submission – previously 65 submissions were received which have previously been distributed to Councillors. Two additional submissions have been received in relation to the review request (refer [Attachment D](#)) at the time of compiling this report.

### 5. Assessment

A review of the original assessment and determination has been undertaken in accordance with the planning legislation. The following is an assessment and response to the matters that are subject of the review request.

## 5.1 Electricity and Telecommunications

Consent conditions require evidence to be submitted indicating suitable arrangements for electricity and telecommunications can be made available to service the proposed development, including with consideration of impact on existing capacity, reliability, and the opportunity for feed in for electricity. This evidence must be submitted before any subdivision works can occur. Conditions also require the Applicant to provide evidence the required work has been completed prior to the issue of any Subdivision Certificate (i.e. the final step which then allows titles to be created for the new lots).

The Applicant has requested that the requirement to submit evidence prior to the issue of any Subdivision Works Certificate be deleted as the timing for the Essential Energy and NBN Co. design processes will prevent them from commencing works at the site.

Concern has been raised in the submissions received about the adequacy of electricity and internet supply within Murrumbateman and the potential impact that the additional development will have on those services. Particular concern was in relation to reliability and solar feed-in for electricity, and speed for internet.

Council's *Provision of Electricity Supply & Telecommunications Service for Subdivisions Policy* determines the requirements for ensuring the satisfactory provision of these services in subdivisions. It stipulates that an Applicant only has to provide the notice of arrangements prior to the issue of the Subdivision Certificate. There is no requirement within the policy for an Applicant to provide any such evidence of servicing capability arrangements prior to the issue of the earlier Subdivision Works Certificate.

It is ultimately the responsibility of Essential Energy and the telecommunications service provider to ensure that the design of the service infrastructure is adequate and does not adversely impact existing users.

Upon review it has therefore been concluded that this requirement is unnecessary and not in accordance with the policy, and as such can be deleted.

## 5.2 Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) is proposed by the Applicant for the open space and to cover the dedication, works, and initial maintenance period. This offer was supported by Council with a further report to be presented with draft terms at a later date.

The Development Consent conditions require the VPA to be entered into with Council prior to the issue of a Subdivision Works Certificate. The Applicant has identified a concern that a VPA is not considered to be 'entered into' until such time as the full process has been completed, including public exhibition, any amendments and execution. In turn the Applicant has identified that this will delay their ability to obtain any Subdivision Works Certificate to commence earthworks. This is accepted and it is suggested the condition be modified for the VPA to be submitted prior to the Subdivision Works Certificate and the VPA finalised prior to the issue of a Subdivision Certificate.

## 5.3 Paths and Cycleways

Submissions received highlighted an importance of pedestrian, horse and bike connections for recreational and alternative transport purposes.

The Applicant has proposed a pedestrian/horse/bike trail from Isabel Drive through the open space lot to Merryville Drive. Although there had been requests within submissions for paths and cycleway to be included on all roads, this was noted as unrealistic and unnecessary, with conditions instead requiring a 2.5m wide shared path on Roads #1, #2 and #4 on the eastern side of the open space lot (refer **Attachment E**). This condition had been on the basis of:

- In response to the public submissions received
- In response to the Transport for NSW submission encouraging opportunity for alternative modes of transport

- To provide permeability through the subdivision
- Consistency with the Jiparu subdivision which has a shared path the length of Jiparu Drive
- Consistency with Carrington Park which has path running from Merryville Drive to Marquess Place

The Applicant accepts the construction of a shared path from McIntosh Circuit to the open space lot primarily along Road #1. The Applicant has however requested that the requirement for a shared path on Road #2 and the full extent of Road #4 are unnecessary and duplicate the horse trail that is already being provided as a the north and south connection. These paths add \$115,000 to the cost of the project with limited benefit. The Applicant has suggested a reduced amount of shared paths in the subdivision (refer **Attachment F**)

If the path along Road #2 is to be required the Applicant has suggested that the horse trail be constructed with a decomposed granite surface rather than the asphalt construction originally envisaged.

Council does not have a policy position or development control in relation to the provision of paths and cycleways for large lot subdivisions.

The potential implication with shared paths on all roads is that the subdivision may present as a more urban form which could detract from the preferred character of the locality.

There are generally two potential options that may be appropriate:

- Option 1: The location of shared paths remains as per the current conditions, but a reduction in the standard of construction for the horse trail from asphalt to crushed granite be supported.
- Option 2: The location of the shared paths are reduced as requested by the Applicant, but this should only be done so with an additional requirement for a link between the new path on Road #1 and the existing path in Carrington Park Estate which currently terminates at Marquess Place. This would be a less preferred outcome, but would still provide a reasonable degree of permeability and connectivity through part of the subdivision and with Carrington Park.

The paths required by the current condition in Option 1 is considered to be the preferred option as it provides the greatest level of connectivity, permeability, and protection for vulnerable roads users. Under Option 1 Council could also consider the construction of the additional link into the existing path in Carrington Park at a later date.

Option 2 would still be acceptable as a minimum, although it provides less connectivity for the lots through the middle and south of the subdivision. The location of bus stops would have increased importance where the number of paths have been reduced.

#### **5.4 Bus Stops**

The Consent conditions require bus stops to be provided within the subdivision at appropriate intervals in accordance with relevant guidelines. The location to be shown on plans submitted as part of the Subdivision Works Certificate.

The location of bus stops needs to be flexible depending on the needs of the population. It is recommended that the Applicant undertake consultation with local residents, bus service providers and Council on the best locations for bus stops. The Consent conditions can be amended to provide greater flexibility for achieving a suitable outcome with the locations being finalised prior to the issue of a Subdivision Works Certificate.

### **6. Conclusion**

From consideration of the review request and all submissions received, it is concluded that:

- The conditions requiring the Applicant to demonstrate electricity and telecommunications prior to Subdivision Works Certificate be removed as they are not required by Council policy.

- The conditions relating to the VPA be amended to allow a resolution of Council for the draft VPA to be placed on public exhibition as the acceptable point for when a Subdivision Works Certificate could be issued.
- The conditions relating to the location of shared paths remains in accordance with the conditions of Development Consent, however the standard of construction for the horse trail be reduced from asphalt to decomposed granite.
- The condition relating to bus stops be amended to increase the flexibility for achieving the most suitable outcome.

Amended draft conditions are included as **Attachment G**.

## STRATEGIC DIRECTION

Key Pillar 1. Our Environment

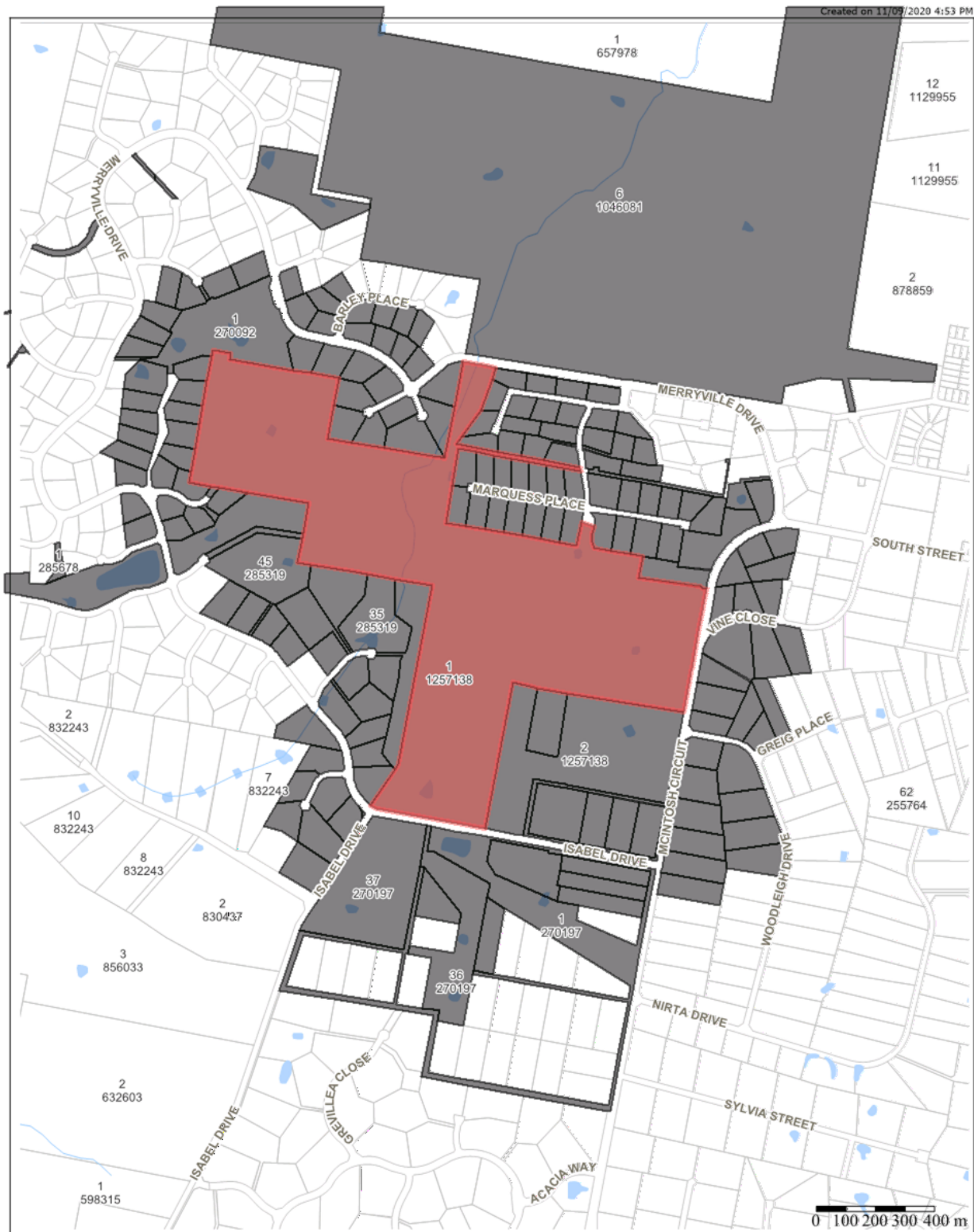
CSP Strategy EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region

Delivery Program Action EN1.1 - Protect our natural assets in line with community values

Operational Plan Activity EN1.1.1 – Ensure assessment of development applications protects our natural environment

**ATTACHMENTS:**

- A. Locality Plan [↓](#)
- B. Approved Subdivision Plan [↓](#)
- C. Review Request [↓](#)
- D. Submissions [↓](#)
- E. Approved Paths [↓](#)
- F. Proposed Paths [↓](#)
- G. Draft Conditions [↓](#)



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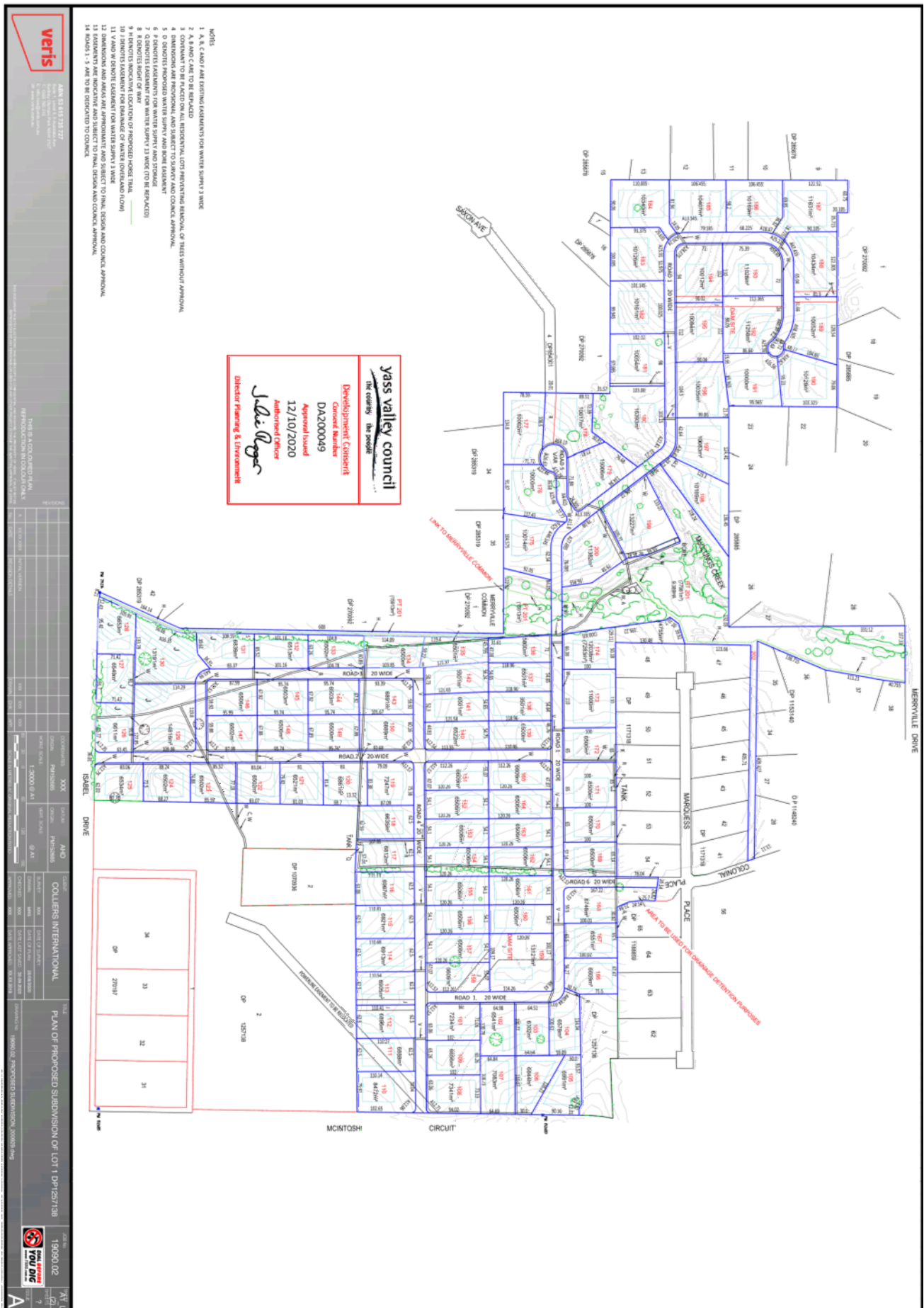
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**Subject Land**  
**Property Notified**

Map Scale: 1:16849 at A4





<p><b>5. Reason for Requesting Review</b></p>	<p><b>Part B (1) - SUITABLE ARRANGEMENTS FOR ELECTRICITY</b></p> <p>Essential Energy will only commence the design process once a DA is approved by Council. This makes it very difficult to obtain a letter from Essential Energy if we are seeking to commence an early works bulk earthworks package to start onsite and require a subdivision works construction certificate for the above works.</p> <p>The proponent has engaged an Essential Energy approved electrical designer and has applied for a design pack.</p> <p>This requirement is also repeated in Part K - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE Clause (7) and (8).</p> <p><i>We propose that Part B (1) be removed from the consent as it may prevent an early earthworks package from receiving a construction certificate and that this requirement is covered by Part K Clause 7 and 8. This clause ensures that electricity is provided prior to release of the Subdivision Certificate</i></p> <p><b>Part B (2) – SUITABLE ARRANGEMENTS FOR TELECOMMUNICATIONS</b></p> <p>As per above NBN Co also only commences the design access upon a DA consent.</p> <p>If we are seeking to commence an early works bulk earthworks package to start onsite and require a subdivision works construction certificate for the above works this clause may prevent the permissions.</p> <p>This requirement is also repeated in Part K - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE Clause (7) and (8).</p> <p><i>We propose that Part B (2) be removed from the consent as it may prevent an early earthworks package from receiving a construction certificate and that this requirement is covered by Part K Clause 7 and 8. This clause ensures that electricity is provided prior to release of the Subdivision Certificate</i></p> <p><b>Part B (3) – VOLUNTARY PLANNING AGREEMENT</b></p> <p>The proponent is currently drafting a VPA for consideration by Council and to satisfy condition Part B (3). It is anticipated that receipt of the VPA and recommendation by Council to accept the offer will satisfy the intent of the condition in a manner sufficient to enable the Subdivision Works Certificate to be issued.</p> <p>The VPA will be provided under separate cover.</p> <p><i>We seek clarification to condition Part B (3) that “subdivision Works Certificate” be omitted and replaces with “Subdivision Certificate”.</i>  <i>We propose that condition Part B (3) (d) be amended to (d) On completion of the VPA the Applicant must register the VPA on the title of the land to which the VPA applies.</i></p>
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	<p><b>Part B (12a) – PROVISION OF 2.5M PATHWAY TO ROADS #1, #2 AND #4</b></p> <p><b>Road No.1</b> The proponent supports this shared pathway linking to the Mc Clungs Creek recreational area to Road #4 and further to McIntosh Circuit</p> <p><b>Road #4</b> The proponent assumes this link is from McIntosh Circuit to the Road #1 intersection only. As per discussion below we do not believe a path on Road #2 is required.</p> <p><b>Road #2</b> The proponent has proposed a 3.5m wide shared pathway along the extent of the McClungs Creek reserve linking Isabel Drive to Merryville Drive. It was envisaged that this pathway would be asphalt on a gravel base. This will provide a defined link between the existing shared path on the Isabel Drive to the existing shared path on Merryville Drive. The cost of this link is approximately \$260,000.</p> <p>The proponent does not believe the replication of this path along Road #2 is efficient nor required. This would add an extra \$115,000 to the project cost for little gain and replicates the above path.</p> <p>The McClungs Creek shared path provides permeability to the development and surrounding precinct in a north south axis linking existing shared paths. We believe this will provide a very attractive link with shade and meandering through the proposed reserve and linking to the proposed recreational area proposed in the VPA. In the consent this link is described as a horse trail (refer part b clause 12 b). We are unsure if this references a constructed sealed path of just a gravel path for horses (noting gravel is not ideal for horses due to the angular shape of manufactured gravel and the pebbles in natural gravels. It would be recommended if this was a unsealed path it would be constructed from a decomposed granite type material)</p> <p>We propose the following amendment to Part B (12a)</p> <p><i>A shared pathway 2.5m wide asphalt path on min 50mm compacted road base be provided on the following roads:</i></p> <ul style="list-style-type: none"> <li>• Road #1 from the proposed Mc Clungs Creek recreational area to the intersection of Road #4.</li> <li>• Road #4 from McIntosh Circuit to Road #1 intersection</li> </ul> <p>We propose the following amendment to Part B (12b)</p> <p><i>A shared 3.5m wide asphalt path on min 50mm compacted road base be provided from Isabel Drive to Merryville Drive via the proposed Mc Clungs Creek recreation area.</i></p> <p><b>Part B (14) – PROVISION OF BUS STOP FACILITIES WITHIN THE ESTATE</b></p>
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	<p>During the DA phase public consultation it was discussed with members of the public at consultation sessions regarding the provision of major bus shelters on McIntosh Circuit and Isabel Drive. The proponent is committed to provide bus stop facilities associated with this development but would like to investigate the most appropriate location during the detail design phase of the project. It is suggested that the proponent's representative will meet with Yass Valley Council and local bus services providers to determine the preferred locations for the bus stops. This will also influence the pavement design for the proposed roads.</p> <p>This will ensure the new bus stops meet community expectations and maximise use.</p> <p>We propose the following amendment to Part B (14)</p> <p><i>Bus stop facilities are to be provided in consultation with Yass valley Council and local bus services providers either within the development or surrounding roads. Bus stops are to be of a construction consistent with shelters recently installed by Council. Show bus stop design and location on submitted drawings</i></p>
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## Jeremy Knox

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**From:** [REDACTED]  
**Sent:** Thursday, 5 November 2020 10:21 AM  
**To:** Jeremy Knox  
**Subject:** RE: DA200049 - Review of Determination Request - Isabel Drive Subdivision, Murrumbateman

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**[EXTERNAL]** Please exercise caution when clicking on links or attachments from external sources.

Dear Jeremy

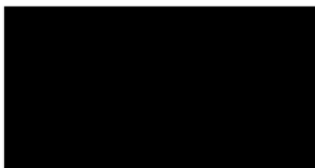
Thank you for this. I am responding on my own behalf.

The matters relating to electrical and NBN infrastructure and the Voluntary Planning Agreement I regard as technical in nature. If Council is satisfied that it retains the capacity to delay development until adequate infrastructure and management arrangements are assured (without being exposed to undue risk), then developer's exposure in undertaking initial works is up to them.

In relation to paths and bus stops, I believe strengthened infrastructure expectations are needed as I originally submitted. In a development which I believe has already received commitments from purchasers for phase 1. With a gross income anticipated of around \$36M in total arising from a land purchase stated as \$10m I don't think it can be argued that there is undue hardship being imposed. I note there is no assertion that the development would not be commercially viable. The sensible approach would be to integrate planning for public transport and bus stops so that the overall approach works. If the proponents original preference for external (Isabel/Mcintosh) bus stops was accepted in the end, good footways would be more important, and reliance on the McClungs Ck walkway would be inadequate. Whatever the outcome for public transport, some linkages to surrounding public walkways should be in place, and Council should aim to have a continuous paved walkway from this development through to Hercules street, passing by "The Meadows". There is a growing risk when people are obliged to walk on the roadway, as presently occurs along South and West Streets, and recent investments in some pedestrian paving will need to be extended by Council. The primary school which is now proceeding provides a strong argument for adequate walkways along roads which will be used by primary school students.

Finally (for the record), Council officers' preference to avoid a walkway linking McClung's creek areas with other Merryville Estate commons was personally very disappointing, since it prioritised the private interests of a few residents – who I understand wish to purchase additional land – over the interests of Merryville lot holders more generally. That much said, the final form of the development as approved was a significant improvement and one which deserves support.

Regards



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**From:** [Jeremy Knox](#)

**Sent:** 04 November 2020 12:42

**Subject:** DA200049 - Review of Determination Request - Isabel Drive Subdivision, Murrumbateman

Good afternoon,

I refer to Development Consent DA200049 for the 101 lot subdivision of Lot 1 DP 125138, Isabel Drive, Murrumbateman.

In October 2020 Development Consent was granted and included specific conditions. On 3 November 2020 the Applicant lodged a request for review of this determination pursuant to section 8.2 of the *Environmental Planning and Assessment Act 1979*. This specifically requests a review on conditions relating to:

- Demonstrating suitable arrangements for electricity and telecommunications – Part B, Condition (1) & (2)
- The Voluntary Planning Agreement – Part B, Condition (3)
- The provision of shared paths on roads #1, #2 and #4 - Part B, Condition (12)
- The provision of bus stop facilities – Part B, Condition (14)

The previous submission you have provided will be considered in the review. Should you wish to make any additional comments in relation to the review request, these will be received up until 5.00pm on Wednesday 18 November 2020.

Kind regards,

Jeremy

**Jeremy Knox** | Development Planner | **Yass Valley Council**

P: +61 (0)2 6226 1477

E: [Jeremy.Knox@yass.nsw.gov.au](mailto:Jeremy.Knox@yass.nsw.gov.au) | W: [www.yassvalley.nsw.gov.au](http://www.yassvalley.nsw.gov.au)

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## Jeremy Knox

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**From:** [REDACTED]  
**Sent:** Wednesday, 4 November 2020 8:37 PM  
**To:** Jeremy Knox; [REDACTED]  
**Subject:** RE: DA200049 - Review of Determination Request - Isabel Drive Subdivision, Murrumbateman

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**[EXTERNAL]** Please exercise caution when clicking on links or attachments from external sources.

Good day Jeremy

Points I would like considered/raised/added/addressed are below:

Part B condition 1 and 2

Shouldn't a rough diagram/plan and budget, as evidence demonstrating arrangements for electricity/telecommunications, be submitted, regardless of the developer claiming this all hinges on a DA being provided first. Shouldn't the developer provide a diagram and also the budgetted amount for this?

Part B 12a Pathway to Road 2 . Road 2 must have a footpath for the following reasons:

- \*ease of access and closer proximity to more houses from Isabel Drive especially for school children, parents with prams alighting from and going to buses and also those in wheelchairs; ( it makes sense a bus stop will be in both Isabel Drive and McIntosh Circuit)
- \*security and safety for pedestrians not having to share with bicycles and horses along McClungs Creek Road.
- \* Cost should not preclude the provision of such a critical arterial pathway on road 2.

Part B 14 Provision of Bus Stop Facilities

It is vital that the bus shelter designs , their placement and also a request for an allocated budget, be provided even before council gives its placement suggestions.

