



Ordinary Meeting of Council

**Thursday 27 April 2023
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

May 2023

Thursday 25th

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

Page No.

Webcasting

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

Acknowledgement of Country

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

1. Prayer

2. Apologies

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Nil

8. Questions with Notice

Nil

9. Minutes and Recommendations of Council Committees

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The following matters are classified as CONFIDENTIAL and will be considered in the Closed Meeting of Council in accordance with Section 10A(2) as they deal with commercial, personnel and legal matters:

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Close of Meeting Time

Chris Berry
CHIEF EXECUTIVE OFFICER



Minutes of the Ordinary Meeting of Council

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4.00pm

Council Chambers

209 Comur Street, Yass

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Citizenship Ceremony

Mr Eliezer Granado da Silva

Mr Amol Kundolam

Doctor Kristina Jahn

Open Forum

Stephen Philip

6.6 Road Repair Priorities

Allan Edwards

6.14 Petition – Urgent Repairs for Marked Tree Road, Gundaroo

Police Presentation

Inspector Dave Cowell OIC Yass Police Station

Council Meeting - The Mayor declared the meeting open at 5.09 pm.

Present

Councillors Allan McGrath, Mayor, in the chair, Jim Abbey, Cecil Burgess, Kristin Butler, Adrian Cameron, Jasmin Jones, Cayla Pothan, Mike Reid (via TEAMS) and Kim Turner.

Also present were the Chief Executive Officer – Chris Berry, Director of Planning & Environment – Julie Rogers and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

Nil

3. Declaration of Interest/Disclosures

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 February 2023 covered by resolution numbers 1-29 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed, with amendment to the voting division for Item 6.6.

(Abbey/Pothan) 30

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

5. Mayoral Minute

5.1 MAYORAL MINUTE - SENATE ENQUIRY INTO BANK CLOSURES IN REGIONAL AUSTRALIA

SUMMARY

Recommending a submission to the Senate Inquiry into bank closures considering the recent and reduced hours of local branches.

RESOLVED that a submission be made to the Senate Inquiry into bank closures.

(McGrath/Turner) 31

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

Motion

RESOLVED that the Late Reports – Item 6.17 and 10.2 Tender Evaluation Report on Gravel Supply and Deliver for LRCI Program be accepted into business of the meeting.

(Burgess/Turner) 32

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6. Reports to Council

6.1 AMENDED HOUSEKEEPING PLANNING PROPOSAL

SUMMARY

A Planning Proposal to amend the *Yass Local Environmental Plan 2013* was presented to the November 2022 Council meeting where Council determined to proceed with the proposal. A gateway determination was requested but the Department of Planning and Environment requested Council amendments to the planning proposal. Since the proposal was presented to Council additional mapping anomalies have been identified and these have been included in the amended Planning Proposal.

RESOLVED that :

- 1. Item 9 of the amended Planning Proposal (PP-2022-03) relating to 37 Rossi Street be amended to state that the land is to be rezoned to R1 General Residential and RE2 Private Recreation.**
- 2. The amended Planning Proposal (PP-2022-03) for administrative/housekeeping amendments be endorsed and forwarded to the Minister for Planning for a gateway determination.**

(Pothan/Turner) 33

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.2 DEVELOPMENT CONSENT NO DA200151 - VOLUNTARY PLANNING AGREEMENT, QUARRY REHABILITATION, 1170 MURRUMBATEMAN ROAD, MURRUMBATEMAN

SUMMARY

To present a Voluntary Planning Agreement (VPA) in relation to Development Consent DA200151 for quarry rehabilitation at 1170 Murrumbateman Road, Murrumbateman. The VPA is for the payment of monetary contributions to Council under *Yass Valley Heavy Haulage Development Contributions Plan 2021*. It is recommended that the VPA be amended to ensure the developer is responsible for Council's associated legal costs.