I hope the above points can be taken into consideration

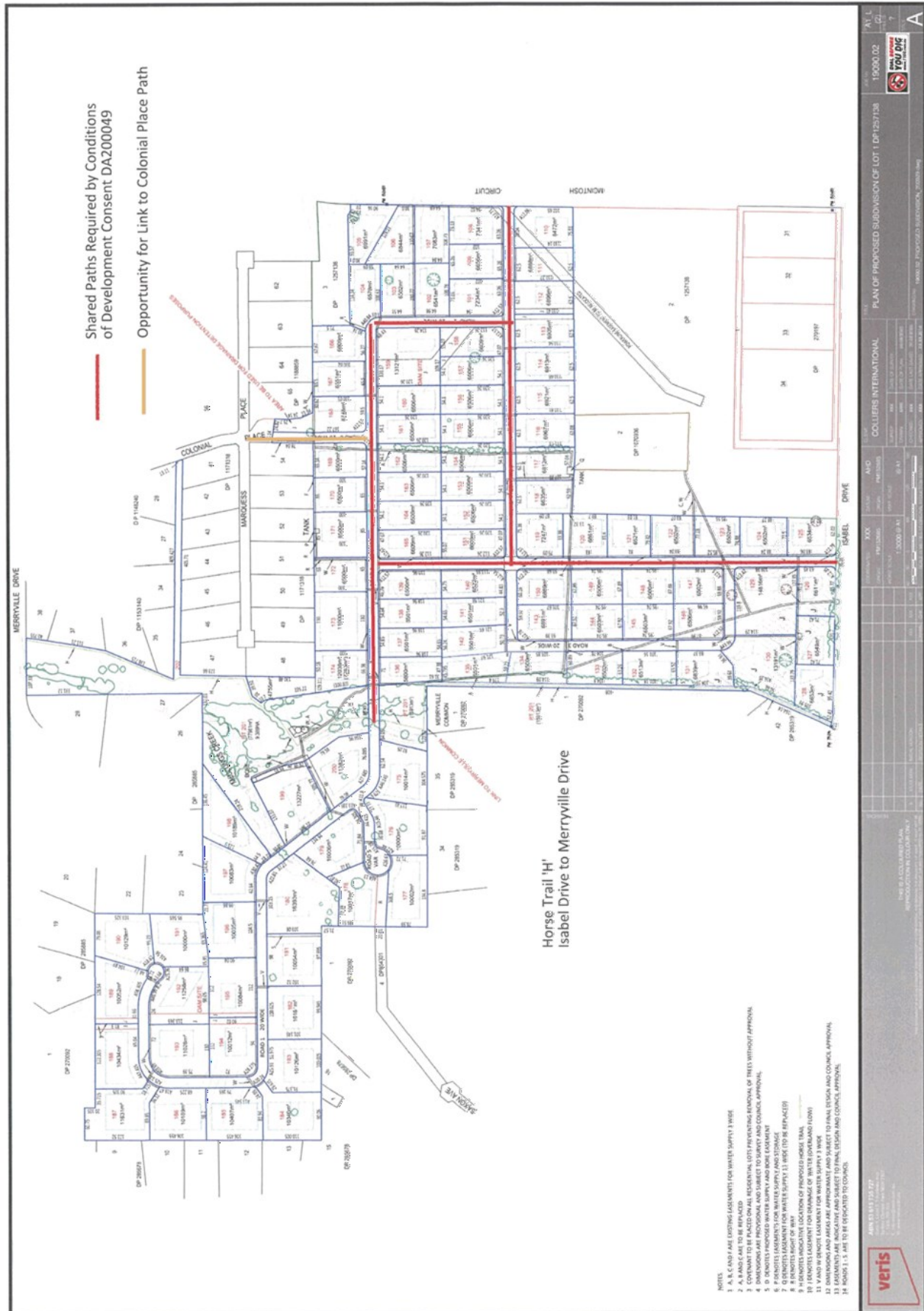
Regards

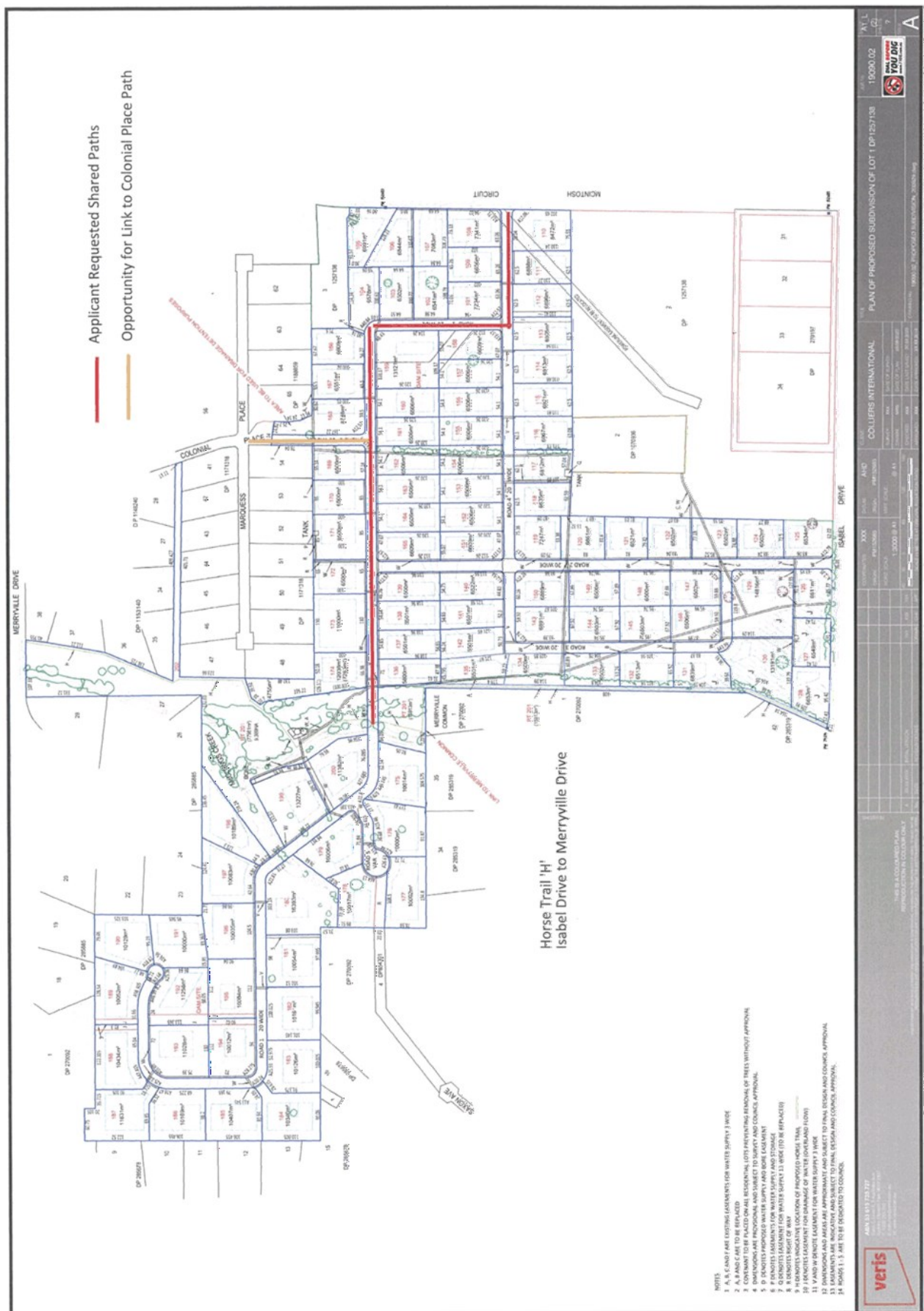
[REDACTED]

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jeremy Knox  
Date: 4/11/20 12:40 pm (GMT+10:00)  
To:  
Subject: DA200049 - Review of Determination Request - Isabel Drive Subdivision, Murrumbateman







## **DA200049B - Draft Amended Conditions – Isabel Drive**

Proposed amendments to the conditions of Development Consent DA200049 are shown in **RED**.

### **PART A - GENERAL CONDITIONS (ALL STAGES)**

- (1) Consent is granted generally in accordance with the plans and details submitted to Council with the Development Application. The plans of subdivision has been stamped and attached to this consent. The development shall be carried out in accordance with the stamped plan or as modified by these conditions.
- (2) This approval relates only to the development referred to in the development application and specifically does not amount to an approval or acceptance by the Council of any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior development or building approval.
- (3) A Subdivision Works Certificate, as defined by the *Environmental Planning and Assessment Act 1979*, shall be obtained for all engineering works prior to any works commencing on site. Council's fee for providing a Construction Certificate is levied in accordance with Council's Management Plan relevant at the time of payment.
- (4) All engineering design and construction work shall be undertaken in accordance with the following, current at the time of the Engineering Construction Certificate being issued:
  - Council's Road Standards Policy RD-POL-09
  - Specific Requirements of Transport for NSW
  - Council's Design and Construction Specification – AUS-SPEC #1
  - Australian Standards and
  - AustRoads
- (5) The developer at no cost to Council or Transport for NSW, shall make any necessary alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision.
- (6) Public access to the site and construction works, materials and equipment on the site is to be restricted, when construction work is not in progress or the site is unoccupied.
- (7) The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to the satisfaction of Council as shall any techniques to suppress dust and the tracking of sediment onto existing sealed roads;
- (8) The applicant must adhere to the following days and hours of operation for subdivision works associated with the development unless otherwise approved by Council in writing:
  - 7.00 am to 6.00 pm Monday to Friday
  - 8.00 am to 1.00 pm Saturday
  - No work on Sundays or Public Holidays
- (9) Noise, dust and odour generated as a result of the development must comply with the provisions of the *Protection of the Environment Operations Act 1997*.

**PART B - PRIOR TO ISSUE OF SUBDIVISION WORKS CONSTRUCTION CERTIFICATE (ALL STAGES)**

- ~~(1) The applicant shall submit evidence that suitable arrangements for electricity supply can be made available to service the proposed development, including with consideration of impact on existing capacity and reliability, and the opportunity for feed-in from new lots. Deleted.~~
- ~~(2) The applicant shall submit evidence that suitable arrangements for telecommunications service (fixed-line NBN fibre) can be made available to service the proposed development, including with consideration of impact on existing capacity and reliability. Deleted.~~
- ~~(3) Prior to the issue of any Subdivision Works Certificate for Stage 1 the Applicant shall enter into a Voluntary Planning Agreement (VPA) with Council. The VPA shall outline the terms of the offer made by the Applicant and accepted by Council in connection with the subject Development Application. The terms of the offer shall generally include:~~
- ~~(a) A Landscape Plan, Vegetation Management Plan and Riparian Restoration Plan and detail the work to be undertaken in as part of the open space embellishment and rehabilitation.~~
  - ~~(b) Facilities to be provided within the open space are to be consistent with a Category 3 Park in accordance with Council's Park & Playground Strategy 2017.~~
  - ~~(c) That all work shall be completed to the satisfaction of Council prior to the issue of the Subdivision Certificate for the proposed Open Space lot.~~
  - ~~(d) Prior to the issue of any Subdivision Works Certificate the Applicant must register the VPA on the title of the land to which the VPA applies.~~
  - ~~(e) The maintenance responsibility period for the Applicant shall be five (5) years from the date of the issue of a Subdivision Certificate.~~
  - ~~(f) A Memorandum of Understanding (MoU) in relation to the provision of easements and ongoing access and responsibilities for the private non-potable bore water supply infrastructure proposed to be located and cross the open space lot dedicated to Council.~~

~~Prior to the issue of any Subdivision Works Certificate for Stage 1 the Applicant shall submit a draft Voluntary Planning Agreement (VPA) to Council for consideration.~~

~~The VPA shall outline the terms of the offer made by the Applicant and accepted by Council in connection with the subject Development Application. The terms of the offer shall generally include:~~

- ~~(a) A Landscape Plan, Vegetation Management Plan and Riparian Restoration Plan and detail the work to be undertaken in as part of the open space embellishment and rehabilitation.~~
- ~~(b) Facilities to be provided within the open space are to be consistent with a Category 3 Park in accordance with Council's Park & Playground Strategy 2017.~~

(c) That all work shall be completed to the satisfaction of Council prior to the issue of the Subdivision Certificate for the proposed Open Space lot.

~~(d) Prior to the issue of any Subdivision Works Certificate the Applicant must register the VPA on the title of the land to which the VPA applies.~~

Prior to the issue of Subdivision Certificate the Applicant must register the VPA on the title of the land to which the VPA applies.

(e) The maintenance responsibility period for the Applicant shall be five (5) years from the date of the issue of a Subdivision Certificate.

(f) A Memorandum of Understanding (MoU) in relation to the provision of easements and ongoing access and responsibilities for the private non-potable bore water supply infrastructure proposed to be located and cross the open space lot dedicated to Council.

(4) A Construction Environmental Management Plan to address construction activity is to be prepared and submitted to Council. The Construction Environmental Management plan shall include:

- Details for waste management
- Details for minimising impacts on neighbouring properties
- Details for minimising impacts on the road network
- The discouragement of construction traffic through Carrington Park estate
- The Biodiversity Management Plan
- The dam dewatering plan.

(5) The class and number of **ecosystem credits** in Table 1 must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

**Note:** Prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

**Table 1 Ecosystem credits required to be retired – like for like**

Impacted plant community type	Number of ecosystem credits	IBRA sub-region	Plant community type(s) that can be used to offset impacts from the development
PCT 1330 – Yellow Box Blakelys Red Gum grassy woodland on	12	Murrumbateman, Bondo, Crookwell, Inland Slopes, Monaro, Murrumbateman and Snowy Mountains.	White Box Yellow Box Blakelys Red Gum Woodland.



the tablelands, South Eastern Highlands Bioregion		Or  Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	
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Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table 1 requirements must be provided to Council prior to issue of a Subdivision Works Certificate.

Evidence must be provided in accordance with the following:

- (a) Retirement of credits: A credit retirement report issued by OEH confirming credit transactions.
  - (b) Payment to the Biodiversity Conservation Fund: A section 6.33 Statement Confirming Payment into the Biodiversity Conservation Fund issued by the Biodiversity Conservation Trust.
- (6) The class and number of **species credits** in Table 2 must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.

**Note:** Prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

**Table 2 Species credits required to be retired – like for like**

Impacted species credit species	Number of species credits	IBRA sub-region
Polytelis swainsonii / Superb Parrot	1	Murrumbateman, Bondo, Crookwell, Inland Slopes, Monaro, Murrumbateman and Snowy Mountains.  Or  Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table 2 requirements must be provided to Council prior to the issue of a Subdivision Works Certificate.

Evidence must be provided in accordance with the following:

- (a) Retirement of credits: A credit retirement report issued by OEH confirming credit transactions.
  - (b) Payment to the Biodiversity Conservation Fund: A section 6.33 Statement Confirming Payment into the Biodiversity Conservation Fund issued by the Biodiversity Conservation Trust.
- (7) A Biodiversity Management Plan must be submitted to and approved by Council. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan.

The Biodiversity Management Plan must:

- Identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans
  - Identify areas of land that are to be retained as outlined in the Biodiversity Development Assessment Report
  - Include a Statement of Commitments which identifies all measures proposed in the Biodiversity Development Assessment Report to mitigate and manage impacts on biodiversity. The statement must indicate what the measure is, when and how often it is to be applied and who is responsible for undertaking the measure.
  - State that construction impacts will be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the Biodiversity Development Assessment Report.
- (8) Engineering drawings for the provision of access to each lot shall be submitted to Council's Engineering Department for approval in accordance with:
- Council's Roads Standards Policy RD-POL-09 and
  - Council's Design and Construction Specification – AUS-SPEC #1.
- (9) Engineering drawings for the construction of all roads shall be submitted to Council's Engineering Department for approval in accordance with:
- Council's Roads Standards Policy RD-POL-09 and
  - Council's Design and Construction Specification – AUS-SPEC #1.

**Note:** All roads must be constructed in accordance with Local or Cul-De-Sac standards as specified for Yass and Murrumbateman Township Roads within the Council's Road Standards Policy.

**Note:** Roadside drainage shall be constructed along the frontage of the subject land adjacent to all roads. Where kerb & gutter or flush kerb (if approved by the Director of Infrastructure & Assets) standards are to be in accordance with Council's Roads Policy RD-POL-09.

- (10) The Engineering Drawings for the construction of roads shall provide for the provision of larger vehicles such as public transport service and construction vehicles (e.g. garbage trucks, delivery trucks).
- (11) All cul-de-sacs shall have a 12m turning radius and provided with an asphaltic concrete wearing surface. Minimum standard 40mm thick AC14. In accordance with Council's Road Standards Policy RD-POL-9. The road reserve will need to be increased at cul-de-sac ends to cater for the turning radius and road verge.
- (12) The Engineering Drawings for the construction of roads shall provide for alternative means of travel to the motor vehicle. Facilities are required to be extended to and provided through the subdivision for the safe and effective movement of pedestrians and cyclists to nearby facilities:

~~(a) A shared pathway 2.5m wide, 100mm thick, reinforced concrete or asphalt on 50mm compacted road base shall be provided on new roads #1, #2 and #4 on the eastern portion of the development (east of the open space lot and horse trail path).~~

~~(b) A horse trail path is to be provided from Isabel Drive to Merryville Drive as shown on the approved plan of subdivision. Details are to be provided on the engineering drawings.~~

#### **OPTION 1**

(a) A shared pathway 2.5m wide, 100mm thick, reinforced concrete or asphalt on 50mm compacted road base shall be provided on new roads #1, #2 and #4 on the eastern portion of the development (east of the open space lot and horse trail path).

(b) A horse trail path is to be provided from Isabel Drive to Merryville Drive as shown on the approved plan of subdivision. Details are to be provided on the engineering drawings. The horse trail path is to be minimum 2.5m wide, 50mm decomposed granite on minimum 50mm compacted road base.

#### **OR OPTION 2:**

(a) A shared pathway 2.5m wide, 100mm thick, reinforced concrete or asphalt on 50mm compacted road base shall be provided from McIntosh Circuit along road #4 (to the intersection with road #1) and along road #1 on the eastern portion of the development (east of the open space lot and horse trail path). A connection shall also be provided along road #6 to the existing path on Colonial Place in Carrington Park Estate.

(b) A horse trail path is to be provided from Isabel Drive to Merryville Drive as shown on the approved plan of subdivision. Details are to be provided on the engineering

drawings. The horse trail path is to be minimum 2.5m wide, 100mm thick, reinforced concrete or asphalt on 50mm compacted road base.

- (13) Engineering drawings associated with the design of creek crossings and waterways are to be provided to Council for approval. The design shall be undertaken by a suitable qualified engineer and designed in accordance with Council policies, Council's Design and Construction Specification –AusSpec#1, and relevant standards.

As part of the design, calculations of the catchment, flow velocities and volumes will need to be submitted to Council as well as a suitable proposal for upstream and downstream erosion protection. Details of road approaches to the crossing are to be supplied as part of these drawings.

- ~~(14) Bus stop facilities are to be provided within the estate at appropriate intervals for the convenience of the user in accordance with relevant guidelines. Bus shelters are to be of a construction consistent with shelters recently installed by Council. Show bus stop locations on the drawings.~~

Bus stop facilities are to be provided in consultation with Council and local bus service providers within the development and/or surrounding roads. Bus shelters are to be of a construction consistent with shelters recently installed by Council. Show bus stop locations on the drawings.

- (15) Engineering drawings associated with the drainage of stormwater shall be submitted to Council's Engineering Department for approval in accordance with Council's Stormwater Policies and Design and Construction Specification – AusSpec#1.
- (16) Engineering drawings must include details of the discharge of stormwater off the site (including quantities for various storm event and is to include stormwater that falls on the site or enters the site from upstream), what is proposed to manage the discharge (including details of any infrastructure etc.), the potential downstream effects of such discharges and actions proposed to ameliorate such effects and what is proposed to ameliorate any effects on the site from stormwater from upstream of the site.
- (17) An overland flow path to accommodate the discharge from a 1 in 100 year storm event shall be provided, including the provision of an easement where this flow path traverses private property. Details of any stormwater retention or water quality basins are to be provided.
- (18) A Design Certification Report relating to the detailed engineering design work shall be submitted to Council as per Council's Design Specification - AusSpec #1, Annexure DQS-A.

**Note:** This Design Report shall provide evidence that suitably qualified designers have designed each component of the engineering works for the development.

- (19) A list of three street names, for each new street shall be submitted to Council for consideration and approval in accordance with Council's Naming of Roads Policy RD-POL-6.

#### **PART C - PRIOR TO ISSUE OF SUBDIVISION WORKS CONSTRUCTION CERTIFICATE (STAGE 1 ONLY)**

- (1) Engineering drawings for the design and construction of a roundabout at the intersection of the new subdivision road and McIntosh Circuit are to be submitted to Council's Infrastructure & Assets Division. As a minimum, the pavement of the roundabout is to be asphaltic concrete.

**Note:** The centre of the roundabout shall be concrete or asphalt.

- (2) The Engineering Drawings for the construction of roads shall provide for the provision of alternative access in the initial stage should an incident occurs at or near the proposed intersection to Isabel Drive for accessibility for households and emergency purposes.

#### **PART D - PRIOR TO SUBDIVISION WORKS COMMENCING (ALL STAGES)**

- (1) Subdivision work shall not be commenced until the person having the benefit of this Development Consent provides at least two days' notice to Council of their intention to commence subdivision work.

- (2) Any contractor undertaking works in an existing Council road reserve shall also submit the following details:

- A current public liability certificate with a minimum cover of \$20 million
- Current Plant / vehicle insurances
- A certified traffic control plan for the proposed works

- (3) A Soil and Water Management Plan shall be submitted to Council's Infrastructure & Assets Division for approval in accordance with Council's Design and Construction Specification – Ausspec#1. The plan shall include construction techniques to minimise site disturbance and the potential for soil erosion by wind or water, erosion control on any watercourse on the property, revegetation of disturbed areas and any other matters that are deemed necessary by Council.

**Note:** An indicative plan may be prepared to complement the design plans, however, the final plan for approval shall be prepared in consultation with the construction contractor;

- (4) Prior to works commencing, Council is to be provided with all appropriate approvals to construct the creek crossings. Approvals may include Fisheries Permit, Controlled Activity Permit from Natural Resources Access Regulator, etc.

- (5) A sign must be displayed in a prominent position on the site while subdivision work is being undertaken.

The sign must list the following details:

- The name, address and telephone number of the Principal Certifying Authority
- The name or the Principal Contractor and an after-hours telephone number and
- That unauthorised entry to the site is prohibited.

The sign must be maintained while the subdivision work is being carried out and removed upon completion.

- (6) Toilet facilities must be provided at the work site. Each toilet provided must be:

- (a) a flushing portable toilet maintained under a service agreement with an accredited service provider; or
- (b) a standard flushing toilet connected to a public sewer; or
- (c) a standard flushing toilet connected to an accredited on-site sewage management facility approved by Council.

**PART E – NATURAL RESOURCES ACCESS REGULATOR (NRAR GENERAL TERMS OF APPROVAL) (ALL STAGES)**

- (1) The development must be undertaken in accordance with the General Terms of Approval issued by the Natural Resources Access Regulator (NRAR) under the *Water Management Act 2000* dated 10 September 2020 and attached as *Appendix A*.

**PART F - TREE REMOVAL AND MANAGEMENT (ALL STAGES)**

- (1) All trees that are proposed to be retained must be protected prior to any site works or civil works commencing on the site in accordance with *AS 4970-2009 - Protection of Trees on Development Sites*.
- (2) The removal of trees from the site is restricted to those in accordance with the plans and details submitted to Council with the Development Application, stamped and attached to this consent.
- (3) The applicant shall nominate a suitably qualified and experienced person who will be responsible for overseeing the tree removal and tree management.
- (4) Public access to the site is to be restricted when tree removal work is in progress or the site is unoccupied. All public safety provisions must be in place prior to the commencement of any works and must be maintained throughout tree removal work.
- (5) A suitably qualified and/or experienced tree arborist is required to carry out all tree removal.
- (6) All tree pruning must be undertaken in accordance with *AS 4373-2007* and by a suitably qualified and/or experienced tree arborist.
- (7) The one (1) hollow bearing paddock tree to be removed (living or dead) will need to be inspected by an ecologist for nesting wildlife present in the hollows prior to removal and any wildlife relocated by a fauna spotter catcher.

**PART G – DAM DEWATERING (ALL STAGES)**

- (1) A dam dewatering plan prepared by a suitably qualified and experienced person shall be submitted to Council and shall be implemented for any dams to be filled. Long neck turtles are present in some of the farms dams that are proposed to be drained. These turtles are protected fauna and will need to be captured and relocated when the dams are dewatered prior to being filled. An ecologist will be required to be present to capture and relocate turtles or other native fauna within the dams during the dam dewatering process.

**PART H – ABORIGINAL SITES AND OBJECTS (ALL STAGES)**



- (1) All impacts to identified Aboriginal sites and objects should be avoided. If this not possible then an Aboriginal Heritage Impact Permit (AHIP) is required.
- (2) The identified Aboriginal site and objects are to be fenced during all ground distributing works including during revegetation works. The fences are to be put in place by a qualified archaeologist and members of the Onerwal LALC.
- (3) Should any additional Aboriginal sites, objects or suspected human remains be unearthed during works associated with the subdivision, all work must cease and the NSW Government Environment Line (131 555) is to be contacted immediately. No works is to recommence at the location unless authorised by Heritage NSW in writing.
- (4) Should any additional potential archaeological relics are discovered during works associated with the subdivision, all work must cease and NSW Government Environment Line (131 555) is to be contacted immediately. No works is to recommence at the location unless authorised by Heritage NSW in writing.
- (5) If impacts to Aboriginal heritage sites or objects are found to be a possibility from the proposed development then consultation should be undertaken to discuss management and mitigation options in accordance with the *"Aboriginal Cultural Heritage Consultation Requirements for Proponents"*.
- (6) All Aboriginal objects and places are protected in NSW under *National Parks & Wildlife Act 1974*. It is an offence to harm an Aboriginal object or place without an approval issued by the Heritage NSW.

#### **PART I – INSPECTIONS (ALL STAGES)**

To arrange an inspection with Council please use the on-line booking system:  
[yassvalley.nsw.gov.au](http://yassvalley.nsw.gov.au) > Our Services > Planning and Building > Certification and Inspections > Inspections

If Council undertakes the inspection, the fee per inspection will be levied in accordance with Council's Fees and Charges, relevant at the time of payment.

- (1) A compliance certificate must be obtained from Council's Infrastructure & Assets Division at the following stages of construction:

##### **Roads**

- (a) Completion of sub-grade pavement layer (proof roll);
- (b) Completion of stormwater drainage lines – prior to backfilling;
- (c) Completion of stormwater detention infrastructure;
- (d) Completion of stormwater quality improvement infrastructure;
- (e) Completion of base course pavement layer (proof roll);
- (f) Completion of kerb and guttering;
- (g) Completion of round-a-bout subgrade;
- (h) Completion of round-a bout pavement;
- (i) Completion of two-coat bitumen seal;

- (j) Completion of property access. This inspection is for access dimensions and to ensure there are no 'trip-fall' hazards. Compliance with change in longitudinal grade will only be undertaken where it can be confirmed via WAE drawings;
- (k) Completion of shared pathway;
- (l) Completion of horse trail;

**Other**

- (m) Completion of streetscape works and other public landscaping;
- (n) Completion of boundary fencing of each lot created;
- (o) Practical completion;
- (p) Final inspection.
- (q) Refund of bond.

**PART J - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE (STAGE 1 ONLY)**

- (1) The terms of the Voluntary Planning Agreement (VPA) associated with the open space (Lot 202) must be satisfied.
- (2) Construction of a the roundabout at the intersection of the new subdivision road and McIntosh Circuit is to be completed in accordance with the designs/drawings approved with the Subdivision Works Certificate.
- (3) **Prior to the issue of Subdivision Certificate the Applicant must register the VPA on the title of the land to which the VPA applies.**

**PART K - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE (ALL STAGES)**

- (1) In accordance with section 7.12 *Environmental Planning and Assessment Act 1979* and the Yass Valley Development Contributions Plan 2018, a monetary contribution must be paid to Council if the proposed cost of carrying out the development exceeds \$100,000.

The contribution rate is determined in accordance with the table below:

<b>Proposed cost of carrying out the development</b>	<b>Contribution Rate</b>
Up to and including \$100,000	Nil
More than \$100,000 and up to and including \$200,000	0.5% of that cost
More than \$200,000	1% of that cost

**Note:** The cost of carrying out development is cumulative across stages.

- (2) A levy under the Building and Construction Industry Long Service Payments Act 1986, equivalent to 0.35% of the value of the works, shall be paid to Council, where the value of such works is greater than \$25,000.00;
- (3) Roads and associated infrastructure is constructed/upgraded in accordance with either Council's Road Standards Policy RD-POL-09 or, where required, designs/drawings approved with the Subdivision Works Certificate.

- (4) The property vehicular accesses from the road to the property boundary must be constructed in accordance with Council's Road Standards Policy RD-POL-09 or, where required, designs/drawings approved with the Subdivision Works Certificate.
- (5) Street name signs shall be installed at the entrance to each new road. The street sign shall be in accordance with Council's standard urban street sign design. Where the road is no-through a "no-through road" sign is to be installed
- (6) Stock proof fencing must be provided to all boundaries of the proposed lots in accordance with Council's Non-Urban Fencing Policy DA-POL-12.

The minimum acceptable standard for new fencing work for rural residential lots is as follows:

- A fence height of no less than 1200 mm.
- Strainers – spacing 100 metres to 200 metres depending on terrain.
- Steel Star Pickets at 4 metre centres.
- Two 1.57 mm high tensile plain wires on top.
- Three 2.8 mm high tensile carry wires.
- "Wire Netting" - must be set no higher than 50 mm above the surface of the ground.
- Netting floodgates as required.
- All gates must be set back a minimum of 15 metres from the edge of road formation

The existing boundary fence where dilapidated, must be repaired to the above standard.

Existing fence in good order but of varying standards may be permitted if such standard is deemed by Council as 'stock proof'.

Where the boundary fence does not coincide with the property boundary for proposed subdivision, the applicant must provide a note on the linen plan that fence may not be constructed on the boundary of particular lot.

- (7) In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of electricity supply is available to each lot within the subdivision.
- (8) In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of telecommunications service is available to each lot within the subdivision.
- (9) The applicant must confirm by survey that the formation and associated batters and drainage structures of McIntosh Circuit and Isabel along the frontage of the subject property, are within the road reserve.

Where the existing road is within the subject land, the applicant must ensure that the legal and physical attributes coincide by adjustment of the road reserve. The Applicant's request for a Subdivision Certificate must include specific reference to the review and whether or not adjustment of the road reserve is necessary.

- (10) Easements must be created on the final plan of subdivision centred on any existing or new power lines/cables passing through private property and must be in accordance with the service provider's requirements.

- (11) Building envelopes must be designated on the final plan of subdivision over each proposed lot in accordance with the approved plan of subdivision.

The accompanying Section 88E instrument must state that no permanent or temporary dwellings and/or outbuildings and associated infrastructure are permitted to be erected outside of the identified building envelope shown on the plan of subdivision.

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (12) A restriction to user under Section 88B of the *Conveyancing Act 1919* must be placed on all lots (excluding Lot 202) created requiring potable water storage (rainwater tanks) to the following minimum standard:

- 45,000 litres for houses less than 150 m<sup>2</sup>
- 120,000 litres for houses in excess of 150 m<sup>2</sup>.

Above ground tanks shall provide for the refilling of fire tankers by the installation of a "Storz" fitting at the base of the tank with a gate valve. The house service may branch off this outlet. Underground tanks shall include an access hole at least 150mm diameter;

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (13) A restriction to user under Section 88B of the *Conveyancing Act 1919* must be placed on all lots created prohibiting the use of the following onsite effluent disposal systems:

- (a) Primary treatment septic tank and absorption trench.
- (b) Subsoil irrigation beds for effluent dispersal of wet composting closet treatment systems (e.g. worm farms).

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (14) A restriction to user under Section 88B of the *Conveyancing Act 1919* requiring the installation of only advanced wastewater treatment systems with nutrient reduction linked to subsurface irrigation must be placed on the following lots (inclusive):

Lots 101-102, 107-113, 124-131, 133-137, 142, 146-147, 173-184 and 196-201.

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (15) A restriction to user must be created under section 88 of the *Conveyancing Act 1919* over all proposed lots stating:

*An on-site effluent disposal system must not be installed without the consideration of the "Land Capability Assessment" prepared by John Franklin of Franklin Consulting (Version 2 – 29 September 2020), submitted in support of the subdivision.*

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (16) A restriction to user under Section 88B of the *Conveyancing Act 1919* must be placed on all lots created (excluding Lot 202) prohibiting the removal of trees and vegetation unless otherwise approved by Yass Valley Council.

The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council.

- (17) The Applicant is to provide evidence from WaterNSW that the existing Water Supply Works approval and Water Access Licence (WAL) has been amended and approved, including:

- The change in purpose of the current approval to reflect the current and future proposed use; and
- Correctly identifying the land the approval is to supply.

**Note:** A copy of the letter from WaterNSW is attached for your consideration.

- (18) A Communal Water Management Statement (CWMS), prepared in association with the proposed 'tenancy in common' arrangements for the supply of non-potable water to each allotment, shall be submitted to Council. The CWMS shall form part of a restrictive covenant under section 88E of the *Conveyancing Act 1919*, to which each joint tenant is a beneficiary. The CWMS shall:

- Limit the total annual use of non-potable water from the reticulated community supply scheme to that which may be licenced by WaterNSW.
- Prescribe the arrangements on-going management and maintenance of all communal areas and community infrastructure including the non-potable water supply system.
- Provide for the equitable distribution of water including metering of non-potable water supply to each allotment.
- Provide for the ability to introduce water supply restrictions during extended dry periods.

- (19) A non-potable water service main (connection) shall be installed from the communal bore to a point inside the front boundary of each allotment created within the subdivision.

- (20) The proposed reticulated non-potable bore and the existing bore GW 401758 shall be sealed and bunded (earthen mound or similar) immediately upslope of the bore to prevent access of overland stormwater flow to the bore.

- (21) The existing diesel bore pump located on Lot 199 shall be upgraded to an electric pump.

- (22) One complete set of “Work as Executed” (WAE) drawings, indicating all details of new engineering works constructed, shall be submitted to Council.

The WAE Drawings shall be supplied to Council in the following format:

- AutoCAD LT 2011 on MGA 94 Zone 55 coordinates; and
- AutoCAD R12/LT2 DXF; and
- PDF; and
- A1 Hard Copy; and

Shall include separate details of for the following:

- (a) Stormwater (including detention structures) - Location, Depth, Size, Material, Easement, Invert Level, Grades, Pit Details and tie details;
- (b) Transport Infrastructure – roads plan, cross sections, long sections, pavement details, K&G details, Footpath and Cycleway Details, Bus Stop Details, Street Light Locations;
- (c) Details of property accesses including a cross section from the centre of the road to at least 3 metres into the adjacent property. Cross section to show all change in grades
- (d) Landscaping Details;
- (e) Other Utilities – Gas, Telstra, Electricity, Fibre Optic Cable locations, Depths, Easements and heights in comparison to the roads centre line;
- (f) Survey Mark Details – Marker Numbers and AHD.

**Note:** Tie details must include depth, distance into the property and distance from a specified property boundary.

- (23) For each lot created, a separate Lot Plan (A4) shall be submitted to Council which shows the location (distance away from nearest side boundary and distance into the lot), level, depth and diameter of tie details for water, sewer and stormwater and as well easement details.
- (24) Constructed Asset Information shall be supplied for all assets dedicated to Council. The required information shall include:

**Roads**

- Length, width, gravel depth;
- Earthworks cost;
- Pavement cost;
- Seal cost;
- Guidepost numbers and cost;
- Raised pavement markers numbers and cost;
- Guardrail type, size in metres and cost;
- Signposts cost;
- Kerb and gutter length and cost
- Footpath cycleway length, width and cost;
- Open drainage works length and cost;



**Stormwater Drainage**

- Pipe type, length and cost;
- Pit type, number and cost;
- Headwalls, number and cost;
- Rockwork area and cost;
- Stormwater quality improvement features, type, number and component costs.

**Sewerage Infrastructure**

- Pipe type, length and cost;
- Pit type, number and cost;
- Pump well type and cost;
- Electrical and Control equipment type and cost;
- Backup generator type and cost;
- Monitoring equipment type and cost.

**Water Supply Infrastructure**

- Pipe type, length and cost;
- Valve type, number and cost;
- Hydrant type, number and cost;

**Other Assets**

- Description, dimensions and cost e.g. Horse bridle path

- (25) A bank guarantee, or cash bond, equivalent to 5% of the value of the whole of the engineering works shall be lodged with Council as a performance bond.

**Note:** This bond must be unconditional with no time limit and must be in the name of the developer (i.e. bonds in the name of the construction contractor will not be accepted).

**Note:** This bond shall be held for the period of the defects liability period (at least 12 months), which will commence from the later of linen plan release from Council or the practical completion of the engineering works (as evidenced by the associated engineering compliance certificate).

**Note:** At the end of the defects liability period a final compliance inspection will be undertaken. Areas inspected may include the following:

- Roadside drainage;
- Piped drainage;
- Water quality or retention systems/devices;
- Sealed road surface condition including excessive loose gravel;
- Road signs and lines;
- Sub-grade failures (e.g. soft spot);
- Roadside landscaping.

- (26) The identified Aboriginal sites must be registered on Aboriginal Heritage Information Management System (AHIMS) register. Evidence of registration shall be provided to Council.

- (27) A Subdivision Certificate Application (Form 206) must be submitted to Council.

The application is to be accompanied by the following:

- (a) A plan of subdivision (linen plan) acceptable for registration by the NSW Land and Property Information Office.
  - (b) An Administration Sheet which incorporates a subdivision certificate acceptable for registration by the NSW Land and Property Information Office.
  - (c) Where easements, rights of carriageway or restrictions on the use of land are proposed or required to be created under Section 88 of the *Conveyancing Act 1919*, a copy of the relevant instrument.
  - (d) The relevant documents required by the NSW Land and Property Information Office for the registration of a Community scheme or a Strata scheme, if applicable.
  - (e) The applicant must create, where applicable, 20 metre wide easements over the final plan of subdivision in favour of Essential Energy, centred on all existing power lines which cross the subdivision.
  - (f) A copy of relevant development consent or complying development certificate.
  - (g) A copy of any relevant construction certificate.
  - (h) A copy of any relevant compliance certificates, letters from authorities and receipts for payment of any fees/contributions.
  - (i) A copy of detailed subdivision engineering plans, where relevant.
  - (j) Evidence that the applicant has complied with all conditions of consent that it is required to comply with before a subdivision certificate can be issued.
  - (k) For subdivision involving subdivision work, evidence that the work has been completed, or:
    - Agreement has been reached with the relevant consent authority as to payment of the cost of work and as to the time for carrying out the work, or
    - Agreement has been reached with the relevant consent authority as to security to be given to the consent authority with respect to the completion of the work.
  - (l) The relevant fee payment at the date of application for the subdivision certificate.
- (28) The subdivision certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

## 6.6 DEVELOPMENT APPLICATION NO DA190211 - IMPORTATION OF MATERIAL FOR INTERNAL ACCESS ROADS, 33 HILLVIEW DRIVE, MURRUMBATEMAN

### SUMMARY

To present an update on the Development Application for the importation of material for internal access roads at 'Hillview', 33 Hillview Drive, Murrumbateman. Council resolved to support the Development Application in May 2020 subject to additional information being submitted. The Applicant has not provided satisfactory additional information and therefore it is recommended that the Development Application now be formally refused.

### RECOMMENDATION

*That Development Application DA190211 for the importation of material and construction of internal access roads at 'Hillview', 33 Hillview Drive, Murrumbateman be refused as insufficient information has been submitted to enable the appropriate assessment under the Environmental Planning & Assessment Act 1979 and Biodiversity Conservation Act 2016.*

### FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

### POLICY & LEGISLATION

- Environmental Planning & Assessment Act 1979
- Environmental Planning & Assessment Regulation 2000
- Biodiversity Conservation Act 2016
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operation (Waste) Regulation 2014
- Water Management Act 2000
- Roads Act 1993
- State Environmental Planning Policy (Infrastructure) 2007
- Yass Valley Local Environmental Plan 2013
- Resource Recovery Exemption – Excavated Natural Material Exemption 2014
- Resource Recovery Order – Excavated Natural Material Order 2014
- Yass Valley Heavy Haulage Section 94 Contributions Plan 2006
- Yass Valley Community Engagement Strategy
- Application Assessment and Decision Making Policy
- Draft Filling on Rural Properties Policy

### REPORT

#### 1. Application Details

Date Received	-	3 December 2019
Land	-	'Hillview' - 33 Hillview Drive, Murrumbateman
Area	-	Approximately 1,900ha
Zoning	-	RU1 Primary Production

#### 2. Site Description and Locality

The development site is 'Hillview', a significant property of approximately 1,900ha north of the Murrumbateman Village. The property contains land to the north and south of Hillview Drive, as well as west of the Barton Highway. A locality plan is included as **Attachment A**.

The property is used for agricultural purposes, containing farm buildings and infrastructure as well as manager's residences. The portion north of Hillview Drive is serviced by three primary property accesses. The portion to the west of the Barton Highway has direct access from the highway.

### 3. Background and Proposal

In May 2020 meeting Council resolved that:

1. *Conditional Development Consent be issued for the importation of material and construction of internal access roads at "Hillview", 33 Hillview Drive, Murrumbateman following:*
  - *The Applicant suitably demonstrating that the proposed development does not trigger entry into the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016*
  - *The Applicant suitably demonstrating how they have undertaken due diligence for the protection of Aboriginal objects.*
2. *The Development Consent restricts the standard of internal access road construction to generally 4.5m x 300mm and an overall maximum volume of material that can be imported to 40,000m<sup>3</sup> and the need for an Engineering Construction design for internal roads is not required.*

The Applicant submitted additional information on 26 May 2020 but a review indicated that it was insufficient. Planning staff provided further detailed advice and another additional information request on 29 May 2020. In August 2020 planning staff request an update on the progress of the additional information, however no reply was received. A final additional information request was issued on 7 October 2020 for information to be submitted by no later than 7 November 2020. Additional information nor a reply have been received.

### 4. Conclusion

Without the requested additional information it is not possible for a complete assessment to occur under the provisions of s4.15 *Environmental Planning & Assessment Act 1979* or to conclusively determine whether the proposed development triggers entry into the NSW Biodiversity Offset Scheme under the *Biodiversity Conservation Act 2016*.

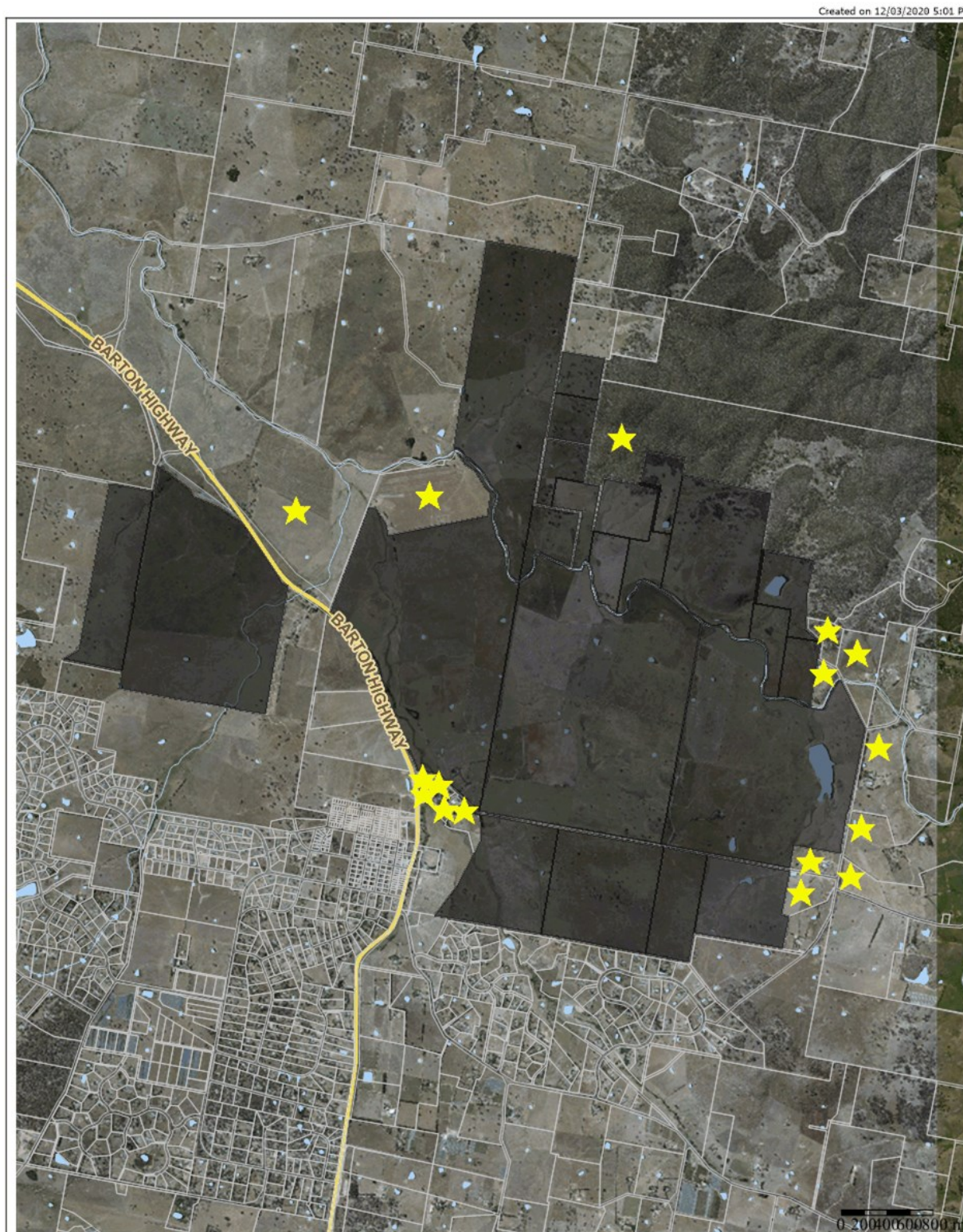
Given the additional information has not be received, the number of requests, and the time that has now elapsed, it is recommended that the Development Application be formally refused on the basis of having insufficient information.

### STRATEGIC DIRECTION

Key Pillar	1. Our Environment
CSP Strategy	EN1 - Protect and enhance the existing natural environment, including flora and fauna native to the region
Delivery Program Action	EN1.1 - Protect our natural assets in line with community values
Operational Plan Activity	EN1.1.1 – Ensure assessment of development applications protects our natural environment

**ATTACHMENTS:** A. Locality Plan [↓](#)

6.6 Development Application No DA190211 - Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman  
Attachment A Locality Plan



**yass valley council**  
the country the people

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Drawn By: Jeremy Knox  
Projection: GDA94 / MGA zone 55  
Date: 12/03/2020 5:01 PM

**Subject Property**  
**Property Notified**

Map Scale: 1:45014 at A4



## 6.7 2020/21 COMMUNITY GRANTS

### SUMMARY

A report recommending grants to be made through Council's Community Grants Program.

### RECOMMENDATIONS

*That:*

1. *The following grants be awarded under Council's 2020/21 Community Grants Program:*
  - *Binalong Progress Association – \$2,720 – floor repairs to hall of historic courthouse*
  - *Binalong Swimming Club – \$2,095 – storage reel and lane ropes*
  - *Bowning Public School P&C – \$4,000 – shade sail for playground*
  - *Murrumbateman Little Athletics – \$2,053 – shipping container to store equipment*
  - *Sutton Pony Club – \$3,804 – replacement tank, repair of roof and guttering and shade sail*
  - *Yass Early Childhood Centre – \$1,265 – painting of the Centre fascia, walls and fence*
  - *Yass Netball Association – \$700 – first aid kits, post pads and club banner*
  - *Yass Public School P&C – \$3,000 – canteen mural and bathroom art*
  - *Yass Roos Australian Football Club – \$4,000 – replacement of goal posts*
  - *Yass Roos Australian Football Club – \$4,000 – goal post pads and equipment storage unit*
  - *Yass Swimming Club – \$725 – portable digital i-clocks*
2. *Applications for a second round of Community Grants be invited in early 2021.*

### FINANCIAL IMPLICATIONS

Council allocated \$49,000 to Community Grants in the 2020/21 budget. The recommended grants total \$28,362, leaving a further \$20,638 available.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Community Grants Policy*

REPORT A total of 13 applications were received and assessed by a panel comprising Cr Turner, Cr Frost and the Community Planner.

The panel members declared no pecuniary and non-pecuniary interests in the applications.

Two applications are not recommended for funding in the current round of community grants i.e.

- *Expenditure on Berinba School P&C's proposed new playground will not occur in the coming 12 months – a requirement of Council's *Community Grants Policy**
- *The Sutton Pony Club's proposal to construct a roof between two shipping containers is not supported by quotes and requires development approval*

The other applications meet the eligibility criteria.

Not all of the funding pool for Community Grants will be expended with the awarding of the eligible applications. A second round of Community Grants could be organised in the New Year or alternatively Council may wish to direct the funding to some identified priorities.



## STRATEGIC DIRECTION

Key Pillar 3. Our Community

CSP Strategy CO2 - Encourage and facilitate active and creative participation in community life

Delivery Program Action CO2.5 - Support the growth of a diverse range of community events

Operational Plan Activity CO2.5.1 - Provide access to financial support for development of community events through Council's Community Grants Program

**ATTACHMENTS:** A. 2020-21 Community Grants Assessment Schedule [↓](#)

**ATTACHMENT A: 2020/21 Community Grants Assessment Schedule**

Application number & date received	Applying organisation & incorporation number	Project summary & primary CSP strategy/ies	Funding requested	Source of matched funding	Clear objective, design & budget	Capacity to undertake initiative	Is there an alternative source of funds?	Eligibility criteria met	Funding recommended
<b>1</b> Received 1/9/20	<b>Binalong NSW Swimming Club Inc</b> <b>INC1400883</b>	Purchase and installation of mini storage reel and 2 lane ropes. IN4 & CO3	<b>\$2,095</b>	Cash reserves	Yes	Yes	No	Yes	Yes
<b>2</b> Received 1/9/20	<b>Binalong Progress Association Inc</b> <b>INC1700459</b>	Removal and replacement of damaged floors and joists in hallway of the Binalong Courthouse IN4 & CO2	<b>\$2,720</b>	Cash reserves	Yes	Yes - and NSW Police - the building owners - have approved the works	Local Heritage Grants funding has been obtained for another element of the project	Yes	Yes
<b>3</b> Received 2/9/20	<b>Bowling Public School P&amp;C Association</b> <b>Incorporated under P&amp;C Associations Incorporation Act 1976</b>	Purchase & installation of replacement shade sail over play equipment IN4 & CO3	<b>\$4,000</b>	Funds raised by P&C	Yes	Yes	No	Yes	Yes
<b>4</b> Received 3/9/20	<b>Yass Swimming Club Inc</b> <b>Y3012117</b>	Purchase of portable digital display i-clock IN4 & CO3	<b>\$725</b>	Fundraising	Yes	Yes	No	Yes	Yes
<b>5</b> Received 2/9/20	<b>Yass Roos AFC Inc (1)</b> <b>INC9881266</b>	Replacement of goal posts IN4 & CO3	<b>\$4,000</b>	Donations and fundraising	Yes	Yes	Sportsground infrastructure grants and Crown Reserve Improvement Fund grants	Yes	Yes
<b>6</b> Received 4/9/20	<b>Yass Roos AFC Inc (2)</b> <b>INC9881266</b>	Purchase of goal post pads and equipment storage unit IN4 & CO3	<b>\$4,000</b>	Donations & fundraising	Yes	Yes	No	Yes	Yes

6.7 2020/21 Community Grants  
Attachment A 2020-21 Community Grants Assessment Schedule

7 Received 4/9/20	<b>Yass Early Childhood Centre Association Y0866406</b>	Painting of the Centre fascia, walls & fence IN4	<b>\$1,265</b>	Reserve funds	Yes	Yes	No	Yes	Yes
8 Received 4/9/20	<b>Murrumbateman Little Athletics Inc INC1900988</b>	Purchase & installation of a shipping container for equipment storage IN4 & CO3	<b>\$2,053</b>	Reserve funds	Yes	Yes	No	Yes	Yes
9 Received 4/9/20	<b>Yass Public School P&amp;C Association Incorporated under P&amp;C Associations Incorporation Act 1976</b>	Canteen mural and bathroom art CO3 & IN4	<b>\$3,000</b>	Funds raised	Yes	Yes	No	Yes	Yes
10 Received 4/9/20	<b>Yass Netball Association Inc Y2607229</b>	Purchase of first aid kits, post pads and Club banner CO3	<b>\$700</b>	Funds raised	Yes	Yes	No	Yes	Yes
11 Received 4/9/20	<b>Berinba Public School P&amp;C Association Incorporated under P&amp;C Associations Incorporation Act 1976</b>	Funding contribution to new playground for the school CO3 & IN4	<b>\$4,000</b>	Fundraising	Yes	Yes	Yes	No	No. The project is in a funds accumulation phase and expenditure would not occur within 12 months – as required by Community Grants Policy
12 Received 4/9/20	<b>Sutton Pony Club (1) INC3410740</b>	Construction of roof between shipping containers and fencing IN4 & CO2	<b>\$2,500</b>	Reserves & fundraising	General cost estimate only - no quotes provided	-	-	Yes	No. Requires a Development Application
13 Received 4/9/20	<b>Sutton Pony Club (2) INC3410740</b>	Replacement of tank, repair of storage shed guttering & roof and purchase & installation of shade sail IN4 & CO2	<b>\$3,804</b>	Reserves & fundraising	Yes	Yes	No	Yes	Yes

## 7.1 CLOTH NAPPY REBATES

### SUMMARY

To present a request seeking consideration of introducing a rebate program to encourage the use of cloth nappies.