RESOLVED that a Voluntary Planning Agreement for the payment of contributions in accordance with Development Consent DA200151 for 1170 Murrumbateman Road, Murrumbateman:

- 1. Be amended so that the developer is responsible for Council's associated legal costs.**
- 2. Be entered into with Winjarra Pty Ltd and executed by the Chief Executive Officer on behalf of Council.**

(Jones/Burgess) 34

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Councillor A Cameron

6.3 DEVELOPMENT APPLICATION NO DA210293 - RESIDENTIAL SUBDIVISION, 2155 SUTTON ROAD, SUTTON

SUMMARY

To present the assessment of Development Application No DA210293 for a staged 18 lot subdivision of Lot 1 DP32236, 2155 Sutton Road, Sutton. The application attracted six submissions and relevant concerns can be addressed by conditions. Approval is recommended.

RESOLVED that conditional Development Consent be issued for Development Application No DA210293 for a staged 18 lot subdivision of 2155 Sutton Road, Sutton.

(Jones/Burgess) 35

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Councillor A Cameron

Foreshadowed Motion

That the DA be deferred to the April 2023 Council meeting in order to answer issues in relation to drainage and flooding.

(Cameron)

6.4 DEVELOPMENT APPLICATION NO DA220304 - DUAL OCCUPANCY, 24 BROUGHTON CIRCUIT, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No DA220304 for a dual occupancy at 24 Broughton Circuit, Murrumbateman. The application attracted five submissions. Approval is recommended.

RESOLVED that conditional Development Consent be issued for Development Application No DA220304 for a dual occupancy at 24 Broughton Circuit Murrumbateman.

(Jones/Butler) 36

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan and M Reid

AGAINST: Councillors A Cameron and K Turner

6.5 DRAFT TERMS OF REFERENCE - MURRUMBATEMAN PLAYGROUND PROJECT COMMITTEE

SUMMARY

To provide the draft Terms of Reference for the Murrumbateman Playground Project Committee.

RESOLVED that :

- 1. A Murrumbateman Playground Project Committee be formed.***
- 2. The Terms of Reference be adopted.***
- 3. Nominations be sought for the community positions.***
- 4. Councillors Reid, Butler and Jones be the representatives on the Committee.***

(Turner/Pothan) 37

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.6 ROAD REPAIR PRIORITIES

SUMMARY

To present a draft program of road repair priorities for the Yass Valley. Endorsement is recommended.

RESOLVED that:

That the Road Repairs Priorities as attached be endorsed with the following inclusions:

- ***A further review of Glenroy Road segment CH3550 be undertaken for priority work under this program or for our regular maintenance program***
- ***Marked Tree Road reconstruction be considered as a priority roads project as part of the 2023-24 operational budget.***

(Jones/Burgess) 38

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.7 HEAVY VEHICLE PERMIT UPDATE

SUMMARY

To provide Council with details of how heavy vehicle permits are issued and obtain a direction on heavy vehicles permit approval.

RESOLVED that the standard NHVR permit request responses, detailed in the report, be endorsed.

(Burgess/Turner) 39

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.8 FEMALE FRIENDLY COMMUNITY SPORT FACILITIES & LIGHTING UPGRADE PROGRAM

SUMMARY

Council has been successful in receiving \$335,936 under the Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program 2022/23 to remove the existing sports field lighting and replace with a new LED lighting system at Victoria Park. The total project amount is \$451,248 with Council required to contribute \$115,312 to the project.

RESOLVED that :

1. ***The grant funding amount of \$335,936 under the Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program 2022/23 be accepted.***

2. ***\$115,312 be allocated to the Victoria Park Field Lighting Upgrade in the 2023/24 Operational Plan and budget.***

(Pothan/Jones) 40

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.9 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE GRANT - PHASE 4 FUNDING

SUMMARY

To report to Council the receipt advice that Council will receive \$857,227 of funding under the Local Roads and Community Infrastructure program Phase 4.

Motion

1. *The grant under the Local Roads and Community Infrastructure Program Phase 4 for \$857,227 be accepted.*
2. *These funds be allocated to the following projects, subject to confirmation of funding guidelines:*
 - *Yass Memorial Hall - Stage 2 of upgrade and drainage works - \$450,000*
 - *Yass Memorial Hall – floor subsidence works- \$60,000*
 - *Category 1 Murrumbateman Playground Project - \$116,000*
 - *Gravel Re-Sheeting - \$231,227*
3. *The Operational Plan be amended to include the above changes.*

(Jones/Reid)

Amendment

That:

1. *The grant under the Local Roads and Community Infrastructure Program Phase 4 for \$857,227 be accepted.*
2. *These funds be allocated to the following projects, subject to confirmation of funding guidelines:*
 - *Yass Main Street Masterplan implementation - \$450,000*
 - *Yass Memorial Hall – floor subsidence works- \$60,000*
 - *Category 1 Murrumbateman Playground Project - \$116,000*
 - *Gravel Re-Sheeting - \$231,227*
3. *The Operational Plan be amended to include the above changes*

(Cameron/Butler)

FOR: Councillor A Cameron

AGAINST: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan, M Reid and K Turner

AMENDMENT LOST

RESOLVED that :

1. **The grant under the Local Roads and Community Infrastructure Program Phase 4 for \$857,227 be accepted.**
2. **These funds be allocated to the following projects, subject to confirmation of funding guidelines:**
 - **Yass Memorial Hall - Stage 2 of upgrade and drainage works - \$450,000**
 - **Yass Memorial Hall – floor subsidence works- \$60,000**
 - **Category 1 Murrumbateman Playground Project - \$116,000**
 - **Gravel Re-Sheeting - \$231,227**
3. **The Operational Plan be amended to include the above changes.**

(Jones/Reid) 41

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

Councillor Jones left the meeting at 6.20pm.

6.10 COUNCIL OWNED LAND, GREVILLEA CLOSE, MURRUMBATEMAN

SUMMARY

A review of the need for Council owned land in Grevillea Close, Murrumbateman has been undertaken. It is recommended that the land not be sold but retained for a future pedestrian connection into the adjoining land to the north.

RESOLVED that the Council owned land in Grevillea Close, Murrumbateman not be sold but be retained for a future pedestrian connection into the adjoining land to the north.

(Cameron/Abbey) 42

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.11 INVESTMENT AND BORROWINGS REPORT - FEBRUARY 2023

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 28 February 2023. 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 the Investment Report for February 2023 be noted.

(Pothan/Burgess) 43

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.12 SECOND 2022/23 QUARTERLY BUDGET REVIEW STATEMENTS

SUMMARY

This report represents the Second 2022/23 Quarterly Budget Review Statements (QBRs) for the period 1 October 2022 to 31 December 2022. This review shows Council's projected year end **Net Operating Result from Continuing Operations** remaining positive and is predicted to be \$7.18M in the December review. Actuals as at 31 December 2022 are showing a positive \$11.22M result with Net Operating result before Capital Items also positive at \$5.34M.

RESOLVED that :

- 1. The Second Quarterly Budget Review Statements and approve adjustments, be adopted, as detailed in the report.**
- 2. Note that in accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 31 December 2022 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.**

(Abbey/Pothan) 44

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Councillor A Cameron

6.13 CLASS ACTION BY RICHMOND VALLEY COUNCIL APPEAL UPDATE

SUMMARY

This report provides Council with an update on the decision to appeal, or not, the determination of the class action by Richmond Valley Council against Jardine Lloyd Thompson (JLT).

RESOLVED that the report on the class action by Richmond Valley Council against JLT be noted.

(Turner/Abbey) 45

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.14 YASS & DISTRICT HISTORICAL SOCIETY ARCHIVE RELOCATION BRIEFING

SUMMARY

This report is to provide Councillors with an understanding of the risks associated with the Yass Soldiers Memorial Hall and how staff determined that the upstairs level was unfit and unsafe for the Yass & District Historical Society archives to remain.

RESOLVED that the report on the Yass & District Historical Society Archive Relocation be noted.

(Turner/Pothan) 46

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.15 PETITION - URGENT REPAIRS FOR MARKED TREE ROAD, GUNDAROO

SUMMARY

Tabling a petition lodged in relation to the condition of Marked Tree Road and the need for urgent to repair the most dangerous sections of the road.

RESOLVED that the tabled petition on the condition of Marked Tree Road, Gundaroo be noted.

(Burgess/Abbey) 47

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.16 TENDER EVALUATION REPORT - PRIMARY SCHOOL SPS REFURBISHMENT

SUMMARY

This report provides advice on the submission of tenders for Primary School SPS (Sewage Pump Station) Refurbishment to upgrade civil assets.

RESOLVED that item be classified 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 for business relating to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied.