### RECOMMENDATION

*That the introduction of a cloth nappy rebate scheme be considered as part of the 2021/22 budget process.*

### FINANCIAL IMPLICATIONS

There are no resources in the current Operational Plan to commence a rebate scheme.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Environmental Sustainability Policy*

### REPORT

A request has been received suggesting Council introduce a program to encourage the use of cloth nappies instead of disposables.

Several Councils in Victoria, Queensland, NSW and South Australia offer cloth nappy rebates. This is usually up to a 50% rebate and is available until the allocated funds are exhausted.

Reuse products are preferable to disposable items and will contribute to reducing the amount of waste to landfill. This is consistent with Council's *Environmental Sustainability Policy*.

There are approximately 6% (or 1,000 people) of the Yass Valley population that are babies/pre-schoolers (i.e. 0-4 years old). With each baby using approximately 6,500 nappies until fully toilet trained this represents a potential of 6.5M nappies being disposed of to landfill. If the 6.5M nappies were all disposable this is estimated to generate 1,000 tonnes of waste (6,500 nappies = 1 tonne of waste).

The use of cloth nappies, while reducing disposal to landfill, will increase water use for individual households.

In metropolitan areas (such as Canberra) there are nappy washing services but this generally do not extend into rural and regional area. Local advocacy by residents directly to service providers for an extension of their services into Yass Valley could be encouraged.

There are no funds in the 2020/21 budget to offer rebates for cloth nappies. However this could be considered as part of a future budget process.

### STRATEGIC DIRECTION

Key Pillar 1. Our Environment

CSP Strategy EN5 - To investigate and implement approaches to reduce our carbon footprint

Delivery Program Action EN5.1 - Reduce rubbish to landfill through effective waste management and recycling

Operational Plan Activity EN5.1.1 - Finalise strategy to reduce waste going to landfill

ATTACHMENTS: Nil

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## 7.2 LOCAL ROADS & COMMUNITY INFRASTRUCTURE GRANT - EXTENSION OF PROGRAM

---

### SUMMARY

To determine the allocation of funds of \$1,020,648 provided by Australian Government under the Local Roads and Community Infrastructure (LRCI) Program.

### RECOMMENDATION

*That:*

1. *The Local Roads & Community Infrastructure Extension Program grant for the amount of \$1,020,648 be accepted.*
2. *The projects listed in Option 6 of this report form the basis of Council's application under the Local Roads & Community Infrastructure Extension Program.*

---

### FINANCIAL IMPLICATIONS

Nil - All works will be funded by grant funding.

### POLICY & LEGISLATION

- Procurement Policy
- Local Roads & Community Infrastructure Grant - Extension Program Guidelines

### 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 previously received \$857,227 under the program, which was reported to the Council's July 2020 meeting.

Advice has recently been received indicating Council has been offered an additional grant of \$1,020,648 under an extension of the LRCI Program.

Currently the guidelines for LRCI Program extension are being drafted. However the advice indicates that the funding will be available from 1 January 2021 with the program to be completed by end 2021.

To allow Council to consider projects for nomination and to be ready for when the program commence it has been assumed the program guidelines will be consistent with the original program.

Under the original 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 (for the grant extension it is assumed to also include the 2021/22 works program)
- Be completed by 30 June 2021 (for the extension grant this would be 31 December 2020)
- Deliver benefits to the community
- Eligible road projects including:
  - General road improvements such as:
    - Construction of new road
    - Sheeting/re-sheeting
    - Reconstruction and rehabilitation
    - Widening, sealing and resealing

- Drainage
  - Traffic signs and traffic control equipment
  - Street lighting equipment
  - A bridge or tunnel
- Eligible community works including:
  - Bicycle and walking paths
  - Repairing and replacing fencing
  - Improved accessibility
  - Landscaping improvements, picnic sheltered or bbq at parks
  - Playgrounds, skate parks or toilet blocks

Council staff have prepared the following the list of potential future works that would:

- Satisfy the assumed grant requirements and guidelines
- Be deliverable by end December 2021 allowing work that can be readily delivered and can be managed by Council's resources noting that Council pre-existing project commitment (excluding water and sewer projects) for 2021 (calendar year) includes in excess of 50 capital projects with a the value of approximately \$28M
- Noting the number of complaints being received from rural residents in relation to the conditions of our unsealed road network due to the lack of gravel
- Noting that the Memorial Hall will be celebrating its centennial in the near future
- Noting Murrumbateman will be subject to separate funding announcements in the near future
- Potential for projects to be funded under alternate grant programs include Stronger Country Communities Grant may 100% fund Riverbank Park amenities, Bookham amenities and Murrumbateman Recreation Ground irrigation work. Community Infrastructure funded through Office Responsible Gambling may part fund Binalong Fitness projects or Bookham Oval projects

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$1,020,000
Memorial Hall	Replace main hall's timber floor	\$120,000
	Replace air conditioning	\$30,000
	New commercial kitchen	\$55,000
	Painting (internal and external)	\$90,000
	Front office renovations	\$25,000
	<b>Sub-total</b>	<b>\$320,000</b>
Murrumbateman Recreation Ground	Install oval irrigation and header tank	\$250,000
Riverbank Park	New amenities	\$300,000
Binalong Recreation Ground	Fitness station Stage 1 - 6 stations including matted attenuation zone	\$50,000
	Fitness station Stage 2 - 6 stations including matted attenuation	\$50,000
	<b>Sub-total</b>	<b>\$100,000</b>
Bookham Oval	Resurface Tennis Courts,	\$100,000
	Upgrade Amenities Building	\$40,000
	<b>Sub-total</b>	<b>\$140,000</b>
Bookham Reserve	New playground	\$60,000



A Councillor Workshop on 16 November 2020 discussed potential projects under the grant program. From the discussions the following options have been developed:

**Option 1**

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$1,020,648
<b>Total</b>		<b>\$1,020,648</b>

**Option 2**

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$600,000
Memorial Hall	Replace main hall's timber floor	\$120,000
Riverbank Park	New amenities	\$300,648
<b>Total</b>		<b>\$1,020,648</b>

**Option 3**

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$600,000
Memorial Hall	Replace main hall's timber floor	\$120,000
Binalong Recreation Ground	Fitness stations Stages 1 & 2	\$100,000
Bookham Oval	Tennis courts and amenities	\$140,000
Bookham Reserve	New playground	\$60,648
<b>Total</b>		<b>\$1,020,648</b>

**Option 4**

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$520,000
Memorial Hall	Replace air conditioning	\$30,000
	New commercial kitchen	\$55,000
	Front office renovations	\$25,000
	Painting	\$90,000
Riverbank Park	New amenities	\$300,648
<b>Total</b>		<b>\$1,020,648</b>

**Option 5**

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$520,000
Memorial Hall	Replace air conditioning	\$30,000
	New commercial kitchen	\$55,000
	Front office renovations	\$25,000
Binalong Recreation Ground	Fitness stations Stage 1	\$50,000
Bookham Oval	Upgrade amenities	\$40,000
Riverbank Park	New amenities	\$300,648
<b>Total</b>		<b>\$1,020,648</b>

## Option 6

Asset	Project Name	Project Cost - \$
Rural Unsealed Road Network	Gravel re-sheeting	\$730,000
Memorial Hall	Replace air conditioning	\$30,000
	New commercial kitchen	\$55,000
	Painting	\$90,000
	Front office renovations	\$25,000
Binalong Recreation Ground	Fitness stations Stage 1	\$50,000
Bookham Oval	Upgrade amenities	\$40,648
<b>Total</b>		<b>\$1,020,648</b>

Based on the project requirements Option 6 is recommended as projects to be submitted for funding under the LRCI Extension Program.

Gravel re-sheeting of unsealed roads is an essential requirement to ensure that a grading intervention can be effective. Approximately a quarter or 150 km of Council's unsealed road network was gravel re-sheeted as part of the repair works from the September 2016 declared natural disaster storm event. As a result the of a report that was presented to Council to stop the 2018/19 and 2019/20 re-sheeting program, which eventually also flowed into a no gravel re-sheeting program for 2020/21.

After almost a three year period of no gravel re-sheeting, Council is receiving numerous complaints in relation to the effectiveness of our annual grading program as, in many cases, there is insufficient gravel on the road to allow the removal of pot-holes and corrugations, The allocation of this funding to gravel re-sheeting will be the first step in re-establishing an annual re-sheeting program for the unsealed road network.

A new kitchen in Memorial Hall will improve the usability of the building. Air condition of the hall will increase operating costs which would need to be passed on through user charges or by reducing service levels in other programs.

The communities of Binalong and Bookham have not received funding in earlier programs.

## 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:** Nil

## 8.1 1ST QUARTER BUDGET REVIEW 2019/20

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### SUMMARY

This report represents the 1<sup>st</sup> Quarterly Budget Review Statement (QBRs) for the period 1 July 2020 to 30 September 2020 in the financial year ending 30 June 2021.

### RECOMMENDATION

*That:*

1. *The 1<sup>st</sup> Quarterly Budget Review Statement adjustments, as detailed in the attachments, be adopted and the relevant income and expenditure budget adjustments be approved.*
2. *In accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 30 September 2020 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.*

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### FINANCIAL IMPLICATIONS

Full details of the financial implications of this quarter's QBRs are contained within the following report.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulation 2005*
- QBRs Guidelines, Office of Local Government 2010

### REPORT

#### 1. Background

In accordance with Clause 203 (Budget Review Statements and Revision of Estimates) *Local Government (General) Regulations 2005*:

- (1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a Council must prepare and submit to the Council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Council's Revenue Policy included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
  - (a) A report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure; and
  - (b) If that position is unsatisfactory, recommendation for remedial action.

In accordance with Clause 211 (Authorisation of expenditure) *Local Government (General) Regulations 2005*:

- (1) A council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
  - (a) has approved the expenditure, and
  - (b) has voted the money necessary to meet the expenditure.

## 2. Budget Review

The Quarterly Budget Review Statement (QBRs) presents a summary of Council's financial position at the end of the first quarter for the financial year ended 30 June 2021.

The quarterly budget review process is the mechanism through which Council and the community are informed of Council's progress against the Operational Plan (annual budget), together with recommendations for changes and reasons for any budget variations.

The QBRs appears as **Attachment A**, and has been produced in accordance with the guidelines and standards issued by the Office of Local Government.

Council is provided with a breakdown of the budget and actuals by functional/service unit and key performance indicators (financial ratios). Staff have undertaken a mapping process to ensure this information is accurate.

### 2.1 Summary

Council's operational revenue is currently \$25.3M which is well below the forecast of \$53.2M. This variance is expected due to the timing of receipt of grant funding, with funds being received after milestones have been met. Operational expenditure of \$5.3M is currently \$28.3M under budget, which is readily attributable to the seasonal, semi-annual, and annual nature of some expenditures and the delay to some work due to weather events.

Capital Revenue is \$4.2M which is \$15.7M under budget. This is due to the timing of the grant payments being received, and dependent on the achievement of relevant milestones. Capital Expenditure is currently under budget primarily due to this being the first three months of the financial year and the Local Government Area has seen weather events that have impacted the ability to undertake some works and emergency repair work has had to be undertaken as a priority. It is expected that capital expenditure will increase as we progress through the financial year and ramp up as planning and community consultation on some projects are finalised.

### 2.2 Operational Budget Result

As a result of this budget review, Council's projected year end net operating result before capital items is expected to reduce from a budgeted surplus of \$536k to a budgeted deficit of \$314k for 2020/21. The primary driver of this is an increase in projected Capital Grants and Contributions to approximately \$20M which erodes Council's Net Operating surplus for the year before grant and contributions provided for capital purposes, resulting in a projected deficit.

These funds have been fast tracked to Council as part of the State and Federal Government's initiative to stimulate the economy due to the impact of COVID-19.

### 2.3 Capital Budget Result

As a result of this budget review, Council's anticipated expenditure on capital items is expected to increase by \$18.2M to \$37.11M for 2020/21. This increase is a result of capital works planned for 2019/20 but were unable to be finished and as such were carried forward into 2020/21. Additional grant funding has also been secured to fund Infrastructure works including upgrades to local roads, bridge renewal and the Yass to Murrumbateman Water network construction.

### 2.4 Commentary on Key Variances

Some adjustments have been done to the budget line items to better reflect the nature of the budget item and where it should sit on the face of the Income Statement. Some costs have been reallocated as Capital expenditure to better reflect the nature of the work involved.

Income has increased due to additional grant funding becoming available and some grants not being accurately reflected in the original budget due to actual figures not being available at the time.

Capital works with a value of \$2.9M have been added to the capital expenditure budget. These works comprise \$946k to be spent on upgrades to Wee Jasper Road, Nanimba Road, \$1.856M to be spent on upgrades to Yass Valley Way, \$800k towards Shingle Hill Way Bridge Replacement, approximately \$175k to be spent on the design work for future roads capital works and approximately \$130k to be spent on traffic facilities.

## 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 Quarter 1 Budget Review Statement [↓](#)

Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

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Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

**30 September 2020**

It is my opinion that the Quarterly Budget Review Statement for Yass Valley Council for the quarter ended 30/09/20 indicates that Council's projected financial position at 30/6/21 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



**Signed:** \_\_\_\_\_

**Date:** 16/11/2020

Tracy Sligar  
Responsible Accounting Officer

Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 30 September 2020

**Income & Expenses - Council Consolidated**

(\$000's)	Original Budget 2020/21	Approved Changes					Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs					
<b>Income</b>											
Rates and Annual Charges	17,853						17,853	82		17,935	17,947
User Charges and Fees	6,759						6,759	3		6,762	784
Interest and Investment Revenues	538						538	22		560	418
Other Revenues	702						702	55		757	321
Grants & Contributions - Operating	5,741						5,741	746	1	6,487	1,290
Grants & Contributions - Capital	10,934	6,397					17,331	2,636	2	19,967	4,239
Net gain from disposal of assets	400						400	-		400	156
Share of Interests in Joint Ventures							-	-		-	-
Rental Income	400						400	-		400	145
<b>Total Income from Continuing Operations</b>	<b>43,327</b>	<b>6,397</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>49,724</b>	<b>3,544</b>		<b>53,268</b>	<b>25,300</b>
<b>Expenses</b>											
Employee Costs	11,889	119					12,008	2,443	3	14,451	2,740
Borrowing Costs	923						923	306	4	1,229	150
Materials & Contracts	6,382	36					6,418	(115)	5	6,303	757
Depreciation	6,278						6,278	135	6	6,413	-
Other Expenses	6,385	12					6,397	(1,178)	7	5,219	1,657
<b>Total Expenses from Continuing Operations</b>	<b>31,857</b>	<b>167</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>32,024</b>	<b>1,591</b>		<b>33,615</b>	<b>5,304</b>
<b>Net Operating Result from Continuing Operation</b>	<b>11,470</b>	<b>6,230</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>17,700</b>	<b>1,953</b>		<b>19,653</b>	<b>19,996</b>
Discontinued Operations - Surplus/(Deficit)							-			-	-
<b>Net Operating Result from All Operations</b>	<b>11,470</b>	<b>6,230</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>17,700</b>	<b>1,953</b>		<b>19,653</b>	<b>19,996</b>
<b>Net Operating Result before Capital Items</b>	<b>536</b>	<b>(167)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>369</b>	<b>(683)</b>		<b>(314)</b>	<b>15,757</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2020 and should be read in conjunction with the total QBRs report.

8.1 1st Quarter Budget Review 2019/20  
Attachment A 2020/21 Quarter 1 Budget Review Statement

Yass Valley Council

**Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

**Income & Expenses Budget Review Statement**

Budget review for the quarter ended 30 September 2020

**Income & Expenses - Council Consolidated**

(\$000's)	Original Budget 2020/21	Approved Changes					Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRS	Sep QBRS	Dec QBRS	Mar QBRS					
<b>Income</b>											
Governance	-	-	-	-	-	-	-	-		-	-
Administration	16,115	-	-	-	-	-	16,115	(500)		15,615	12,237
Public Order & Safety	682	-	-	-	-	-	682	(5)		677	246
Health	129	-	-	-	-	-	129	26		155	9
Environment	4,250	-	-	-	-	-	4,250	(251)		3,999	3,126
Community Services & Education	-	-	-	-	-	-	-	-		-	-
Housing & Community Amenities	1,134	-	-	-	-	-	1,134	(60)		1,074	457
Water Supplies	6,263	-	-	-	-	-	6,263	977		7,240	4,213
Sewerage Services	2,498	-	-	-	-	-	2,498	224		2,722	2,688
Recreation & Culture	532	-	-	-	-	-	532	583		1,115	122
Transport & Communication	9,977	-	6,397	-	-	-	16,374	2,535		18,909	1,877
Economic Affairs	1,747	-	-	-	-	-	1,747	15		1,762	278
<b>Total Income from Continuing Operations</b>	<b>43,327</b>	-	<b>6,397</b>	-	-	-	<b>49,724</b>	<b>3,544</b>		<b>53,268</b>	<b>25,253</b>
<b>Expenses</b>											
Governance	353	-	-	-	-	-	353	-		353	45
Administration	5,285	-	-	-	-	-	5,285	1,395		6,681	1,949
Public Order & Safety	1,335	2	-	-	-	-	1,337	(13)		1,324	331
Health	-	-	-	-	-	-	-	-		-	-
Environment	4,385	5	-	-	-	-	4,390	29		4,419	585
Community Services & Education	-	-	-	-	-	-	-	-		-	-
Housing & Community Amenities	2,369	126	-	-	-	-	2,495	(34)		2,461	443
Water Supplies	3,998	33	-	-	-	-	4,031	209		4,240	514
Sewerage Services	2,068	-	-	-	-	-	2,068	85		2,153	209
Recreation & Culture	1,974	-	-	-	-	-	1,974	70		2,044	326
Transport & Communication	8,152	-	-	-	-	-	8,152	(152)		8,000	688
Economic Affairs	1,938	-	-	-	-	-	1,938	2		1,940	214
<b>Total Expenses from Continuing Operations</b>	<b>31,857</b>	<b>166</b>	-	-	-	-	<b>32,023</b>	<b>1,591</b>		<b>33,615</b>	<b>5,304</b>
<b>Net Operating Result from Continuing Operation</b>	<b>11,470</b>	<b>(166)</b>	<b>6,397</b>	-	-	-	<b>17,701</b>	<b>1,953</b>		<b>19,653</b>	<b>19,949</b>
Discontinued Operations - Surplus/(Deficit)							-			-	
<b>Net Operating Result from All Operations</b>	<b>11,470</b>	<b>(166)</b>	<b>6,397</b>	-	-	-	<b>17,701</b>	<b>1,953</b>		<b>19,653</b>	<b>19,949</b>
<b>Net Operating Result before Capital Items</b>							-			-	

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/2020 and should be read in conjunction with the total QBRS report

Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

**Income & Expenses Budget Review Statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

Notes	Details
1	The increase in Operating Grants & Contributions is due to notification of amounts for 2020/21 for Roads 2 Recovery and the Block Grant being provided, which were initially budgeted for quite conservatively
2	The increase in Capital Grants & Contributions is primarily due to additional funding for infrastructure projects, including \$800k for Bridge renewal, \$582k expected from Stronger Country Communities funds that had not been originally budgeted for and receipts from s64 Contributions have already exceeded budget expectation by \$625k
3	Employee costs have increased to accurately reflect staff costs to Council. Any capitalisation of staff costs will be undertaken at the end of the financial year, once costs are known.
4	The budget for Borrowing costs has been adjusted to accurately reflect the appropriate cost centres reported in this line item.
5	Materials and Contracts has reduced by \$115k as we reallocate some of these costs to capital projects as opposed to operational projects
6	Depreciation budget has increased by \$135k to reflect the Right of Use asset that was identified in the 2019/20 financial year due to a change in accounting standards which recognises operating leases as a Right of Use asset.
7	Other expenses budget has reduced primarily due to costs being more accurately reflected in other line items, including some costs more accurately reflected as capital expenditure

8.1 1st Quarter Budget Review 2019/20  
Attachment A 2020/21 Quarter 1 Budget Review Statement

Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

**Capital Budget Review Statement**

Budget review for the quarter ended 30 September 2020

**Capital Budget - Council Consolidated**

(\$000's)	Original Budget 2020/21	Approved Changes					Revised Budget 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs					
<b>Capital Expenditure</b>											
New Assets											
- Plant & Equipment	45	73					118	4		122	2
- Land & Buildings	1,306	189					1,495	130		1,625	3
- Roads, Bridges, Footpaths	2,525	-					2,525	45		2,570	31
- Stormwater	177	144					321	-		321	-
- Water Supply Network	322	-					322	-		322	62
- Sewerage Network	1,600	254					1,854	-		1,854	-
- Waste	170	-					170	-		170	-
Renewal Assets (Replacement)											
- Plant & Equipment	1,075	-					1,075	-		1,075	79
- Land & Buildings	-	312					312	-		312	-
- Roads, Bridges, Footpaths	8,065	12,138					20,203	1,595	1	21,798	296
- Stormwater	-	-					-	-		-	-
- Water Supply Network	1,528	1,232					2,760	869	2	3,629	803
- Sewerage Network	430	46					476	60		536	45
- Other Open Space / Recreational Assets	-	541					541	200		741	7
- Waste	335	379					714	-		714	117
Loan Repayments (Principal)	1,322	-					1,322	-		1,322	521
<b>Total Capital Expenditure</b>	<b>18,900</b>	<b>15,308</b>	-	-	-	-	<b>34,208</b>	<b>2,903</b>		<b>37,111</b>	<b>1,966</b>
<b>Capital Funding</b>											
Rates & Other Untied Funding	5,019						5,019			5,019	
Capital Grants & Contributions	10,934	6,397					17,331	2,636	3	19,967	4,239
Reserves:											
- External Restrictions/Reserves	1,885	764					2,649	269		2,918	
- Internal Restrictions/Reserves	662	8,147					8,809	(2)		8,807	
New Loans	-						-			-	
Receipts from Sale of Assets											
- Plant & Equipment	400						400			400	156
<b>Total Capital Funding</b>	<b>18,900</b>	<b>15,308</b>	-	-	-	-	<b>34,208</b>	<b>2,903</b>		<b>37,111</b>	<b>4,395</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	-	-	-	-	-	-	-	-		-	<b>2,429</b>

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2020 and should be read in conjunction with the total QBRs report

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Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

### Capital Budget Review Statement

#### Recommended changes to revised budget

Budget Variations being recommended include the following material items:

[illegible]



8.1 1st Quarter Budget Review 2019/20  
Attachment A 2020/21 Quarter 1 Budget Review Statement

Yass Valley Council

**Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

**Cash & Investments Budget Review Statement**

Budget review for the quarter ended 30 September 2020

**Cash & Investments - Council Consolidated**

(\$000's)	Opening Balance 2020/21	Approved Changes					Revised Balance 2020/21	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Original Budget	Carry Forward	Sep QBRS	Dec QBRS	Mar QBRS					
<b>Externally Restricted <sup>(1)</sup></b>											
Unexpended Grants	6,445		(5,919)				526			526	526
Water Supplies	4,495	(186)	(72)				4,237	(719)		3,518	3,518
Sewerage Services	4,701	(1,814)	(254)				2,633	(180)		2,453	2,453
Waste Management	1,723	(87)	(379)				1,257	(246)		1,011	1,011
Stormwater Management	236	1	(59)				178			178	178
S64 Water	2,378						2,378	617		2,995	2,995
S64 Sewer	1,015						1,015	259		1,274	1,274
Heavy Haulage	1,262						1,262			1,262	1,262
S7.11 Yass Valley Council Area	4,801	300	(800)				4,301	(225)		4,076	4,076
<b>Total Externally Restricted</b>	<b>27,056</b>	<b>(1,786)</b>	<b>(7,483)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>17,787</b>	<b>(494)</b>		<b>17,293</b>	<b>17,293</b>
(1) Funds that must be spent for a specific purpose											
<b>Internally Restricted <sup>(2)</sup></b>											
Plant & Vehicle Replacement	833	(230)					603	230		833	833
Employee Leave Entitlement	820						820			820	820
Binalong Pool		21					21	(4)		17	17
Comur Street Rehabilitation		21					21			21	21
Infrastructure	676	1,629	(1,019)				1,286	(1,060)	1	226	226
Local Government Elections	109	(100)					9	125		134	134
Murrumbateman S355		123					123			123	123
Quarry Rehabilitation		105					105			105	105
Roads		516					516	(45)		471	471
Victoria Park		720	(232)				488			488	488
Advancement of Young People	126						126			126	126
Electricity Savings Reserve	-						-	30		30	30
General Revenue Carry Forward	343		(343)				-			-	-
<b>Total Internally Restricted</b>	<b>2,907</b>	<b>2,805</b>	<b>(1,594)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,118</b>	<b>(724)</b>		<b>3,394</b>	<b>3,394</b>
(2) Funds that Council has earmarked for a specific purpose.											
<b>Unrestricted (ie. available after the above Restrictio</b>	<b>57</b>	<b>3,033</b>	<b>9,077</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,167</b>	<b>-</b>		<b>12,167</b>	<b>13,385</b>
<b>Total Cash &amp; Investments</b>	<b>30,020</b>	<b>4,052</b>					<b>34,072</b>	<b>(1,218)</b>		<b>32,854</b>	<b>34,072</b>

This statement forms part of Cassilis Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/2020 and should be read in conjunction with the total QBRS report

Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

**Cash & Investments Budget Review Statement**

**Comment on Cash & Investments Position**

**Investments**

Investments have been invested in accordance with Council's Investment Policy.

**Cash**

The Cash at Bank figure included in the Cash & Investment Statement totals \$34,071,702

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
The date of completion of this bank reconciliation is 30/09/20

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

**\$ 000's**

Cash at Bank (as per bank statements)  
Investments on Hand

5,278  
28,794

**Reconciled Cash at Bank & Investments**

34,072

**Balance as per Review Statement:**

34,072

Difference:

-

**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes Details**

- 1 A very extensive Capital Works program is currently being undertaken which is being funded from Council reserves and Grants. When further grant funding can be sourced for these projects, it is anticipated that the grant funding will replace the need to utilise Council reserves for such work. Many of these projects include the preliminary work necessary to ensure projects are shovel ready for when grant funding becomes available to fund the work.

## 8.1 1st Quarter Budget Review 2019/20 Attachment A 2020/21 Quarter 1 Budget Review Statement

Yass Valley Council

### Quarterly Budget Review Statement for the period 01/07/20 to 30/09/20

#### Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2020

(\$000's)	Current Projection		Original Budget 20/21	Actuals Prior Periods	
	Amounts	Indicator		19/20	18/19
	20/21	20/21			

NSW Local Government Industry Key Performance Indicators (OLG):

#### 1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses	- 714	-2.2 %	7.67 %	11.02 %	5.59 %
Operating Revenue (excl. Capital Grants & Contributions)	32,901				

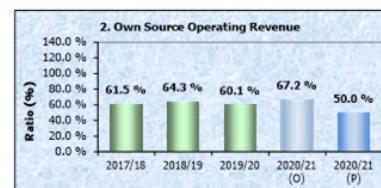
This ratio has decreased to be under the benchmark primarily due to the volume of Capital Grants the council has obtained. These are one off grants that the State and Federal Governments have offered to stimulate the economy due to the impacts of COVID-19. These funds will be used to fast track Councils capital works program. It is important to note that the value of Capital Grants in 2020/21 is double the amount received in 2019/20.



#### 2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)	26,414	50.0 %	67.15 %	60.13 %	64.27 %
Total Operating Revenue (incl. Capital Grants & Cont)	52,868				

In the 2020/21 Financial year, Yass Valley Council has been able to secure approximately \$20m in grant funding to fund the Capital Works program. This funding has been provided by the State and Federal Government as part of their initiative to stimulate the economy due to the impact of COVID-19. The majority of these grants are one off grants and will allow Council to fast track the capital works program.



#### 3. Unrestricted Current Ratio

Current Assets less all External Restrictions	16,363	1.77	0.00	1.26	3.94
Current Liabilities less Specific Purpose Liabilities	9,242				

This ratio hasn't been calculated for the original budget. Council is sitting just above the benchmark of >1.5 times. This is due to a reduction in our liabilities and external restrictions as work progresses through the year.



## Yass Valley Council

**Quarterly Budget Review Statement**  
for the period 01/07/20 to 30/09/20

### Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2020

**Part A - Contracts Listing** - contracts entered into during the quarter[illegible]

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2020 and should be read in conjunction with the total QBRs report

Yass Valley Council

Quarterly Budget Review Statement  
for the period 01/07/20 to 30/09/20

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	26,630	Y
Legal Fees	6,487	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

## 8.2 INVESTMENT AND BORROWINGS REPORT

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### SUMMARY

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

*That the Investment Report as at 31 October 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

- *s625 Local Government Act 1993*
- *Clause 212 Local Government (General) Regulation 2005*
- Investment Policy

### REPORT

#### Comments on Economic Climate

With speculation that the Reserve Bank of Australia (RBA) was going to reduce interest rates in early November 2020, institutions were already factoring this into the rates they were offering. On 3 November 2020 the RBA did in fact reduce the official cash rate to an unprecedented low of 0.10%.

As COVID-19 case numbers started to rise in some European nations, restrictions were imposed in France and Germany and there is speculation that the US may be forced to consider similar options. This impacted the recovery of the wider economy with investor confidence reducing. In contrast, case numbers in Australia have dropped back to very low levels which has allowed for the restriction imposed on interstate movements to be relaxed, allowing more economic activity in the region.

The Commonwealth Budget was released in October 2020 and pointed to a budget deficit of 11% of GDP. The bring-forward of personal income tax cuts should provide some support to consumer spending.

#### Council Investments

Valuations of Council investments are detailed in [Attachment A](#).

Due to the uncertainty around the potential impacts of COVID-19, Council is currently holding a higher than usual balance in its 'At Call' accounts.

#### Council Loans

Council has five loans with balance owing as at 30 June 2020 of \$16.782m. The table below provides loan details as at 30 June 2020. Indicative repayments for 2020/21 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.



	Balance as at 30 June 2020	Projected Balance as at 30 June 2021	Interest rate	Comment	Principal 2020/21	Interest 2020/21
General Loan	\$ 509,570	\$ -	5.91% fixed	To be fully repaid in 2020/21	\$ 509,570	\$ 9,999
Sewer - CBA Loan for Sewer Infrastructure	\$ 3,954,301.22	\$ 3,778,024.33	4.82% fixed	Payable over 20 years, fully repaid in 2035/36	\$ 176,277	\$ 187,461
Water – NAB Dam wall	\$ 8,901,866.12	\$ 8,608,200.49	6.96% fixed	Total loan over 30 years. Fixed rate period of 10 years to 2022, to be renegotiated at that time.	\$ 293,666	\$ 635,962
Water - Yass to Murrumbateman water supply (Tcorp)	\$ 2,209,286.29	\$ 1,988,019.06	2.55% fixed	Payable over 10 years.	\$ 221,267	\$ 54,232
Water main and pump station upgrades (Tcorp)	\$ 1,207,135.81	\$ 1,086,237.23	2.55% fixed	Payable over 10 years.	\$ 120,899	\$ 29,632
<b>TOTAL LOANS</b>	<b>\$16,782,159.56</b>	<b>\$15,460,481.11</b>			<b>\$ 1,321,678</b>	<b>\$ 917,286</b>

## 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. October 2020 - Investments Report [↓](#)

## 8.2 Investment and Borrowings Report

### Attachment A October 2020 - Investments Report

#### a) Council Investments as at 31 October, 2020

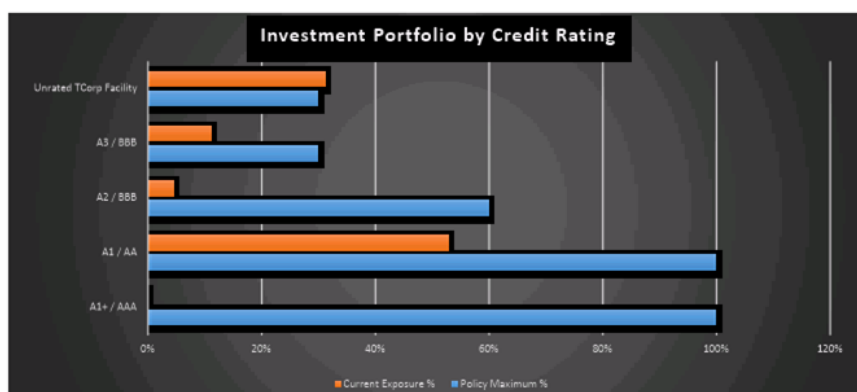
Investment Type	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
<b>Cash Working Accounts</b>						
NAB Working Account <sup>1</sup>	6,093,332.64	A1/AA	n/a	n/a	at call	0.25%
Tcorp Strategic Cash Facility <sup>2</sup>	10,933,935.01	unrated	n/a	n/a	at call	0.46%
	<b>17,027,267.65</b>					
<b>Term Deposits &lt; 12 Months</b>						
IMB 29876	1,774,407.86	A3	31/07/20	30/11/20	122	0.70%
IMB - Youth Bequest	125,935.02	A3	31/07/20	30/11/20	122	0.70%
NAB Term Deposit	2,700,000.00	A1/AA	29/09/20	27/01/21	120	0.60%
BOQ	1,600,000.00	A2/BBB	30/09/20	28/01/21	120	0.55%
NAB Term Deposit	1,000,000.00	A1/AA	02/09/20	01/12/20	90	0.70%
AMP	2,000,000.00	BBB	03/09/20	03/02/21	153	0.80%
CBA	2,100,000.00	A1/AA	30/10/20	28/04/21	180	0.53%
CBA	1,100,000.00	A1/AA	07/09/20	07/01/21	122	0.57%
CBA	2,000,000.00	A1/AA	30/09/20	01/03/21	152	0.63%
CBA	1,500,000.00	A1/AA	25/09/20	25/11/20	61	0.57%
CBA	2,000,000.00	A1/AA	14/10/20	12/04/21	180	0.59%
	<b>17,900,342.88</b>					
<b>Total Short Term</b>	<b>34,927,610.53</b>					
<b>Investment Property</b>						
Hawthorn - Current Fair Value	4,350,000.00	Revalued March 2020				

1. The NAB account balance shown above includes deposits at month end not processed to Council's financial system and excludes cheques that have not been presented.

2. Tcorp Strategic Cash Facility is an allowable investment under the Ministerial Order.

#### b) Investment Exposure by Credit Rating Type

S&P Rating (or equivalent)	Policy Maximum %	Current Exposure %	Current Investment \$
A1+ / AAA	100%	0.00%	-
A1 / AA	100%	52.95%	18,493,332.64
A2 / BBB	60%	4.58%	1,600,000.00
A3 / BBB	30%	11.17%	3,900,342.88
Unrated TCorp Facility	30%	31.30%	10,933,935.01



#### c) Exposure to a Single Institution

Institution	S&P Rating	Policy Maximum %	Current Exposure %	Current Investment \$
NAB	A1/AA	100%	28.04%	9,793,332.64
AMP	BBB	60%	5.73%	2,000,000.00
IMB	A3	30%	5.44%	1,900,342.88
CBA	A1/AA	100%	24.91%	8,700,000.00
BOQ	A2/BBB	60%	4.58%	1,600,000.00
TCorp	unrated	30%	31.30%	10,933,935.01

## 8.2 Investment and Borrowings Report

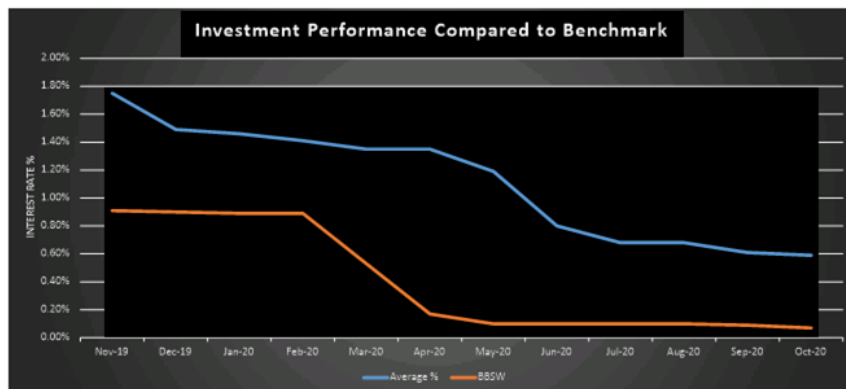
### Attachment A October 2020 - Investments Report

#### d) Investment Portfolio Performance

UBS 90 day bank bill index

##### Investment Performance vs Benchmark

	Investment Portfolio return (%pa)	Benchmark: BBSW 90 day Bank Bill Index (source RBA)
1 month average	0.59%	0.07%
3 month average	0.63%	0.09%
6 month average	0.76%	0.09%
12 month average	1.11%	0.40%



## 9.1 JOHN LEWIS WILLIAMS BEQUEST

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### SUMMARY

To provide an update on the management of the John Lewis Williams bequest for the advancement of the interests of young people of Yass. The executor of the Estate of John Lewis Williams is supportive of the bequest being forwarded to the Yass District Education Foundation.

### RECOMMENDATION

*That:*

- 1. The John Lewis Williams bequest be forwarded to the Yass District Education Foundation to provide financial assistance to young people in Yass Valley for education support and development in their chosen careers.*
- 2. The financial support provide through the Yass District Education Foundation be known as the John Lewis Williams Award and a representative of the Williams family be invites to present the award to the successful recipient(s) annually.*

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### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

#### 1. Introduction

In October 2020 Council considered a report on the John Lewis Williams Bequest and resolved that:

- 1. The matter be deferred to the November 2020 Council meeting pending further information*
- 2. A report be prepared for the November 2020 Council meeting regarding the previous handling of bequests*
- 3. The Executor of the John Lewis Williams Estate be invited to address Council*

#### 2. Workshop

The executor of the John Lewis Williams Estate addressed Councillors at a workshop on 9 November 2020 confirming support for the funds to be directed to the Yass & District Education Foundation.

From a search of records since Yass Valley Council's inception in 2004 has not identified any bequests to Council other than the donation of \$122,000 from the Estate of John Lewis Williams to support the advancement of young people of Yass. Bequests to Council from local residents have not occurred with any regularity.

Council has applied for grant funding for a Youth Development Officer and if successful space has already been tentatively secured at Zac's Place in Church Street, Yass. Successful applications are expected to be announced in February 2021.

A suggestion of supporting Anglicare's Youth Officer by providing a meeting space has been made. Anglicare currently occupy office accommodation at the Rae Burgess Centre. The brief for the

proposed Civic Precinct includes provision for community meeting spaces which could be made available for any future youth program.

### **3. Other Trusts**

Trust funds at other Councils have generally been established with a sizable donation and/or external income stream.

The Veolia Mulwaree Trust was established by annual contributions based on the amount of waste material being deposited at the former Woodlawn Mine in Tarago. These contributions go into a private trust administered by the company to fund community projects across several Local Government Area. The trust comprises representatives from the company, the Mayor of Goulburn Mulwaree and a community representative however it is an independent entity to Council.

In Harden the Geoffrey Kruger Trust was established in 1996 with assets valued at over \$9M with the intention of funding improvements for the town of Harden and Murrumburrah. The net assets of the trust are now over \$45M. This is a private trust run independently of Hilltops Council but works cooperatively contributing to the funding of a hydrotherapy pool, medical centre for the town as well as funding Council's economic development program.

Between 1966 and 1979 Armidale City Council received donations of art works from local grazier, Chandler Coventry on the understanding that an art museum would be built to house both his collection and the Howard Hinton art collection. The Armidale community began a long-term fundraising effort to build a dedicated museum with matching grants from the NSW State Government. The New England Regional Art Museum was opened in 1983 to house both collections. The museum was initially managed by a Reserve Trust Board until the Council was appointed as the manager of the Trust. A not-for-profit company limited guarantee took over from Council and continues to manage the museum and collections. This arrangement does not generate funds for local community projects but takes the burden of managing an important art collection off the community.

The Community Enhancement Funds from major wind farm projects provide for regular contributions to be made to Council for community projects. Upper Lachlan Council has been leading the way on these Community Enhancement Funds and administers these funds through a Council Committee. A similar approach has been made at Yass Valley but at this point in time none of the schemes are operational.

### **4. John Lewis Williams Bequest**

In August 2017 Council considered a bequest from the Estate of John Lewis Williams. The Estate donated \$122,000 to Council to support the advancement of the interests of young people of Yass.

In March 2019 Council determined to establish a project that advances the interest of young people.

Broadly there were two options for managing the donation i.e.

- Choose a project(s) and use funds for the capital expenditure
- Invest the funds and allocate interest to an annual project

A project with broad youth support proved difficult to identify and interest rates have not generated sufficient funds for an annual project.

Council explored leveraging the funds by pooling the money with its Community Grants and placing the funds under the management of the Foundation for Rural & Regional Renewal. The administration cost associated with this approach outweighed the benefits so Council determined in October 2019 not to proceed with this arrangement.

The bequest is currently held in a Reserve fund with any interest being added annually to the fund. The purpose of this was to give Council the opportunity to explore options on how best to use the funds.

The executor of the Estate of John Lewis Williams, Simon Bernhard, recently approached Council seeking information on how the bequest was being managed. Mr Bernhard was advised that the funds were currently being held in Reserve fund until a suitable project was identified.

The most recent youth survey was undertaken in May 2020. The on-line survey sought to identify the needs and interests of young people and potential projects and activities. From this survey the following priorities were identified:

- Regular movie nights
- Safe place to talk
- Study mentoring
- Learning practical skills
- Comedy night

The survey outcomes formed the basis of a submission to the Youth Opportunities Program for the funding of a Youth Development Officer to assist young people to work on these initiatives.

Mr Bernhard advised that his uncle's interest was to provide support to youth in Yass and was not interested in a monument and plaque.

As an alternative the Yass District Education Foundation, that provides education support to young people in developing their careers, was suggested as an option. The eligibility is not simply for young people seeking to go to university but extends to TAFE, traineeships, cadetships and apprenticeships. The funding provides financial support to young people in meeting their expenses associated with their chosen study and career.

From the 2020 survey learning practical skills and study mentoring are consistent with the Yass District Education Foundation objectives.

Mr Bernhard is supportive of his late uncle's bequest being directed to the Yass District Education Foundation. He appreciates that while the donation would not last indefinitely it would provide a legacy for several years and would be directed to young people who could benefit. Mr Bernhard stated that:

*I believe working with the Yass District Education Foundation would align with my Uncle's expectations, and hope the entirety of the Council supports this.....Happy to support both the Foundation and the Council any way I can and look forward to progressing this so we can start helping the youth of Yass.*

## 5. Conclusion

It is recommended that the John Lewis Williams bequest be directed to the Community Education Foundation to be distributed to young people to assist with their education and career development in the Yass District. It should be noted that from 1 October to 30 November 2020 each dollar donation to one of the local foundations will be matched and donated back to the community to a capped amount (refer <https://cef.org.au/matched-giving-2020/>).

## 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	CL1.2 - Address the community's needs in a sustainable manner
Operational Plan Activity	CL1.2.3 - Alignment with annual reporting measures

**ATTACHMENTS:** Nil

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## 9.2 WATER REBATE APPLICATION - LOT 7141 DP1095199 OFF WEE JASPER ROAD, YASS

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### SUMMARY

A request has been received seeking a further rebate for an undetected water leak at Lot 7141 DP1095199 off Wee Jasper Road, Yass. A rebate has already been granted in accordance with Council's *Rebate of Undetected Water Leaks Policy*.

### RECOMMENDATION

*That this item be classified CONFIDENTIAL in accordance with Section 10A(2)(b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the personal hardship of any resident or ratepayer.*

---

### FINANCIAL IMPLICATIONS

The total water charge for the property was \$12,567.50. A rebate under Council Policy of \$5,396.93 credit has been applied to the account.

### POLICY & LEGISLATION

- Rebate for Undetected Water Leaks Policy

### REPORT

A request has been received seeking further consideration of a request for a water rebate.

The property is a rural holding off Wee Jasper Road and is adjacent to the Transgrid Sub Station.

In June 2020 the water bill for the property was \$12,567.50. The excess water use was due to an undetected water pipe leak. This has since been repaired. A rebate under the policy has been applied to the account as a \$5,396.93 credit.

As the request relates to a hardship matter it is recommended that the matter be considered in Closed Session.

### 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 CL1.6.2 - Review fees and charges to ensure user pay principles are adopted where possible

**ATTACHMENTS:** Nil



## 9.3 TENDER EVALUATION REPORT - WELLINGTON ROAD SEWAGE PUMP STATION TENDER RFQ 10014861

### SUMMARY

This report provides information on the tender submissions for the construction of the new Wellington Road Sewage Pump Station (SPS). The report also provides information on provision of project management and specialist technical services by Public Works Advisory.

### RECOMMENDATION

*That this item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

### FINANCIAL IMPLICATIONS

Funds have been allocated in the 2020/21 Operational Plan for construction of Wellington Road Sewer Pump Station (SPS).

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Development Servicing Plan (Sewerage) 2013*

### REPORT

#### 1. Background

Wellington Road catchment was identified for provision of sewerage services in the current *Development Servicing Plan (Sewerage) 2013*.

The Sewage Pump Station (SPS) is required to service up to 400 new residential lots. Due to design requirements, the pump station will be constructed in stages to service 200 lots initially. To service the ultimate 400 lots, additional pump and switch board upgrades will be necessary in future. The plans for the SPS are included in **Attachment A**. Construction works are expected to take up to 46 weeks due to difficult terrain.

To support delivery of the NSW Public Works Advisory (PWA) were engaged to prepare a Concept Design, Review of Environmental Factors report, detailed design, tender documents and to assist with assessment of construction tenders.

Under *SEPP (Infrastructure) 2007* development of the purpose of sewage reticulation systems can be carried out without Consent on any land in prescribed circumstances.

A Review of Environmental Factors (REF) was prepared in accordance with s5.5 and s5.7 *Environmental Planning & Assessment Act 1979* which requires the proponent take into account to the fullest extent possible all matters affecting or likely to affect the environment due to construction and operation of the proposed activity. The REF is to consider matters listed in Cl 228 *Environmental Planning & Assessment Regulation 2000*. The REF (refer **Attachment B** under Separate Cover) did not identify any

matters precluding construction of the facility. Specific mitigation measures detailed in the REF will be incorporated during construction.

## 2. Tender Period

Tenders were called on 12 August 2020 and closed on 24 September 2020. A mandatory pre tender meeting was held on 31 August 2020.

## 3. Tender Submissions

Tenders were opened on 28 September 2020. Five tenders were received from the following organisations:

NAME OF TENDERER (Alphabetical)	Address
Comdain Civil Constructions Pty Ltd. (ABN 38 092 269 040)	16 McKenzie Road, ECHUCA Vic 3564
Metwest Engineering Pty Ltd. (ABN 85 068 615 690)	PO Box 866 ST MARYS NSW 1790
Murphy McCarthy Associates Pty Ltd. (ABN 23 086 673 136)	43 Hubert Street LEICHARDT NSW 2048
Springfield Trading Pty Ltd. (ABN 78 621 304 050)	PO Box 5893 MINTO NSW 2566
TWS Evolution Pty Ltd. (ABN 14 637 399 029)	PO Box 14 BLAYNEY NSW 2799

The tender evaluation process and recommendation of a preferred tenderer is included as a separate report to the Closed Session of this meeting. The current PWA engagement is coming to an end and a proposal for ongoing project management and technical support during delivery of the works is also provided in the report to Closed Session.