(Turner/Cameron) 48

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

6.17 TENDER EVALUATION REPORT ON GRAVEL SUPPLY AND DELIVER FOR LRCI PROGRAM

SUMMARY

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 3 Gravel Supply and Deliver (YVC.1A.05.2023).

RESOLVED that item be classified 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 for business relating to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied.

(Turner/Cameron) 49

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

7. Notice of Motion

Nil

8. Questions with Notice

8.1 QUESTIONS ON NOTICE - STAFFING LEVELS AND REDUNDANCIES

Councillor Adrian Cameron submitted the following Question on Notice:

As Yass Valley Council is a major employer in Yass Valley, there has been some disquiet in our community about staff turnover at YVC and its impact on the YVC delivery programme.

With regard to staffing at Yass Valley Council, would you please advise:

- *Is there a redundancy programme at YVC?*
- *Are there any changes to YVC organisational structure being made through this redundancy programme?*
- *What is the number of staff vacancies at the end of February 2023 relative to budgeted staffing levels?*
- *What positions have been vacant for three months or more including those filled by temporary staff and / or contractors?*
- *How many redundancies has there been and/ or offered to YVC Staff in the 2022/2023 financial year and have these redundancies followed process as per the Local Government Award?*
- *What is the total cost YVC of all redundancies offered in the 2022/2023 financial year?*
- *How has the staff turnover affected our delivery programme?*

Note: Response provided in the Business Papers.

8.2 QUESTION ON NOTICE - ASSET CONDITIONS, THEIR RATINGS AND FINANCIAL IMPLICATIONS

Councillor Adrian Cameron submitted the following Question with Notice:

*In the unaudited Yass Valley Council 2021/2022 special schedule report on infrastructure assets, almost 74% rated 'Satisfactory', and approximately 25% rated as either 'Excellent' or 'Good'. **None** are rated 'Poor' or 'Very Poor'.*

By contrast, YVC January 2022 Building Asset Management Plan States that approximately 43% of the portfolio is "POOR" or 'VERY POOR', with almost 10% rated as end of life', compared with none in the special schedule report.

Why do the conditions ratings for buildings in the Financial Statement appear to completely contradict YVC adopted Asset Management Plans, and has the Auditor-General been advised of this discrepancy?

Note: Response provided in the Business Papers.

8.3 QUESTION WITH NOTICE - IMPLEMENTATION OF THE YASS MAIN STREET MASTERPLAN AND THE OPEN SPACE STRATEGY

Councillor Adrian Cameron submitted the following Question with Notice:

A number of questions are being asked in our community about the future of the Yass Main Street Masterplan and the Open Space Strategy.

- *What Is the plan for implementation of the Yass Main Street Master Plan and the Open Space Strategy?*
- *What are the timelines for implementation of the Yass Main Street Masterplan and the Open Space Strategy?*
- *What are the next steps for each of these two projects to ensure implementation of both?*

Note: Response provided in the Business Papers.

9. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE AND RESCUE COMMITTEE MEETINGS HELD ON 16 FEBRUARY 2023

RESOLVED that the minutes of the Local Emergency Management Committee and Rescue Committee meetings held on 16 February 2023 be noted.

Turner/Pothan) 50

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

9.2 MINUTES OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE HELD ON 28 FEBRUARY 2023

RESOLVED that the minutes of the Economic Development Advisory Committee meeting held on 28 February 2023 be noted.

(Pothan/Burgess) 51

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

9.3 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION BOARD MEETING HELD ON 24 FEBRUARY 2023

RESOLVED that the minutes of the Canberra Region Joint Organisation Board meeting held on 24 February 2023.

(McGrath/Cameron) 52

Minutes of the Ordinary Meeting of Council held on 23 March 2023

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

10. 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:

10.1 Tender Evaluation Report - Primary School SPS Refurbishment

Item 10.1 is confidential in accordance with section s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, 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.

10.2 Tender Evaluation Report on Gravel Supply and Deliver for LRCI Program

Item 10.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Turner/Burgess) 53

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

Closed Council commenced at 6.48 pm.

Open Council resumed at 6.53 pm.

RESOLVED that the meeting move into Open Council.

(Turner/Burgess) 54

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

RESOLVED that the recommendations in Closed Council be adopted.