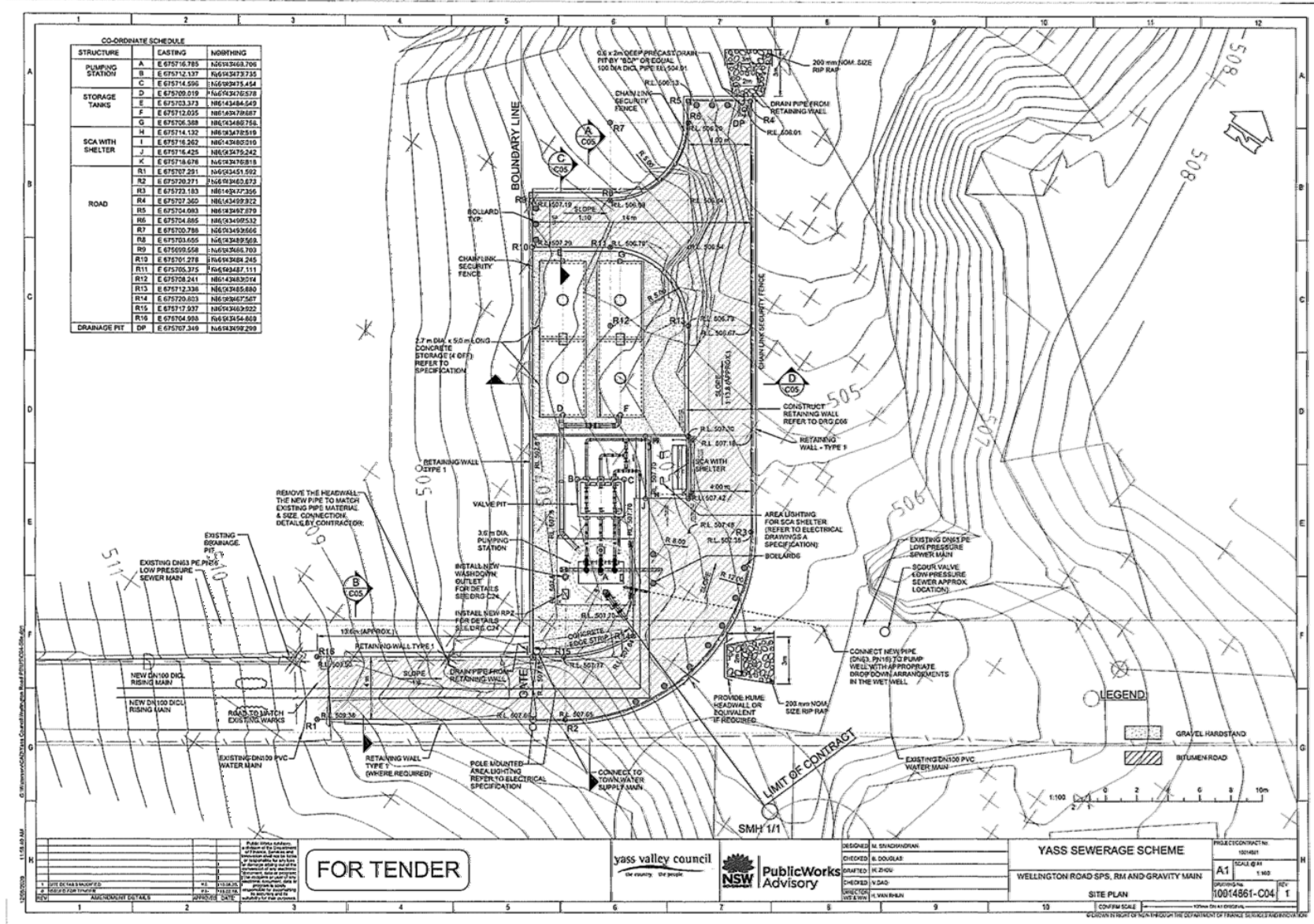
## STRATEGIC DIRECTION

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	IN6.1 - Provide and operate a quality sewer network. Cater for growth and quality enhancements that address the community needs
Operational Plan Activity	IN6.1.2 - Operate an efficient sewerage management network

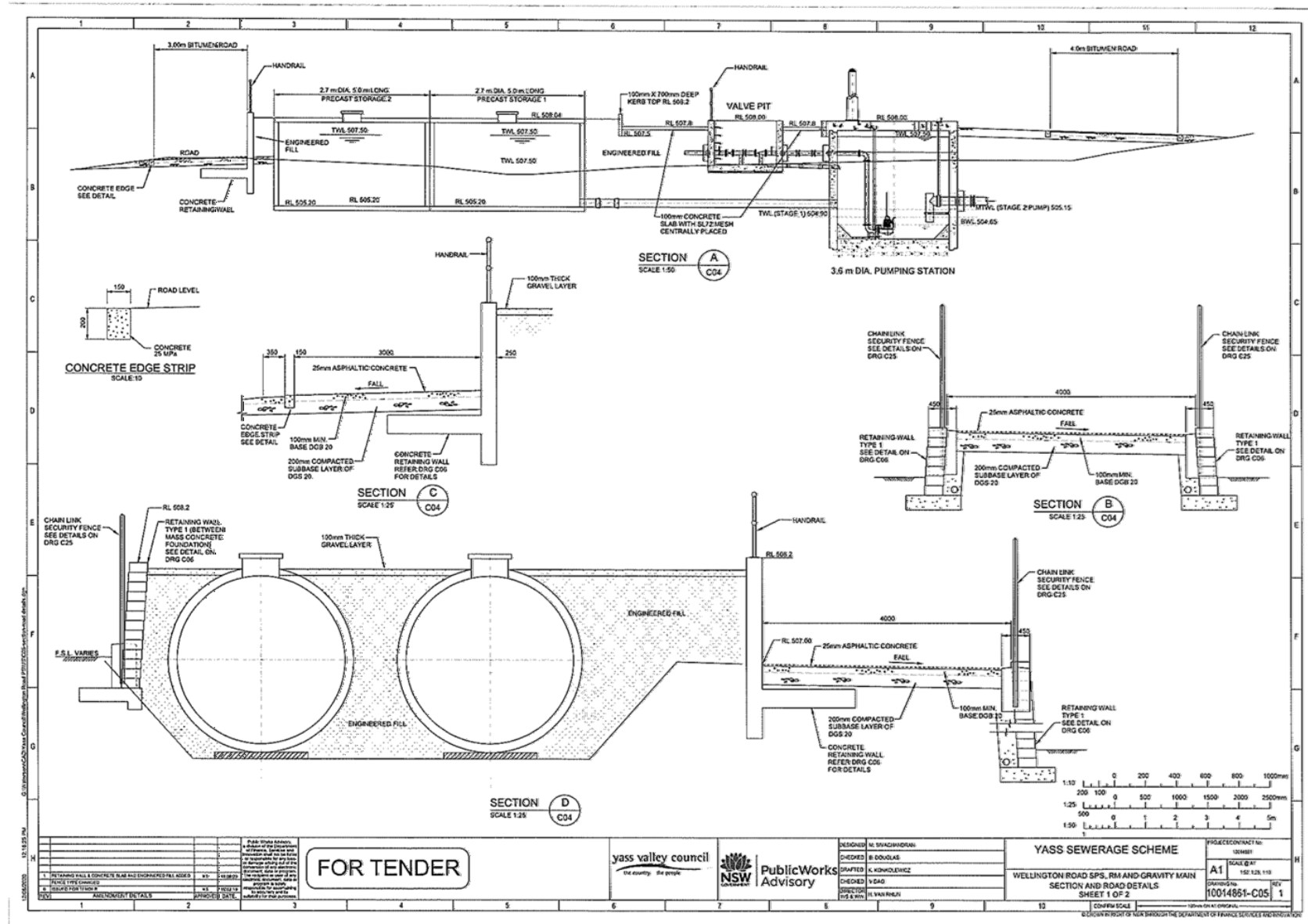
## ATTACHMENTS:

- A. Wellington Road SPS Plan and Elevation [↓](#)
- B. Wellington Road SPS Review of Environmental Factors (*Under Separate Cover*) [⇒](#)

9.3 Tender Evaluation Report - Wellington Road Sewage Pump Station Tender RFQ 10014861  
Attachment A Wellington Road SPS Plan and Elevation



# 9.3 Tender Evaluation Report - Wellington Road Sewage Pump Station Tender RFQ 10014861 Attachment A Wellington Road SPS Plan and Elevation



## 9.4 LEASING OF COUNCIL PROPERTY - 'HAWTHORN', BARTON HIGHWAY, MURRUMBATEMAN

### SUMMARY

The current five year lease of Hawthorn property expires on 31 January 2021. Yass Real Estate was engaged to undertake a tender process seeking submissions for a five year lease on the property.

### RECOMMENDATION

*This item be classified as Confidential in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

### FINANCIAL IMPLICATIONS

Income from the lease will be adjusted in the 3<sup>rd</sup> quarter budget review as required.

### POLICY & LEGISLATION

- Leasing of Council Property Policy

### REPORT

#### 1. Background

Council owned property 'Hawthorn' at Murrumbateman is currently leased for agricultural purposes.

Yass Plains Pty Ltd is the current lessee of Hawthorn under the current five year lease with is due to expire on 31 January 2021. As per the requirements of the lease agreement, the required 'Notice to Vacate' has been provided to the lessee.

#### 2. Tender Period

Tenders were called for on 28 September 2020 and closed on 21 October 2020.

#### 3. Tender Submissions

Yass Real Estate was appointed to independently conducted a tender process for a five year lease on the Council owned property including management of the lease over the five period.

The tenders were addressed to and held by Davis Faulkner Lawyers Yass in sealed envelopes until after the close of the tender process. The Principal of Yass real Estate attended the offices of Davis Faulkner lawyers and collected the sealed envelopes and opened both tenders which was witnessed by staff members of Davis Faulkner Lawyers.

Seven prospective tenant enquiries were received, three property inspections were conducted with two tender expressions received.

The tender evaluation and recommendations of a preferred tendered is included in a separate report to the Closed Section of this meeting.

### 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

## **12.1 MINUTES OF THE GENERAL MANAGER'S PERFORMANCE REVIEW HELD ON 10 NOVEMBER 2020**

---

### **REPORT**

The General Manager's Performance Review Committee meeting was held on 10 November 2020. As this meeting relates to a personnel matter concerning a particular individual it is recommended that the matter be dealt with in Closed Session.

### **RECOMMENDATION**

*That this item be classified as Confidential in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).*

**ATTACHMENTS:** Nil

## **12.2 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE AND RESCUE COMMITTEE MEETINGS HELD ON 20 OCTOBER 2020**

---

### **REPORT**

The minutes of the Local Emergency Management Committee and Rescue Committee meetings held on 20 October 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 20 October 2020 be noted.*

**ATTACHMENTS:**     A. Rescue Committee Minutes 20 October 2020 [↓](#)  
                              B. Local Emergency Management Committee Minutes 20 October 2020 [↓](#)



*DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 20 October 2020*

---

**Present**

Mathew Carroll – A/g LEOCON (NSW Police), Bob Bolin (NSW SES – Yass), Paul Vasey (Binalong VRA), Scott Lang, Nick Whiting (Fire Rescue NSW - 511), Glen Whitehead (Fire Rescue NSW) George Shepherd (NSW RFS) and Paul Billingham (Transport for NSW) (10.00am)

**Also Present**

Shirree Garland (Yass Valley Council)

**Apologies**

Dave Cowell (LEOCON), Kurt Bailey (SES), Paul Lloyd – REMO (NSW Police), Phil Eberle (Fire Rescue NSW), Ben Hutchinson (NSW Ambulance)

Meeting commenced at 9.45 am

**1. Confirmation of Minutes**

---

*Recommended that the Minutes of the Committee meeting held on 7 July 2020 2020 be taken as read and confirmed.*

*(P Vasey/G Shepherd)*

**2. Business Arising from Minutes**

---

Marine Rescue Exercise

Scheduling to be advised.

Wind Turbine Exercise

Undertaken – all agencies agreed that it was a worthwhile exercise. George Shepherd advised that there were plans for an additional 16-17 wind turbines at Crookwell.

**3. Correspondence**

---

Nil

**4. Delegates Reports**

---

**4.1 Fire & Rescue NSW**

---

Glen Whitehead advised that it was business as usual for FRNSW, it was also noted that there had been an increase in incidents on the highway.

Scott Lang advised that the local service had attended nine MVA persons trapped incidents - 19 year to date. 10 out of 17 staff were now rescue trained, with more training planned. Restrictions have been reduced significantly, community engagement set to recommence.

**4.2 SES**

---

Written report provided.

**4.3 Rural Fire Service**

---

George Shepherd advised that it was quiet at the moment and business as usual. It is predicted that the peak time for grass fires will be late January/early February.

**4.4 Binalong Volunteer Rescue**

---

Paul Vasey provided a written report.

*DRAFT Minutes of the Yass Valley Rescue Committee Meeting held on 20 October 2020*

---

**4.5 NSW Police**

---

Mat Carroll advised that Dave Cowell remains the Acting Inspector and also LEOCON for the area. Police resources have been strained due to COVID and requirements to assist at the Albury border.

There have been some major incidents lately (serious and fatal MVAs) which have required a multi agency response. This inter agency response has allowed for these incidents to be resolved and cleared up at the earliest opportunity.

Agencies were reminded that they need to be mindful of crime scene preservation when attending incidents, if your respective agency has been called off then please do not attend. Mat advised that it was appreciated that all want to be involved and respond to incidents but sometimes this can create a bit more unwanted chaos at the scene.

**5. General Business**

---

**5.1 Wind Farms**

---

The importance of establishing contact and visiting each windfarm site was discussed to ensure entry etc in the event of emergency situations.

**5.2 Barton Highway Planning**

---

Paul Billingham provided an overview of the recent Planning meeting for the duplication of the Barton Highway. He reinforced that the contractors wanted to work together with emergency services. Work will commence on the western side, from the ACT border towards Kaveney's Road, work will be both day and night. Contractors to work around peak times.

**Next Meeting**

To be advised

Meeting closed at 10.33 am

*DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 20 October 2020*

---

**Present**

**LEMC Members**

Tony Stevens (Chair) - Yass Valley Council, George Shepherd (RFS), Mathew Carroll (Deputy LEOCON, NSW Police), Rob Bolin (NSW SES), Glen Whitehead, Scott Lang, Nick Whiting (FRNSW), Paul Vasey (Binalong VRA), Chris Harris, Fiona Leech (LLS) Nicola Barnes (Southern NSW Health Services) and Paul Billingham (Transport for NSW)

**Also Present**

Shirree Garland (Yass Valley Council)

**Apologies**

Dave Cowell (LEOCON) - NSW Police, Paul Lloyd (REMO), Steven Beasley (YVC), Kurt Bailey (SES), Paul Box (NSW Ambulance) and Phil Eberle (FRNSW)

**Confirmation of Minutes**

*It was resolved that the minutes of the meeting held on 7 July 2020 be accepted.*

**Business Arising from meeting**

Action Sheets were updated.

CMG on Livestock Incidents was reviewed. Murrumbateman Recreation Grounds and a note to advise that owners of livestock remain in charge of the animals whilst at evacuation areas.

Emergency Notification via SES – George Shepherd to contact RFS State office to investigate the possibility of Council being able to use RFS system for emergency notification. Tony Stevens to also explore options available with SES (Rob Bolin).

**Correspondence**

- Email Ben Miller, A/g Inspector Emergency Management Unit – COVID Summer Safe Plans  
Adam Baker (YVC) – Yass COVID-19 testing (drive thru)
- C Hutchins, Inspector OIC Queanbeyan – desktop exercise ACT border closures
- N Barnes – Yass Hospital COVID Clinic
- VRA re use of service and response from LEOCON

**Delegates Reports**

**1. NSW Police**

---

Mat Carroll advised that Dave Cowell remains the Acting Inspector and also LEOCON for the area. Police resources have been strained due to COVID and requirements to assist at the Albury border.

**2. NSW Ambulance**

---

Nil

*DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 20 October 2020*

---

**3. Fire Rescue NSW**

---

Scott Lang advised that they currently had 17 staff with two currently in the recruitment process. Rescue training is still being undertaken. There has been a reduction in workload – approx. 10 calls behind last year to date. A number of motor vehicle persons trapped incidents have been attended. Community engagement restrictions have been relaxed. Breathing apparatus training to be undertaken.

**4. Rural Fire Service**

---

George Shepherd advised that the bushfire season commenced on 1 October. Additional resources will be available this season with training being undertaken. Permits are now required for any burnings, these are available from local brigades. COVID restrictions have been lifted, full complement now permitted in vehicles. 2IC position is still to be filled. Maintenance of units is nearing completion. There have been 119 incidents in the zone, 42 in Yass Valley consisting of 22 fires, 16 MVA and 2 other incidents.

**5. State Emergency Service**

---

Rob Bolin spoke to report, as provided.

**6. Binalong Volunteer Rescue Association**

---

Paul Vasey spoke to report, as provided.

**7. Local Land Services**

---

Chris Harris advised that that LLS were continuing online mandatory training. Staff were migrating back to working in the office. Leasing of travelling stock reserves is currently problematic with people not willing to take on leases. The amount of feed on roadsides may cause problems if stock are not travelling.

**8. Health Services**

---

Nicky Barnes advised that the hospital redevelopment is all but completed. Call outs have dropped off significantly. A complete review of the site in relation to bushfire hazards has identified some significant issues eg gutters requiring cleaning, overgrown dead trees that need to be removed etc. A review of the bushfire management plan is currently being undertaken with the Disaster Manager, discussions will also be held with each agency. Security is still on site. COVID clinic is still operating.

**9. Transport for NSW**

---

Paul Billingham provided an overview of his role with Transport for NSW. He advised that they were happy to assist and develop a good working relationship. Additional staff have undertaken training as Liaison Officers to assist in emergency situations.

The first meeting with contractors and key stake holders, in relation to the duplication of the Barton Highway has been held. The dual carriageway will be on the western side and at this stage go to Kaveney's Road.

Paul to make a presentation to the Committee.

**Regional Emergency Management Officer Report – Paul Lloyd**

Nil

*DRAFT Minutes of the Yass Valley Local Emergency Management Committee held on 20 October 2020*

---

**General Business**

**EOC Readiness**

Tony Stevens to liaise with Dave Cowell re a possible EOC exercise. Members were reminded to login to EMOS to ensure familiarity. If a login is required please advise Shirree.

**Review of Emergency Plan**

The Yass Valley Emergency Plan is currently being reviewed. Plan to be reported to next meeting.

**Sand Delivery - SES**

Rob Bolin thanked Council for their assistance in delivering sand to the SES facility. Future deliveries to be left in an identified location. Tony to provide contact details to SES.

**Procedure for Local Storm/Flood and TfNSW Traffic Accident Events.**

Tony Stevens gave an overview of Council internal procedure in managing flood/storm & TfNSW traffic events, this also included liaison between SES and Council for storm flood events and the direct contacts for Councils event coordinator. The procedure also explained Councils role of traffic management only in the case of TfNSW requesting assistance at state road accidents under the direction of TfNSW Traffic Management Controller.

The committee was asked to provide updated contact details for inclusion into the document.

Meeting closed at 11.58am

**Next Meeting**

Next meeting to be advised.

## **12.3 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION BOARD MEETING HELD ON 26 OCTOBER 2020**

---

### **REPORT**

The minutes of the Canberra Region Joint Organisation (CRJO) Board meeting held on 26 October 2020 are included in **Attachment A**.

From these minutes there are no items which cover 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 Canberra Region Joint Organisation Board meeting held on 26 October 2020 be noted.*

**ATTACHMENTS:** A. Canberra Region Joint Organisation Board Minutes 26 October 2020 [↓](#)



**CANBERRA REGION**  
JOINT ORGANISATION

## CRJO BOARD MEETING

Monday, 26 October 2020

10:00am – 12:00pm

Zoom Videoconference

Meeting ID 920 6506 7728

Our Region...

Dynamic

Innovative

Connected

...Compelling!



CRJO Board Meeting – Monday 26 October 2020

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CRJO Board Meeting – Monday 26 October 2020

PRESENT	
Bega Valley Shire Council	Mayor Cr Russell Fitzpatrick Dr Alice Howe
Goulburn Mulwaree Council	Mayor Bob Kirk Mr Warwick Bennett
Hilltops Council	Mr Anthony O'Reilly
Queanbeyan-Palerang Regional Council	Mayor Tim Overall Mr Peter Tegart
Snowy Monaro Regional Council	Mayor Peter Beer Mr Peter Bascomb
Snowy Valleys Council	Mayor James Hayes OAM – <b>Deputy Chairperson</b> Mr Matthew Hyde
Upper Lachlan Shire Council	Mayor John Stafford Ms Colleen Worthy
Wingecarribee Shire Council	Mayor Duncan Gair Mr Barry Paull
Yass Valley Council	Mr Chris Berry
ACT Government	Mr Sam Engele
East Gippsland Shire Council	Mr Anthony Basford
Wagga Wagga City Council	Mayor Greg Conkey OAM Mr Peter Thompson
Canberra Region Joint Organisation	Ms Kalina Koloff Ms Justine Kim
GUESTS	
Resilience NSW	Mr Daryl Clifton
Jennifer Lang Australia	Jennifer Lang Australia
Office of Local Government	Karen Purser
NSW Government – Regional NSW	Ms Heidi Stratford
Telstra – Regional Australia Team	Larissa Copeland Chris Taylor

CRJO Board Meeting – Monday 26 October 2020

### 1. Opening Meeting & Acknowledgement of Country

*Note that in the absence of Rowena Abbey that James Hays chair the meeting.*

The Chairperson opened the meeting at 10:00am.

The Chairperson acknowledged aboriginal elders past, present and emerging of the many council areas the CRJO Board meets upon and the indigenous heritage across the CRJO region.

### 2. Welcome

The Chairperson welcomed Mayor Cr Russell Fitzpatrick, newly appointed mayor of Bega Valley Shire Council.

### 3. Apologies

RESOLVED

That the apologies of Rowena Abbey, Leanne Barnes, John White, and Brian Ingram be accepted.

**Moved B.Kirk / T.Overall**

**Carried**

### 4. Disclosure of Interest

Nil

### 5. Notice of Rescission

Nil

### 6. Notice of Motions

Nil

### 7. Urgent Business

Nil

*Mr Warwick Bennett joined the meeting at 10:12am.*

CRJO Board Meeting – Monday 26 October 2020

## 8. Presentations

### 8.1. Telstra – Emergency Preparedness

**Presenters:** Larissa Copeland, Regional Engagement Manager

Chris Taylor, Regional General Manager

- Larissa Copeland working to integrate Telstra info into Emergency Dashboard progress is ready to go this week.
- CRJO to work with Telstra to ensure required formatting works prior to launch.
- QPRC raised potential for discounts on bulk purchase of emergency kit – Telstra to refer account representative to reach out to CRJO to progress.

*Larissa Copeland and Chris Taylor left the meeting at 10:50 am.*

## 9. Confirmation of Minutes

### RESOLVED

*That the CRJO Board meeting minutes from 13-14 May 2020 be confirmed.*

**Moved D. Gair / B Kirk**

**Carried**

## 10. Matters in Progress

### RESOLVED

*That the CRJO Board note the Action List.*

**Moved P. Beer / D.Gair**

**Carried**

## 11. Chair's Minute

Nil

CRJO Board Meeting – Monday 26 October 2020

## 12. Reports to Joint Organisation

### 12.1. CRJO Chairs Report

#### RESOLVED

*That that the CRJO Board note the Chairs Report and receive copies of correspondence*

Moved D. Gair / B. Kiri

Carried

### 12.2. Regional Workforce Strategy

**Reporting Officers:** Ms Kalina Koloff and Mr Peter Tegart

#### RESOLVED

*That the CRJO Board*

1. *Note the Regional Workforce Strategy has been delivered and received by Councils.*
2. *CRJO to share each individual LGA Reports and full report of Regional Workforce Strategy via Sharepoint with minute of this meeting. See: [Regional Workforce Strategy](#).*
3. *Request CRJO arrange a presentation of the Online aggregator Portal from the Skilling for Recovery working group at a future Board meeting.*
4. *Note that GMAG will receive a report regarding the updating of the infrastructure pipeline ("pipe" software) to capture some of the multipliers from major projects including job types, training requirements and skills and present to future Board meeting.*

Moved T. Overall / B. Beer

Carried

### 12.3. CRJO Operational Report

#### RESOLVED

*That the CRJO Board note the CRJO Operational Report.*

Moved B. Kirk / P. Beer

Carried

CRJO Board Meeting – Monday 26 October 2020

#### 12.4. CRJO Financial Reports

##### RESOLVED

*That the CRJO Board*

1. *Note the financial position of the CRJO as at 30 September 2020.*
2. *Note the future reports include additional narrative covering key risks and emerging issues*
3. *Note the CRJO Annual report for 2019-2020 with audit statement will be included in December board meeting*

Moved B. Kirk / T. Overall

Carried

#### 12.5. Disaster Resilience Program

##### RESOLVED

*That the CRJO Board receives the update from Resilience NSW.*

1. *Note the Emergency Dashboard is anticipated to be released within the next 2 weeks.*

Moved D. Gair / T. Overall

Carried

#### 12.6. CRJO Working Groups - Actions

##### RESOLVED

*That the CRJO Board note the Working Group report.*

1. *CRJO CEO will provide a further update for the working group regarding the purpose, membership and alignment to strategic priorities at the December board meeting.*

Moved D. Gair / B. Kirk

Carried

*Berry Paul left the meeting room at 11:33am.*

#### 13. CRJO Governance Reports

- 13.1. *That the CRJO Board note 2019-2020 Public Interest Disclosure Form submitted to OLG*

Moved B. Kirk / P. Beer

Carried

CRJO Board Meeting – Monday 26 October 2020

#### 14. Office of Local Government Update

##### RESOLVED

*That the CRJO Board receives the update from Office of Local Government.*

Moved B. Kirk / P. Beer

Carried

#### 15. Regional NSW Update

##### RESOLVED

*That the CRJO Board*

- 1. Receive the update from Regional NSW.*
- 2. Note discussion about recent meetings with Regional NSW Deputy Secretary, Chris Hanger regarding infrastructure prospectus. Request action by CRJO to prepare a letter to NSW Government agencies via the South East Regional Leadership Executive to encourage subscription and use of Pipe software to further build a picture of all proposed and planned infrastructure programs.*
- 3. Note discussion on opportunities arising from the skilling for recovery programs and the role for local government at key employers of cadets, trainees and apprentices. Request action by CRJO to prepare letters outlining the opportunity to support Local Government to offer transition pathways and build capabilities of new employees. Note the potential commitment of the sector to replace outgoing or retiring senior staff with up to two trainees or cadet replacements.*
- 4. Note discussion from Goulburn Mulwaree Council expressing frustration dealing with Dept Planning, Industry and Environment in the development and finalisation of their urban housing strategy. Request Regional NSW follow up status of Urban Housing Strategy with DPIE and report back..*

Moved P. Beer / B. Kirk

Carried

#### 16. ACT Government Update

##### RESOLVED

*That the CRJO Board*

- 1. Receive the update from ACT Government.*
- 2. Note that ACT Labor party re-elected in coalition with the Greens, Andrew Barr returned as Chief Minister.*
- 3. Note that expecting all the ministries to be announced next week.*

Moved B. Kirk / P. Beer

Carried



CRJO Board Meeting – Monday 26 October 2020

#### 17. Confidential Matters

Nil

#### 18. Close

The Chairperson closed the meeting at 12:01pm.

**12.4 MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING HELD ON 27 OCTOBER 2020**

---

**REPORT**

The minutes of the Audit, Risk & Improvement Committee meeting held on 27 October 2020 are included in **Attachment A.**

From these minutes there are no items which cover 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 Audit, Risk & Improvement Committee meeting held on 27 October 2020 be noted.*

**ATTACHMENTS:** A. Audit, Risk & Improvement Committee Minutes 27 October 2020 [↓](#)



## **Minutes of the Audit, Risk and Improvement Committee Meeting**

**Tuesday 27 October 2020**

5.30pm

Council Chambers

209 Comur Street, Yass

**Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 October 2020**

---

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**Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 October 2020**

---

**Present**

Andrew Hannan – Chair, Mitchell Fleming (via Zoom), Natasha Bourke, Cr Allison Harker (Via Zoom)

**Also Present**

Jovan Pejic – Manager, Risk Audit & Improvement, Chris Berry – General Manager, Mark Eady – Director Corporate & Community, Tracy Sligar – Chief Financial Officer, Lloyd Davidson – Coordinator Risk Management and Shirree Garland – Corporate Planning & Executive Support Officer

Sanket Raji – Deputies (via Zoom), Monique Oosthuizen and Dominika Ryan NSW Audit Office (via Zoom)

**1. Introduction**

**1.1 Formal Opening and Welcome**

**1.2 Acknowledgement of Country**

Chair Andrew Hannan made a statement acknowledging the tradition owners

**1.3 Apologies**

Apologies were received from Cr Rowena Abbey

**1.4 Declaration of Conflict of Interest**

Nil

**2. Committee Matters**

**2.1 Confirmation of Minutes**

***DECISION***

***That the minutes of the Audit, Risk and Improvement Committee Meeting held on 14 July 2020, be taken as read and confirmed.***

***(Fleming/Harker)***

**2.2. Matters Arising**

Nil

### Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 October 2020

---

#### 3. EXTERNAL AUDIT REPORT

---

##### SUMMARY

To inform the Audit, Risk and Improvement Committee on external audit progress as at 27 October 2020.

##### DECISION

*That :*

1. *The Management Letter on the Interim Phase of the Audit for the Year ended 30 June 2020 be received and the management responses to findings and recommendations be endorsed.*
2. *The final phase audit progress update be noted.*

*(Harker/Fleming)*

#### 4. DRAFT FINANCIAL STATEMENTS 2019/20

---

##### SUMMARY

Presenting the Draft Annual Financial Statements for review.

##### DECISION

*That :*

1. *The Draft Annual Financial Statements for the year ended 30 June 2020 be noted.*
2. *The final version of the Annual Financial Statements to be provided to members in advance of the 30 November due date.*

*(Harker/Bourke)*

Sanket Raji – Deloitte, Monique Oosthuizen and Dominika Ryan NSW Audit Office left the meeting at 6.25pm.

#### 5. FINANCIAL MANAGEMENT REPORT

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##### SUMMARY

To inform the Audit, Risk and Improvement Committee of Financial Management activities and developments for the quarter ending 30 September 2020.

##### DECISION

*That the Financial Management update be noted.*

*(Bourke/Fleming)*

**Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 October 2020**

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**6. INTERNAL AUDIT**

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**SUMMARY**

This report serves to inform the Committee of internal audit activities and developments for the quarter ending 30 September 2020 notably:

- Completion of the internal audit review of Compliance Management Systems per the proposed Internal Audit Plan FY21-24

**DECISION**

*That the Internal Audit Report on Compliance Management Systems be received and management responses to findings and recommendations are endorsed by the Committee.*

*(Fleming/Bourke)*

**7. GENERAL MANAGER'S REPORT**

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**SUMMARY**

General Manager's report to ARIC on significant organisational developments for the quarter ended 30 September 2020.

**DECISION**

*That Committee receives the General Manager's report as information.*

*(Hannan/Harker)*

**8. Other Matters**

**8.1 ARIC Charter**

Councillor Harker asked whether the current ARIC Charter required reviewing. Jovan Pejic advised that the Charter was reviewed and adopted in March. The new Risk Management and Internal Audit Framework is due to come into effect March 2022. Council representation was made to the Office of Local Government in relation to there being no Councillor representation on Committee.

**8.2 Five Year Financial Plan**

Councillor Harker asked when the next five year financial plan would be presented. Chris Berry advised that work would commence on the plan as part of the 2021 election process and IP&R suite of documents. He also advised that the Canberra Region Joint Organisation were working on a region Community Strategic Plan with separate chapters for each LGA.



**Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 October 2020**

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**8.3 Risk Management**

Additional reports will be presented to Committee on risk management issues at future meetings.

Lloyd Davidson congratulated management on the proactive work that is being undertaken, noting particularly the improvement in culture. Staff are also engaging in WHS and providing positive feedback.

**9. Next Meeting**

To be advised.

The meeting closed at 7.23pm.

## 12.5 MINUTES OF THE COUNTRY MAYORS ASSOCIATION HELD ON 6 NOVEMBER 2020

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### REPORT

The minutes of the Country Mayors Association Annual General Meeting and General Meeting held on 6 November 2020 are included in **Attachments A** and **B**. An update from Cr Linda Scott, President LGNSW is also provided at **Attachment C**.

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 Country Mayors Association Annual General Meeting and General Meeting held on 6 November 2020 be noted.*

**ATTACHMENTS:** A. Country Mayors Association Annual General Meeting Minutes 6 November 2020 [↓](#)  
B. Country Mayors Association General Meeting Minutes 6 November 2020 [↓](#)  
C. Local Government NSW Update [↓](#)



# Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Ken Keith  
PO Box 337 Parkes NSW 2870  
02 6861 2333  
ABN 92 803 490 533

## AGM MINUTES

### ANNUAL GENERAL MEETING

FRIDAY, 6 NOVEMBER 2020, COCKLE BAY ROOM, INTERNATIONAL CONVENTION CENTRE,  
SYDNEY

The meeting opened at 9.05 a.m.

#### 1. ATTENDANCE:

Armidale Regional Council, Mr Viv May, Administrator  
Armidale Regional Council, Mr John Rayner, Acting CEO  
Berrigan Shire Council, Cr Matthew Hannan, Mayor  
Bland Shire Council, Cr Brian Monaghan, Mayor  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Blayney Shire Council, Ms Rebecca Ryan, General Manager  
Broken Hill City Council, Cr Darriea Turley, Mayor  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Mr Brad Burns, General Manager  
Coffs Harbour City Council, Cr Denise Knight, Mayor  
Coffs Harbour City Council, Cr George Cecato, Deputy Mayor  
Coffs Harbour City Council, Mr Stephen McGrath  
Coolamon Shire Council, Cr Bruce Hutcheon, Deputy Mayor  
Coolamon Shire Council, Mr Tony Donoghue, General Manager  
Cootamundra-Gundagai Regional Council, Cr Abb McAlister Mayor  
Cootamundra-Gundagai Regional Council, Mr Phil McMurray, General Manager  
Dubbo Regional Council, Cr Ben Shields. Mayor  
Dungog Shire Council, Cr John Connors, Mayor  
Dungog Shire Council, Mr Gareth Curtis, General Manager  
Eurobodalla shire Council, Cr Liz Innes, Mayor  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Cr Chris Roylance, Deputy Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Glen Innes Shire Council, Cr Carol Sparkes, Mayor  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir, Shire Council, Mr Max Eastcott, General Manager  
Hay Shire Council, Cr Jenny Dwyer, Mayor  
Hay Shire Council, Mr David Webb, General Manager  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager

Leeton Shire Council, Cr Paul Maytom , Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Wayne McAndrew, Deputy Mayor  
Lithgow City Council, Mr Craig Butler, General Manager  
Liverpool Plains Shire Council, Cr Doug Hawkins, Mayor  
Liverpool Plains Shire Council, Ms Joanna Sangster, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Murray River Council, Cr Christopher Bilkey, Mayor  
Murray River Council, Cr Nikki Cohen Deputy Mayor  
Murray River Council, Mr Des Bilske, General Manager  
Narrabri Shire Council, Cr Ron Campbell, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Oberon Council, Cr Kathy Sajowitz, Mayor  
Oberon Council, Mr Gary Wallace, General Manager  
Orange City Council, Cr Reg Kidd, Mayor  
Parkes Shire Council, Cr Ken Keith, Mayor  
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Singleton Council, Cr Sue Moore, Mayor  
Singleton Shire Council, Mr Jason Linnane, General Manager  
Temora Shire Council, Cr Rick Firman, Mayor  
Temora Shire Council, Mr Garry Lavelle, General Manager  
Tenterfield Shire Council, Cr Peter Petty, Mayor  
Tenterfield Shire Council, Mr Terry Dodds, General Manager  
Uralla Shire Council, Cr Michael Pearce, Mayor  
Uralla Shire Council, Ms Kate Jessop, General Manager  
Warren Shire Council, Milton Quigley, Mayor  
Warren Shire Council, Mr Rolly Lawford, Divisional Manager Engineering Services  
Warrumbungle Shire Council, Cr Ambrose Doolan, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
LGNSW, President, Cr Linda Scott

**APOLOGIES:**

As read

**2. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the Annual General Meeting held on 1 November 2019 be accepted as a true and accurate record (Singleton Shire Council /Tenterfield Shire Council).

**3. Chairman's Report**

Chairperson Cr Katrina Humphries outlined how she enjoyed being Chair for the past four years and thanked everybody for their support during her terms

RESOLVED That the Chairman's report be received and noted (Moree Plains Shire Council /Tenterfield Shire Council)

**4. Secretaries Report – Financial Report**

RESOLVED That the financial reports for the 2019/20 year as tabled be accepted (Moree Plains Shire Council Council/ Glen Innes Severn Council)

## **5. Returning Officer**

RESOLVED That the Returning Officer for the conduct of the elections be Mr Allan Burgess (Gwydir Shire Council / Gunnedah Shire Council)

The Chairperson Cr Katrina Humphries vacated the chair

## **7. Election of Office Bearers**

### **7.1 Chairperson**

The Returning Officer advised that he had received one nomination in writing for Cr Ken Keith, Parkes Shire Council, who was nominated by Uralla Shire Council and Kempsey Shire Council. The Returning Officer called for any further nominations for the position of Chairperson. No other nominations were received. As there was only one nomination the Returning Officer declared Cr Ken Keith elected Chairman for the 2020/21 year

### **7.2 Vice Chairperson**

The Returning Officer advised that he had received one nomination in writing for Cr Michael Pearce, Mayor, Uralla Shire Council who was nominated by Parkes Shire Council and Temora Shire Council. The Returning Officer called for any further nominations for the position of Vice Chairperson. No other nominations were received. As there was only one nomination the Returning Officer declared Cr Michael Pearce elected as Deputy Chairperson for the 2020/21 year

### **7.3 Secretary/Public Officer**

RESOLVED That Mr Kent Boyd General Manager Parkes Shire Council, be appointed Secretary/Public Officer (Parkes Shire Council / Uralla Shire Council)

### **7.4 Executive**

Nominations for the six positions on the Executive were called for. Nominations were received for Cr Sue Moore Singleton Council, Cr Carol Sparks, Glen Innes Severn Council, Cr Liz Campbell, Kempsey Shire Council, Cr Rick Firman Temora Shire Council, Cr Kathy Sajowitz, Oberon Council, Cr Amanda Findley, Shoalhaven City Council, Cr Jamie Chaffey Gunnedah Shire Council and Cr Peter Petty, Tenterfield Shire Council

RESOLVED That the method of election be by ordinary ballot (Parkes Shire Council/ Uralla Shire Council)

The Chairman Cr Ken Keith took up the position of chairman  
Cr Keith thanked Cr Humphries on her four years as Chairman and for the work she did to promote Country Mayors as a voice of rural communities

## **8. SETTING OF ANNUAL MEMBERSHIP FEES**

RESOLVED That the fees for the 2020/21 year remain at \$750 for Councils with a population of 10,000 and over, and Councils with a population of less than 10,000 paying 75% \$562.50 (Tenterfield Shire Council / Uralla Shire Council)

## **8. Secretariat**

RESOLVED That Allan Burgess trading as Alkanat Consulting be appointed the Secretariat (Orange City Council / Dubbo Regional Council)

## **9. Meeting dates for 2021**

RESOLVED that the meeting dates for 2021 be 5 March, 28 May, 6 August and 5 November ( Temora Shire Council / Forbes Shire Council)

## **10. Executive**

To allow the counting of votes the AGM was adjourned at 9.35am  
The AGM was resumed at 10.31am

Following the count of the votes by the Returning Officer and Cr Linda Scott, President LGNSW the Returning Officer declared the following delegates elected to the Executive for the 2019/20 year

- Cr Jamie Chaffey, Gunnedah Shire Council
- Cr Sue Moore, Singleton Council
- Cr Peter Petty, Tenterfield Shire Council.
- Cr Kathy Sajowitz, Oberon Council
- Cr Liz Campbell, Kempsey Shire Council
- Cr Rick Firman Temora Shire Council

There being no further business the meeting closed at 10.32 am.

Cr Ken Keith  
Chairman Country Mayor's Association of NSW



# Country Mayors Association of NEW SOUTH WALES

**Chairperson:** Cr Ken Keith  
PO Box 337 Parkes NSW 2870  
02 6861 2333  
ABN 92 803 490 533

## MINUTES

### GENERAL MEETING

FRIDAY, 6 NOVEMBER 2020 COCKLE BAY ROOM, INTERNATIONAL CONVENTION CENTRE,  
SYDNEY

The meeting opened at 10.55 a.m.

#### 1 ATTENDANCE:

Armidale Regional Council, Mr Viv May, Administrator  
Armidale Regional Council, Mr John Rayner, Acting CEO  
Berrigan Shire Council, Cr Matthew Hannan, Mayor  
Bland Shire Council, Cr Brian Monaghan, Mayor  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Blayney Shire Council, Ms Rebecca Ryan, General Manager  
Broken Hill City Council, Cr Darriea Turley, Mayor  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Mr Brad Burns, General Manager  
Coffs Harbour City Council, Cr Denise Knight, Mayor  
Coffs Harbour City Council, Cr George Cecato, Deputy Mayor  
Coffs Harbour City Council, Mr Stephen McGrath  
Coolamon Shire Council, Cr Bruce Hutcheon, Deputy Mayor  
Coolamon Shire Council, Mr Tony Donoghue, General Manager  
Cootamundra-Gundagai Regional Council, Cr Abb McAlister Mayor  
Cootamundra-Gundagai Regional Council, Mr Phil McMurray, General Manager  
Dubbo Regional Council, Cr Ben Shields. Mayor  
Dungog Shire Council, Cr John Connors, Mayor  
Dungog Shire Council, Mr Gareth Curtis, General Manager  
Eurobodalla shire Council, Cr Liz Innes, Mayor  
Forbes Shire Council, Cr Phyllis Miller, Mayor  
Forbes Shire Council, Cr Chris Roylance, Deputy Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Glen Innes Shire Council, Cr Carol Sparkes, Mayor  
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir, Shire Council, Mr Max Eastcott, General Manager  
Hay Shire Council, Cr Jenny Dwyer, Mayor



Hay Shire Council, Mr David Webb, General Manager  
Kempsey Shire Council, Cr Liz Campbell, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager  
Leeton Shire Council, Cr Paul Maytom, Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Lithgow City Council, Cr Wayne McAndrew, Deputy Mayor  
Lithgow City Council, Mr Craig Butler, General Manager  
Liverpool Plains Shire Council, Cr Doug Hawkins, Mayor  
Liverpool Plains Shire Council, Ms Joanna Sangster, General Manager  
Moree Plains Shire Council, Cr Katrina Humphries, Mayor  
Murray River Council, Cr Christopher Bilkey, Mayor  
Murray River Council, Cr Nikki Cohen Deputy Mayor  
Murray River Council, Mr Des Bilske, General Manager  
Narrabri Shire Council, Cr Ron Campbell, Mayor  
Narrabri Shire Council, Mr Stewart Todd, General Manager  
Oberon Council, Cr Kathy Sajowitz, Mayor  
Oberon Council, Mr Gary Wallace, General Manager  
Orange City Council, Cr Reg Kidd, Mayor  
Parkes Shire Council, Cr Ken Keith, Mayor  
Queanbeyan-Palerang Regional Council, Mr Tim Overall, Mayor  
Shoalhaven City Council, Cr Amanda Findley, Mayor  
Singleton Council, Cr Sue Moore, Mayor  
Singleton Shire Council, Mr Jason Linnane, General Manager  
Temora Shire Council, Cr Rick Firman, Mayor  
Temora Shire Council, Mr Garry Lavelle, General Manager  
Tenterfield Shire Council, Cr Peter Petty, Mayor  
Tenterfield Shire Council, Mr Terry Dodds, General Manager  
Uralla Shire Council, Cr Michael Pearce, Mayor  
Uralla Shire Council, Ms Kate Jessop, General Manager  
Warren Shire Council, Milton Quigley, Mayor  
Warren Shire Council, Mr Rolly Lawford, Divisional Manager Engineering Services  
Warrumbungle Shire Council, Cr Ambrose Doolan, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
LGNSW, President, Cr Linda Scott

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

Professor, Mary O’Kane, NSW Independent Bushfire Inquiry  
Peter Duncan AM, Member Independent Panel for the Road Classification Review and Transfer  
Hon Mick Veitch MLC, Shadow Minister for Industry and Trade, Rural Roads, Rural Affairs and Western NSW

**2. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 6 March 2020 be accepted as a true and accurate record (Singleton Council / Queanbeyan-Palerang Regional Council)

**3. Professor, Mary O’Kane, NSW Independent Bushfire Inquiry**

The NSW Bush Fire Inquiry Report by Dave Owens APM and Professor Mary O’Kane has worked to understand what happened during the 2019-20 bush fire season and how it was different to seasons that have come before, and to make 76 recommendations for future improvements to how NSW plans and prepares for, and responds to, bush fires. The season showed us what damage megafires can do, and how dangerous they can be for communities and firefighters. It is clear that we should expect fire seasons like 2019-20, or potentially worse, to happen again. The 2019-20 bush fire season challenged conventional assumptions. For example, it appears that the extreme dryness of forested regions over large continuous areas was the determining factor in the size of the fires. When taken together with the weather conditions experienced, the fires became extreme, burning through forests and across bare earth. This season also challenged assumptions about how we fight fires. We need to know much more about bush fire suppression methods and how effective they are, especially in the face of megafires like these.

There are important firefighting enhancements needed – more emphasis on getting fires out early; improved backburning protocols, training and information around heavy plant use; the right mix of aerial firefighting assets; and increased aerial night firefighting. There is also a need for improved telecommunications. We need to push available technologies harder, especially fire science, remote sensing, data science and artificial intelligence to equip us better to understand what happens during a bush fire and respond more quickly. Central to the way forward must be improving local preparedness and resilience.

Independent Planning Commission recommendations to continue and Minister has issued a statement of expectation regarding determinations. The Commission will be meeting elected officials and management.

**4. CR LINDA SCOTT, PRESIDENT, LGNSW**

Cr Scott provided a brief on the work of LGNSW and outlined opportunities for further collaboration (Copy Attached)

**5. Membership**

RESOLVED that Richmond Valley Council be admitted as a member of the Association (Singleton Council/ Tenterfield Shire Council)

**6. CORRESPONDENCE**

Outward

- (a) The Hon Brad Hazzard, Minister for Health and Medical Research requesting an update on forensic pathology provision in regional areas
- (b) Ms Susan Madden, Board Member, Murray Darling Basin Authority. thanking her for her presentation to the 6 March meeting
- (c) Lindsay White Hilary Johnson, Directors, Commonwealth Environmental Water office, thanking them for their presentations to the 6 March meeting

- (d) The Hon Melinda Pavey MP, Minister for Water, Property and Housing, thanking her for her presentation to the 6 March meeting
- (e) Cr R W Sheaffe, Mayor, Hay Shire, advising that his Councils application for membership was successful
- (f) Ms Theresa Corbin, Chief Executive Officer, Australian Communications Consumer Action Network thanking her for her presentation to the 6 March meeting
- (g) Mr Rob Rogers AFSM, Deputy Commissioner, NSW Rural Fire Services, thanking him for his presentation to the 6 March meeting
- (h) Hon Jennifer Gardner, Chairperson, NSW Local Government Grants Commission, thanking her for her presentation to the 6 March meeting
- (i) Mr David Harris, Chief Executive Officer, NSW Water, thanking him for his presentation to the 6 March meeting
- (j) The Hon John Barilaro MP, Deputy Premier, Minister for Regional New South Wales, Industry and Trade, regarding the necessity to have rail crossings of State Highways at grade in respect to the Inland Rail
- (k) The Hon Michael McCormack MP, Deputy Prime Minister, Minister for Infrastructure and Transport and Regional Development, regarding the necessity to have rail crossings of State Highways at grade in respect to the Inland Rail
- (l) Cr Bruce Miller, Chair of Board Local Government Super, asking for the Board to assist rural communities by allowing a two year moratorium on the payment of additional contributions to the Defined Benefit Plan
- (m) Mr David Smith, Chief Executive Officer, Local Government Super, asking for the Board to assist rural communities by allowing a two year moratorium on the payment of additional contributions to the Defined Benefit Plan
- (n) The Hon Mark Coulton MP, Minister for Regional Services, Decentralisation and Local Government, Assistant Trade and Investment Minister, requesting a review of the Financial Assistance Grants criteria to include disability factors for natural disasters such as drought and bush fires
- (o) The Hon Shelley Hancock MP, Minister for Local Government, requesting a review of the Financial Assistance Grants criteria to include disability factors for natural disasters such as drought and bush fires
- (p) The Hon Shelley Hancock MP, Minister for Local Government, requesting a reply to our letter dated 3 June 2019 regarding Waste to Energy
- (q) Ms Felicity Gemmell-Smith, Special Education Programs Manager, GP Synergy, advising that Country Mayors is encouraging members to nominate a staff member as a contact for potential rural doctors
- (r) Ms Margaret Crawford, Auditor General, NSW, Re Accounting Requirements of RFS Assets

#### Inward

- (a) Ms Theresa Corbin, Chief Executive Officer, Australian Communications Consumer Action Network Re membership of the Rural Regional and Remote Communications Coalition
- (b) The Hon Ben Franklin MLC, Parliamentary Secretary for Energy and the Arts Re the replacement of private electricity poles
- (c) Mr Phil Stockwell, Chief Executive Officer, Local Government Super, Re Defined Benefits Contribution
- (d) Ms Anne Skewers, Deputy Secretary, Crown Lands, Planning Industry and Environment Re Local Land Agreements

- (e) Mr Rob Rogers AFSM, Commissioner, NSW Rural Fire Service, thanking Country Mayors for their appreciation of the Service
- (f) The Hon Shelley Hancock MP, Minister for Local Government, regarding contributions to the Defined Benefits Scheme
- (g) The Hon Shelley Hancock MP, Minister for Local Government, regarding Waste to Energy
- (h) Margaret Crawford, Auditor New South Wales, regarding Reporting of Rural Fire Service assets

NOTED

**7. FINANCIAL REPORT**

RESOLVED that the financial reports for the last quarter were tabled and accepted (Uralla Shire Council / Bland Shire Council)

**8. Peter Duncan AM, Member Independent Panel for the Road Classification Review and Transfer and Commissioner of the independent Planning Commission**

In February 2019 the Minister made a commitment to initiate the Road Classification Review and to transfer up to 15,000km of Regional Road to State management. The panel was appointed and the draft Terms of Reference released for Council feedback in February 2020. The Terms of Reference and information paper was released in June 2020 with consultation in July/August 2020. Deadline for nominations on all roads proposed for priority and non-priority reclassification and/ or transfer was September 2020. Priority submissions are open to the end of 2020. Submissions for the full round open in March 2021 and close in May 2021 with a final report to the Minister in July 2021. In the next week the Panel will open the priority submission process and priority assessment framework based on six key principles of Future Transport 2056 - Customer focused, Successful places, A strong economy, Safety and performance, Accessible services and Sustainable, and three primary outcomes - lighten the load on regional councils, net better off position for councils, Support regional employment, Support state-wide network improvements. The assessment framework will show how these will be aligned and measured.

**9. Hon Mick Veitch MLC, Shadow Minister for Industry and Trade, Rural Roads, Rural Affairs and Western NSW**

Mr Veitch outlined his experiences of touring regional NSW as the Shadow Minister and meeting with locals. Local Government is at the forefront of their local economies and changes should not find councils worse off financially. Quarterly reports by the Government are to be provided to the Upper House. Cost of Council election issues will be referred to the Shadow Minister for Local Government. Some councils want to revert back from amalgamations and a report on the real cost of amalgamations is available. A National Food, Fibre and Security Plan needs to be implemented.

**10. Distribution of NSW Electoral Districts**

RESOLVED that the Association support Leeton Shire Councils submission to the NSW Electoral Commission on the Redistribution of NSW Electoral Districts (Leeton Shire Council/Gunnedah Shire Council)

**11. Rural Fire Service Assets**

RESOLVED that the Association continue to follow up the advice of the Auditor General that at the end of the 2019/20 reporting cycle the Office will review the technical arguments (Tenterfield Shire Council/Kempsey Shire Council)

**12. Destruction of CMA Files**

RESOLVED that That the Country Mayors Files to 2010 held by Coffs Harbour City Council be disposed of by Coffs Harbour City Council (Singleton Council/ Forbes Shire Council)

**13. IPART Review of Local Government Rating System**

RESOLVED that the Association support Bland Shire Councils submission to the Minister for Local Government to not have legislated recommendation 34 of the 2016 IPART Review of the NSW Local Government Rating System (Bland Shire Council/Blaney Shire Council)

**14. Emergency Management Reform**

RESOLVED That the Association support Eurobodalla Shire Councils submission to the Royal Commission into National Natural Disasters-Local Government and natural disasters (Eurobodalla Shire Council/Tenterfield Shire Council)

**15. Federal Government Policy on Water Security**

RESOLVED that Country Mayors

(a) Advocate to the Australian Government to increase their funding and involvement in the provision of secure water supply for towns and cities across regional Australia.

(b) Advocate to the NSW Government to waive NSW Government costs associated with essential water infrastructure (Eurobodalla Shire Council/Leeton Shire Council)

**16. Enquiry into Rural Health**

RESOLVED that Association prepare a submission to the Enquiry into Rural Health and the Minister for Health be invited to the next meeting of Country Mayors (Leeton Shire Council/Gunnedah Shire Council)

**17. Local Government Exclusion from National Cabinet**

RESOLVED that Country Mayors lobbies the Prime Minister to have Local Government represented on the National Cabinet with membership from ALGA Leeton Shire Council/Forbes Shire Council)

**18. Insurance Companies Assisting Families Affected by Fires**

RESOLVED that Country Mayors advocate

(a) to the Commonwealth to extend rental relief to bushfire affected individuals and families who lost their primary dwelling in the 2019/20 bushfires and that are

- now renting temporary accommodation through their insurance policy where in most cases cover will increase after 12 months
- (b) to insurance companies and the Insurance Council of Australia to extend the 12 month period of rental assistance available to those residents who have lost their primary dwelling in the 2019/20 bushfires (Shoalhaven City Council/Broken Hill City Council)

**19. Next Meeting**

Sydney Airport Corporation be invited to the next meeting

There being no further business the meeting closed at 12.58pm.

Cr Ken Keith  
Chairman Country Mayor's Association of NSW



## Country Mayors' meeting 6 November 2020

### Local Government NSW update – Cr Linda Scott, President

Dear colleagues

This report seeks to brief you on the work of Local Government NSW since we last met and indicate opportunities for further collaboration where they might exist. However, as always, we welcome your feedback on our work, and identification of further opportunities for collaboration.