(Burgess/Cameron) 55

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

10.1 TENDER EVALUATION REPORT - PRIMARY SCHOOL SPS REFURBISHMENT

SUMMARY

This report provides advice on the submission of tenders for the Primary School SPS Refurbishment (YVC-IA-21-2022).

RESOLVED that the tender submitted by QMax Pumping Systems Pty Ltd to Primary School SPS Refurbishment (YVC-IA-21-2022 be accepted for a total cost of \$192,282.00(ex GST) or \$211,510.20 (GST inclusive).

(Turner/Abbey) 56

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

10.2 TENDER EVALUATION REPORT ON GRAVEL SUPPLY AND DELIVER FOR LRCI PROGRAM

SUMMARY

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 3 Gravel Supply and Deliver (YVC.1A.05.2023).

RESOLVED that the tender submitted by Bald Hill Quarry for the Gravel Supply and Deliver for LRCI Program be accepted for a total cost of \$808,074.

(Burgess/Cameron) 57

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

The meeting closed at 6.54 pm.

6.1 DEVELOPMENT APPLICATION NO DA210093 - RESIDENTIAL SUBDIVISION, 46 HILLVIEW DRIVE, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No DA210093 for a 37 lot subdivision of Lots 5 and 6 DP1220039, 46 Hillview Drive, Murrumbateman. The application attracted four submissions and relevant concerns can be addressed by conditions. Approval is recommended.

RECOMMENDATION

That deferred commencement Development Consent be issued for Development Application No DA210093 for a 37 lot subdivision of Lots 5 & 6 DP1220039, 46 Hillview Drive, Murrumbateman.

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 2021*
- *Biodiversity Conservation Act 2016*
- *Roads Act 1993*
- *Local Government Act 1993*
- Yass Valley Local Environmental Plan 2013
- Yass Valley Community Engagement Strategy
- Yass Valley Development Contributions Plan 2018
- Road Standards Policy
- Building Line Policy
- Application Assessment and Decision Making Policy

REPORT

1. Application Details

Date Received	-	28 April 2021
Land	-	Lots 5 and 6 DP1220039, 3482 Barton Highway and 46 Hillview Drive, Murrumbateman
Area	-	10.473 ha
Zoning	-	RU5 Village

2. Site Description and Locality

The development is located on Hillview Drive, Murrumbateman, approximately 460m from its intersection with the Barton Highway. The site is irregular in shape and has an area of approximately 10.473ha. The site is bound by agricultural land to the north, east and south and existing rural residential style development to the north-west. For the most part, the agricultural land to the north and east is separated from the development site by Hillview Drive and the future Barton Highway duplication corridor.

Improvements on the site consist of the Hillview homestead and various farm buildings. A creek runs along the north-west and southern boundaries of the site and an easement for overhead power lines traverses the north-western section of the site. A right of carriageway from Hillview Drive provides an alternate access to the homestead. Rows of trees are located around the farm structures and along fence lines. Established trees and typical residential landscaping exist in and around the curtilage of the homestead.

The locality is characterised primarily by single storey detached dwellings, ancillary outbuildings and farm structures.

A Locality Plan is included in **Attachment A**.

3. Proposal

The proposed development is for a 37 lot residential subdivision with lots ranging in size from 1,500m² to 1.004ha. As such, the proposal complies with the minimum lot size of 1,500m².

As part of the subdivision the following is proposed:

- Demolition of all existing farm buildings
- Filling on proposed lots 5, 6 and 7 to ensure adequate land area is above the 1 in 100 year flood level
- Filling of the dam located on proposed lot 16
- Tree removal
- Construction of a road off Hillview Drive
- Installation of a sewer pump station on Council owned land
- The transfer of land/laneway to Council for access to sewer pump station
- Installation of sewer infrastructure
- Installation of stormwater infrastructure – stormwater to be discharged into the creek
- Connection to Council's reticulated water supply
- Installation of underground electricity lines and removal of overhead infrastructure and associated easements running through the subject land
- Creation of an easement for drainage of sewage denoted as E2 on the subdivision plan
- Creation of an easement 15m wide (final width dependent upon completion of civil works) traversing through proposed lots 21 and 24
- Creation of building envelopes over proposed lots 5 to 8 and 11 to 24
- Construction of a 5m wide x 1m high vegetated soil mound denoted as E3 on the subdivision plan within lots 23-28 to decrease noise and visual impacts of the future Barton Highway corridor

Proposed plan of subdivision is included as **Attachment B**.