#### **LGNSW Annual Conference**

I am looking forward to seeing you on Monday 23 November for this year's online LGNSW Annual Conference. Given this is the first online conference, we're running two demonstration sessions to show you how to log into the event and how registered voting delegates can use the voting platforms. I encourage delegates to register for one of the demonstrations which will take place at 10am on Thursday 12 November and Friday 13 November.

We've got an action-packed agenda, including addresses from Premier Gladys Berejiklian, Local Government Minister Shelley Hancock, Opposition Leader Jodi McKay and Greens MLC David Shoebridge. We're giving you the chance to ask questions in advance of the politicians' panel: submit your question here.

The submission of motions for inclusion in the Conference Business Paper is now closed. However, members can submit late motions to [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au). The Conference Business Paper will be emailed to members, and available on the LGNSW website on Monday 9 November.

#### **LGNSW WORK UNDERTAKEN**

See **attachment 1** for LGNSW's recent advocacy wins and list of submissions.

#### **NSW State Budget 2020-21**

With the 2020-21 State Budget rapidly approaching, LGNSW is urging the NSW Government to follow the lead set by this month's Federal Budget and to invest in infrastructure stimulus for councils in every corner of the State.

Funding to priority areas such as water, recycling and waste, affordable housing and roads, footpaths and cycleways will generate jobs and support businesses, helping drive a locally led recovery from the economic havoc wreaked by a year of bushfires, floods and the COVID pandemic.

A balanced approach, in which infrastructure investment is complemented by funding for pressing social priorities such as physical and mental health, drug rehabilitation and Aboriginal incarceration, is called for by LGNSW's supplementary NSW Budget Submission. This document drills down into a number of specific budget funding priorities for the balance of the 2020-21 financial year and into 2021-22, and follows our Pre-Budget Submission sent to NSW Treasurer Dominic Perrottet in August. The supplementary submission will be available on our website soon.

#### **Disaster Recovery and Resilience**

LGNSW has welcomed the release of the final reports from the NSW Independent Bushfire Inquiry and the Royal Commission into National Natural Disaster Arrangements. Many of the



recommendations in these reports are consistent with our submissions: NSW Independent Bushfire Inquiry and Royal Commission into National Natural Disaster Arrangements.

We know that much greater investment is needed to increase capacity to protect communities, properties and lives from events like last summer's devastating fires, which many communities are still struggling to recover from.

We were pleased that the Royal Commission has acknowledged the importance of a locally led response, and the need for state governments to ensure councils have sufficient resources to effectively discharge the responsibilities devolved to them.

However, while the recommendations are supported, they present major budgetary challenges that cannot be met equitably or sustainably under the existing NSW emergency services funding arrangements. It's disappointing the reports don't address this fundamental problem. LGNSW will continue to advocate for implementation of the recommendations to be fully funded by the Federal and NSW Governments, and for reforms to emergency services funding to remove the ESL on councils and replace it with a broad based property levy.

#### ***Early childhood education and care***

On 9 April, following intense LGNSW and sector advocacy to both state and federal governments, the NSW Government announced an \$82 million, 6-month funding package for the 260 council-run childcare centres in NSW - a sector significantly impacted by the COVID-19 pandemic. LGNSW also welcomed the NSW Government's announcement of \$51 million to cover the cost of preschool fees for up to six months, which was great news for the many parents who rely on the 24 council operated preschools and their staff across NSW.

The local government sector provides more early education and care services across NSW than any other sector, and in rural and regional NSW council-run services are often the only services available. Across NSW, local government is also often the key provider to vulnerable families including those with low-income, social disadvantage or disabilities, while providing an excellent standard of education and care.

#### ***Funding and support for council museums, arts and cultural projects***

In September I appeared before a parliamentary inquiry into the NSW Government's management of museums and cultural projects in NSW, calling for critical funding and support for the cultural vibrancy of our communities as we recover from drought, bushfire and pandemic. In line with a 2019 Conference resolution from Bathurst Regional Council, I also called on the government to develop a statewide NSW Museum Strategy.

#### ***NSW Government Grant Programs***

In September I also appeared before a parliamentary inquiry into the integrity, efficacy and value for money of NSW Government grant programs where I explained to the Committee that grants are an essential funding source as they allow councils to deliver the vital infrastructure communities need such as bike paths, playgrounds, and community halls, and called for the NSW Government to ensure that every funding opportunity and every dollar is communicated and allocated in a way that is open and fair.

#### ***Increasing Resilience to Climate Change***

In August a third round of funding totalling \$605,000 for this program, administered by LGNSW and funded by Department of Planning, Industry and Environment, was announced. Applications closed on 15 October and are currently being assessed.

The IRCC program is also producing video case studies of funded projects to share experiences and build capacity. Two videos were recently added to the [LGNSW website](#):

- Smart Water use for a Changing Climate - features the Namoi Regional Organisation of Councils, which is trialling the use of recycled water in the construction and maintenance of gravel roads. It also highlights Wagga Wagga City Council, which is trialling smart irrigation technology in sportsgrounds.
- Bushfire preparedness - highlights the unique features of the Simtable modelling tool purchased by Ku-ring-gai Council to improve public engagement and preparation for the threat of bushfires. It shows how it is being used as part of the council's Climate Wise Communities program to build resilience to climate change.

#### ***Pathways to Net Zero Emissions Forum***

This forum for mayors, councillors and general managers was held on 4 November, in partnership with the NSW Department of Planning, Industry and Environment. Forum speakers from local government shared their perspectives on what net zero emissions mean in practice and discussed the economic opportunities in transitioning to net zero and how NSW councils can take advantage of major changes post COVID-19 in work practices, travel and energy consumption to bring about lasting change. Delegates also heard what is covered in the NSW Government's [Net Zero Plan Stage 1: 2020-2030](#). Further webinars and forums on this topic are being planned for 2021.

#### ***Excellence in the Environment Awards and Finalists Forum***

Held on 13 October this year's Awards celebrated 23 years of inspiration from NSW councils in programs, projects and people across 16 award categories, including asbestos management, water management, climate change adaptation and invasive species management. There were 38 finalists recognised, with City of Canada Bay Council winning the major Local Sustainability Award. [View](#) the case studies of the winning projects.

A selection of council projects from across NSW that were finalists in the Excellence in the Environment Awards will be showcased in a free online forum on 1 December. Presentations will cover integrating sustainability into council operations, recovering waste streams, engaging the community on wicked problems and adapting council operations to protect endangered species. Register [here](#).

#### ***Registration of Engineers***

New building legislation was passed by NSW Parliament in July to improve the quality and compliance of construction work in NSW and includes provisions to establish a registration scheme for professional engineers. LGNSW has given in-principle support for the registration of professional engineers (see submission to Parliamentary Inquiry [here](#)) and is advocating a phased transition and range of options to ensure councils have flexibility to attract, retain and share the employment of engineering professionals. The new legislation will commence in July 2021. LGNSW has been consulting councils and providing input to regulations that are currently being developed. LGNSW is seeking to confirm our understanding that initially, the regulations will be limited to professional engineers that work on design and construction of multi-story residential apartments and related mixed-use buildings, with minimal impact on the local government sector in its first phase of implementation.

#### ***Independent Planning Commission***

LGNSW made a submission to the NSW Productivity Commissioner's review of the role and operations of the Independent Planning Commission (IPC) in late 2019. The review was completed in December 2019 with the NSW Government accepting all 12 recommendations.

While supporting the IPC as an independent decision-making authority for state significant development, LGNSW has always advocated to IPC on the need for local councils to be consulted on state significant development (SSD) projects and to receive developer contributions to help

manage the impacts of large-scale projects (such as mines and renewable energy projects) on local infrastructure and communities.

### **OPPORTUNITIES FOR COLLABORATION**

LGNSW supports collaboration between LGNSW and the CMA to strengthen local government and enhance shared advocacy and service priorities.

LGNSW would appreciate being cc'd into CMA correspondence. This ensures LGNSW has visibility of advocacy priorities and actions and LGNSW can assist in amplifying this advocacy. LGNSW also supports sharing of advocacy resources (such as submissions, media releases and communiques) on agreed advocacy priorities and any other matters.

#### ***National Cabinet Campaign***

The May decision to omit local government representation from the new National Cabinet has sparked real concern right across Australia. I and the LGNSW Board strongly believe all three tiers of government must be represented on this new intergovernmental body.

The drought, bushfires, floods and COVID-19 pandemic of recent months have all proved conclusively that local government – the closest level of government to the community – is critical in delivering local services and infrastructure at a grassroots level.

LGNSW is calling on all councils to support our National Cabinet advocacy campaign. To support you in these efforts we have developed an Advocacy Kit, which you can access [here](#). Thank you to those councils that have already passed the resolution.

#### ***Research and Innovation Fund***

Expressions of interest are now open for our 2020/21 Research and Innovation Fund, which supports new areas of research, policy development and innovation for the advancement of local government in NSW.

LGNSW is partnering with the Department of Planning, Industry and Environment to allocate a total of \$50,000 as seed funding for applied research that drives innovation in the transition to net zero emissions. LGNSW member councils, Regional Organisations of Councils and Joint Organisations are eligible to apply for this funding to support applied research projects that will help drive actions to transition to net zero emissions and meet NSW's emission reduction targets.

Funded projects will develop new knowledge, be aligned with existing strategies to reduce emissions, attract further monetary or in-kind contributions from councils, have broad local government sector application, preferably involve metropolitan and regional council collaboration and partnership with a university. Projects will need to be completed by December 2021.

Expressions of Interest for projects are open until Friday 20 November 2020 and successful applicants will be announced in mid-December 2020. An information pack and EOI application form is available on the [Innovation](#) page of LGNSW's website.

#### ***Regional Road Transfer and Road Classification Review and RMCCs***

The Regional Road Transfer and Road Classification Review is continuing to progress. The panel chaired by Ms Wendy Machin has met with LGNSW President Cr Linda Scott and CE Scott Phillips in what was a productive meeting where council concerns about the process were raised. This meeting was followed up with a letter from LGNSW reiterating the position of councils and the conditions under which any proposed transfers would be considered acceptable. The panel has also met with all councils eligible to propose roads for transfer to listen directly to their concerns.

and answer any questions about the process. With the submission period for the first round of nominated roads for transfer now closed, the Panel is reviewing submissions and is in the process of preparing an interim report for government. Submissions for the second round of classification and transfer will take place early in 2021 with details to be advised.

In addition to this, LGNSW has also been advocating for councils to be offered the first right of refusal for regional and rural road works that currently fall outside the existing RMCC contracts. LGNSW President Cr Linda Scott wrote to the Minister for Regional Transport and Roads, the Hon. Paul Toole, calling for this change and seeking a meeting to also seek his assurance that RMCC contracts will continue to be offered to councils. LGNSW will update councils on the outcome of this meeting.

***Parliamentary inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW***

LGNSW is making a submission on behalf of councils to the parliamentary inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW.

Access to health services in regional, rural and remote areas remains a significant issue for councils and their communities. While healthcare is a state and federal government responsibility, councils often have no choice but to take on additional responsibilities to support their communities.

LGNSW seeks feedback from councils to support its submission including:

- examples and case studies of service availability, patient experiences, quality of care and barriers to access
- examples of council actions to address healthcare deficiencies
- how this issue affects different groups in your community (for example, Aboriginal or Torres Strait Islander, culturally and linguistically diverse).

To provide input to LGNSW's submission, please email LGNSW Policy Officer, Elle Brunsdon at [elle.brunsdon@lgnsw.org.au](mailto:elle.brunsdon@lgnsw.org.au) or phone 02 9242 4082 by Wednesday 25 November.

## **LOCAL GOVERNMENT MANAGEMENT SOLUTIONS – NEW SERVICE OFFERINGS**

### ***Workplace Analytics: Finance and Economic Metrics***

Local Government Management Solutions' (LGMS') suite of workplace analytics which includes council staff and general manager remuneration and HR metrics has been expanded to offer an additional two data sets; finance and economic metrics.

The features of the new data include:

- Data related to councils financial end of year reporting
- Providing three-year trends in financial and economic performance and trends
- Councils can access Fathom and conduct self-analysis and download reports as needed
- Provides councils with a user friendly and easily accessible platform to compare their financial performance and economic data against other like councils or their own trends over three financial years

### ***Service Level Reviews***

LGMS has investigated opportunities to expand its executive management services to include offering members a 'service level review' service. LGMS is now able to offer a series of interactive online 'service review' workshops in order to reduce delivery costs to councils and make the training as accessible as possible.

The reviews are designed to support councils in instances where they need to:

- Reschedule deferred works as a consequence of delayed bushfire recovery and/or the impacts of the COVID-19 pandemic
- Reset their medium to long term economic forecasts and strategies
- Review the positive and negative changes and adaptations to council service delivery
- Review changed work practices and the relevance of existing HR strategies
- Reconnect and re-engage with the community

#### ***Remote Skills Service***

Many members, particularly rural and regional councils at times find it difficult to attract specialised skills to their organisation. This creates additional workloads on existing staff which in turn can create burn out and low staff morale, and potentially lower or compromised service levels for local communities. These skills gaps can take months or years to fill and invariably there is a high turnover of staff who are appointed to positions but find it difficult to adjust to the work environment.

The COVID-9 pandemic has fundamentally changed the way councils work in providing business and service continuity: it is more commonly accepted for staff to work remotely.

To link organisations in need with employees possessing specialist skills, LGMS will be offering a service recruiting a number of highly qualified technical and professional persons to provide short-term services to members during the times when internal resources or suitable skills are not available. These industry professionals work predominantly from the metropolitan region or large regional centres where the skills are readily available.

***Cr Linda Scott  
President  
Local Government NSW***



## ATTACHMENT 1

### Recent advocacy wins (Aug to Oct 2020)

#### *Disaster recovery and resilience*

- **\$250 million bushfire funding** – This is welcome news for eligible councils as well as businesses, community groups and Aboriginal land councils, now able to apply for **grants between \$200,000 and \$20 million**. These grants are designed for projects such as local infrastructure, tourism campaigns, regional events, workforce adaption and training programs, community wellbeing and mental health programs and neighbourhood safer places. This is the kind of economic stimulus LGNSW has been advocating for since the NSW Black Summer and is a fantastic result.
- **Regional Recovery Partnership Program** – Federal Budget announcement: **\$100 million** over two years for the Regional Recovery Partnership Program. Councils in key regions including the Snowy Mountains, Parkes, Newcastle and the Hunter are set to receive this boost to support recovery and resilience.
- **Future Drought Fund** – Federal Budget announcement: **\$2.2 billion** over five years for the Future Drought Fund. This funding (including \$100 million in 2020-21) is geared toward drought response, resilience and preparedness of primary producers, rural and regional communities and local councils. An additional \$162.5 million for the Wyangala Dam (\$325 million in total) and \$121 million for the Dungowan Dam (\$242 million in total) was also committed as part of a 10-year rolling program of water infrastructure investments to support agriculture, increase water security and build resilience.
- **Creative inclusive play spaces** – State funding of up to **\$7 million** for councils to create inclusive play spaces, with **\$3 million** set aside to prioritise drought and bushfire-affected councils.
- **Bushfire Community Recovery and Resilience Fund - Phase 2** -Phase 2 of the **\$25 million** Bushfire Community Recovery and Resilience Fund, which will see funding for local councils, community groups and not-for-profit organisations for medium and longer-term projects.
- **Funding for Bushfire and Natural Hazards Cooperative Research Centre** – We welcomed the NSW Government's acceptance of all 76 recommendations in the NSW Bushfire Inquiry Final Report, in principle, many of which were consistent with our submission.

#### *Fund local infrastructure*

- **New Green paper on Productivity reform** – Continuing the Productivity Conversation, is the latest in a long line of reports to endorse the long-held LGNSW position that rate capping greatly hampers councils' ability to deliver local services and infrastructure such as parks, libraries, bridges, cycleways and sports centres. While LGNSW doesn't agree with the Productivity Commission's views on the pathway to abolishing rate pegging, we welcome the start of the conversation.
- **Local Roads and Community Infrastructure Program** – Federal Budget announcement: **\$1 billion** expansion of the Local Roads and Community Infrastructure Program, a major stimulus measure that means all NSW councils will benefit from funding allocations. It follows the \$500 million already provided in May this year.
- **National Road Safety program** – Federal Budget announcement: **\$2 billion** over two years for a new national Road Safety program for small-scale road safety projects including road widening, centre lines and barriers, rumble strips. A significant win for the sector, LGNSW has consistently advocated for increased state and federal road safety funding for some time and much of this funding will go to councils.
- **Building Better Regions Fund** – Federal Budget announcement: Additional **\$200 million** funding via the Building Better Regions Fund, including \$100 million dedicated for tourism infrastructure. This welcome funding reflects LGNSW work to secure locally led stimulus for communities throughout NSW.
- **NBN Regional Connectivity** – Federal Budget announcement: **\$4.5 billion** boost for NBN Regional Connectivity. LGNSW is looking forward to more detail about the creation of a \$300 million fund to co-invest with councils to improve broadband services in regional areas.
- **Fixing Country Bridges Program - extension** – Following feedback from councils and LGNSW advocacy, Transport for NSW is providing a two-week extension to the application period for the Fixing Country Bridges program. Applications will now close on Friday 9 October 2020. Joint Organisation of Councils can also now apply for funding on behalf of eligible councils in their region.
- **Fixing Country Bridges program** – **\$500 million** for timber bridge repairs now available. We welcomed NSW Government funding to fix NSW's 1800 wooden bridges – some of which are more than 100 years old and in poor condition – which is now available to local councils. The Fixing Country Bridges program, the result of LGNSW advocacy (secured as an election commitment).

- **Funding to improve and increase local public spaces this week** – NSW government's **\$250 million** funding commitment to help councils improve and increase local public spaces. This funding is another boost for local government efforts to drive locally led stimulus while delivering well needed public amenities for our communities - parks, walking trails and open spaces.

### **Planning**

- **New and strong regulation of building sector** – After decades of calling for stronger regulation of the building industry, we welcomed the start of landmark building legislation on 1 September. The new laws signal tighter building standards enforced by the NSW Building Commissioner, who has the power to stop defective apartment buildings being built and sold.
- **Short-term rental accommodation rules and NSW Fair Trading Code of Conduct** – New short-term rental accommodation rules and an NSW Fair Trading Code of Conduct come into effect 18 December. They impose a range of obligations on booking platforms, letting agents, hosts and their guests and will help councils protect neighbourhood amenity. This is a positive step forward and goes some way to fulfilling recommendations by LGNSW and multiple councils over the past five years. However, we're disappointed that the promised public register of short-term rental accommodation premises is not expected to commence until mid-2021 along with new planning rules for short-term rentals.
- **Updated Public Spaces Legacy Program guidelines** – Following LGNSW's representations, the Department of Planning Industry and Environment updated their Public Spaces Legacy Program guidelines to clarify assessment timeframe ambiguities. This adjustment means councils are no longer disadvantaged in situations they have no control over, such as when they are waiting on an applicant or state agency to respond to aspects of a development application.
- **Cladding Product Safety Panel** – Announcement of the Cladding Product Safety Panel this week. We understand the panel will provide councils, building owners and industry with advice on safe and compliant cladding products and assembly methods.

### **Social and community**

- **Additional 23,000 home aged care packages** – Federal Budget announcement: **\$1.6 billion** over four years for an additional 23,000 home care packages. This is welcome news for the more than half of NSW councils that deliver direct aged care services under this program – meal delivery, home maintenance, domestic and cleaning assistance and social connection. These services are vital during COVID and LGNSW continues to advocate for funding certainty.
- **Arts and Cultural Program funding** – 29 LGAs (including 19 in the regions and eight in Western Sydney) will share in over \$3 million in arts and cultural funding in 2020/21 for programs, including the creation of new works, exhibitions, publishing and recording, and conservation or development of collections and equipment purchases. LGNSW has been strongly advocating for increased State and federal support for local government-led cultural and creative activities for some time.
- **Councils eligible for Creative Economy JobMaker package** – The contribution of local governments to the cultural and creative sector has been recognised by Federal Minister for the Arts Paul Fletcher MP, confirming local government owned entities are eligible for the RISE grants and the Arts Sustainability funds under the Creative Economy JobMaker package.
- **Rural health** – Federal Budget announcement: **\$53.6 million** for rural health. \$3.3 million over two years to extend well developed proof-of-concept pilots into innovative primary care models in rural areas across western and southern NSW. Also, \$50.3 million over four years from 2020-21 for expansion of the Rural Health Multidisciplinary Training program to address maldistribution of the rural health workforce. This funding is in line with our advocacy to state and federal MPs following motions presented at the 2019 LGNSW Annual Conference from Forbes, Parkes, Lachlan and Leeton Shire Councils.
- **Mental health services** – Federal Budget announcement: **\$100.8 million** over two years for mental health. LGNSW has long advocated for better access to mental health services for those people experiencing mental health issues during drought, bushfires and the COVID-19 pandemic, including more recently at the NSW Independent Bushfire Inquiry and the Royal Commission into National Natural Disaster Arrangements.
- **Safer Communities Fund** – Federal Budget announcement: **\$35.0 million** to extend the Safer Communities Fund over four years. This funding enables local government and community organisations to address crime and anti-social behaviour.
- **Stronger Communities Programme** – Federal Budget announcement: **\$28.1 million** for the Stronger Communities Programme over two years. Grants to community organisations and local governments for small capital projects that deliver social benefits for local communities.



- **Summer Safety campaign** – We welcomed the Premier's response to LGNSW calls to partner with councils on a Summer Safety campaign. We're keeping up the pressure for the government's Safe Summer plan to include funding to properly resource measures to prevent overcrowding, including COVID-safe marshals to support council rangers and police to ensure social distancing and safe practices, and to assist with crowd management during the busiest time of the year – in line with the Victorian model.
- **Liquor Amendment (24-hour Economy Bill) 2020** – The government has listened to advocacy from LGNSW, addressing our concerns about the complexity and overlap in NSW noise complaint. This Bill proposes to amend the Liquor Act 2007 and Liquor Regulation 2018 and forms part of a second round of liquor law reforms to implement the government's 2019 response to the NSW Parliament Joint Select Committee's report on Sydney's night-time economy.
- **Sydney 24-Hour Economy Strategy** – LGNSW has been calling for an after dark masterplan to help economic development occur in a safe and lively manner, including at last year's Parliamentary Inquiry into Sydney's night time economy. The NSW Government's recently released 24-Hour Economy Strategy for Sydney recognises the roles of councils and the Night Time Economy Councils' Committee and would like to see the strategy expanded to cover all of NSW. LGNSW also advocated for greater cross-departmental coordination and we look forward to the appointment of a Coordinator General, who will roll out the strategy.
- **Action to address homelessness** – More than 2,750 families and individuals who were homeless or at risk of homelessness are now living in safe and stable housing as a result of the NSW Government's latest pandemic response efforts. Councils have repeatedly resolved at LGNSW Annual Conferences to call on the NSW Government to take action to address homelessness across the State and we applaud this news in time for Homelessness Week.

#### **Skills shortages**

- **Careers at Council website** – LGNSW has continued to build candidate and council engagement with the Careers at Council website, with an average of 450-500 visitors per day to the site and 116 councils posting jobs. Careers at Council participated in a virtual Careers Expo with NSW high school students to increase awareness of employment opportunities in council.
- **National Skills Commission** – Establishment of a National Skills Commission to provide a national approach to skills demand forecasting to allow for consistent advice on skills needs.

#### **Industrial relations**

- **DRIVES24 access** – After representations from our members, LGNSW has successfully negotiated expanded council access to the driver licensing and vehicle registration information held by Transport for NSW to assist with the investigation and enforcement of offences.

#### **Recent submissions (Aug to Oct 2020)**

<u>Stage 2 Consultations on the new National Disability Strategy Position Paper</u>	Draft submission to the Department of Social Services
<u>IPART's Local Council Domestic Waste Management Charges Discussion Paper</u>	Draft submission to Independent Pricing and Regulatory Tribunal (IPART)
<u>Proposed New Housing Diversity SEPP Explanation of Intended Effect</u>	NSW Department of Planning, Industry and Environment
<u>Agricultural Land Use Planning Strategy Issues Paper</u>	Department of Primary Industries
<u>Review of Infrastructure Contributions in NSW</u>	NSW Productivity Commissioner
<u>IPART's draft report on interment costs and pricing</u>	Independent Pricing and Regulatory Tribunal (IPART)
<u>Green Paper Continuing the productivity conversation</u>	Productivity Commission
<u>Inquiry into Cybersecurity</u>	Premier and Finance Portfolio Committee
<u>Review of Marine Estate Management Act</u>	Department of Primary Industries
<u>National Water Reform Inquiry</u>	Productivity Commission
<u>Draft State Strategic Plan for Crown Land</u>	NSW Department of Planning, Industry and Environment

<u>Consultation Regulation Impact Statement</u>	Australian Building Codes Board
<u>Asbestos-Cement Water and Sewer Pipe Management Guidelines Draft for public consultation</u>	Asbestos Safety and Eradication Agency
<u>Integrity, efficacy and value for money of NSW Government grant programs</u>	NSW Government Public Accountability Committee
<u>2020-2021 State Budget – LGNSW pre budget submission</u>	NSW Government

All LGNSW submissions are available on the LGNSW website at <https://www.lgnsw.org.au/>.

## 13 Confidential Matters

### RECOMMENDATION

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

- 13.1 Water Rebate Application - Lot 7141 DP1095199 off Wee Jasper Road, Yass**  
Item 13.1 is confidential in accordance with section s10(A)(2)(b) of the Local Government Act because it contains the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.2 Tender Evaluation Report - Wellington Road Sewage Pump Station Tender - RFQ 10014861**  
Item 13.2 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.3 Minutes of the General Manager's Performance Review Committee held on 10 November 2020**  
Item 13.3 is confidential in accordance with section s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 13.4 Leasing Council Property - 'Hawthorn', Barton Highway, Murrumbateman**  
Item 13.4 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.