4. Public Exhibition

Public exhibition included notice to eight adjoining and nearby landowners and a notice published on Council's website. Four submissions were received during the public exhibition period.

The issues raised in the submissions are discussed as part of the assessment below.

The submissions are provided in **Attachment C** and Applicant's response to submissions is contained in **Attachment D**.

5. Referrals

Internal referrals have been completed by Development Control, Infrastructure and Assets, Strategic Planning and Environmental Services. No objections were raised subject to the inclusion of conditions of any consent that maybe issued.

The application was referred externally to:

- Transport for NSW (TfNSW)
- Department of Planning & Environment—Water (DPE Water)

No objections have been raised subject to the inclusion of requirements in any approval that may be issued. The referral responses are included in **Attachment E**.

6. Assessment

The proposed development has been assessed against the requirements of s4.15 *Environmental Planning & Assessment Act 1979*. It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment F**).

The following planning issues have been identified including the response to the issues raised in submissions.

6.1 Contaminated Land

The Preliminary Site Investigation confirms the historical use of the site for agricultural activities and identifies two potential areas of concern being:

- Locations of three historic unused above ground storage tanks which contained diesel and fuel and one additional above ground storage tank containing diesel which is still in use
- Asbestos and other hazardous materials in the site sheds proposed for demolition

The Detailed Site Investigation Report (DSIR) undertook a targeted assessment concluded that the potential sources of contamination at the site were likely associated with the storage of diesel and fuel products in above ground storage tanks and storage of equipment and vehicles.

No suspected asbestos containing material or hydrocarbon odour was evident within the soils or observed on the building rubble stockpiles. The DSIR concludes there was no evidence that near surface and shallow soils within the investigation area would pose an unacceptable risk to human health for a residential use.

However, the DSIR recommends targeted sampling of soil at depth around the truck storage area to confirm the depth and extent of contamination and categorically close out the potential pathway to groundwater receptor.

State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55), State Environmental Planning Policy (Resilience and Hazards) 2021 requires the consent authority to be satisfied that land is suitable, or can and will be made suitable, for the proposed development and resulting land use. Given that further testing is required and depending on the outcome of this testing, a remediation action plan and validation plan maybe required to be submitted to Council. On this basis, it is recommended to Council that a deferred commencement development consent be issued.

6.2 Heritage

The Hillview homestead and garden is listed as a heritage item under the *Yass Valley Local Environmental Plan 2013* (LEP) and is proposed to be located on proposed lot 4 of the subdivision. The development application notes that no alterations, disturbance, demolition or impact of the proposed development is envisaged on the heritage item.

The application was referred to Council's Heritage Advisor for comment and no concerns were raised. It is determined that is unlikely the subdivision would have a significant impact on the heritage significance of the heritage item.

6.3 Flooding

Concern has been raised that the proposed development is subject to flooding which will increase with the Barton Highway duplication infrastructure.

The site is identified as being within the 'mainstream flooding' and 'mainstream flooding outer floodplain' defined by *Murrumbateman Floodplain Risk Management Plan and Study 2021*.

The Applicant has shown the extent of flood planning area as well as the 1:100 year flood on the subdivision plan. Any Consent that maybe issued should contain the following requirements:

- Details of compliance with applicable flood planning controls to be submitted for approval, including finished floor levels for flood affected lots.
- The finished floor levels are to be included in a Restriction to User to ensure future development is compatible with the flood risk of each proposed lot.

6.4 Site Suitability

A submission raises concern that the proposal is isolated from the Murrumbateman village and the site is not suitable as it is not in keeping with the current residential development in

Murrumbateman. This will break the formal development of the village given all the residential development is on the western side of the Barton Highway.

The site is currently zoned RU5 Village under the provisions of the LEP with the proposed development being consistent with the zone objectives. The proposal is in keeping with surrounding residential development.

6.5 Barton Highway Duplication and Intersection with Hillview Drive

A concern has been raised that traffic issues are not adequately addressed as 16 lots will be closely impacted by Barton Highway duplication and its major intersection and flyover bridge with Hillview Drive. Noise pollution and loss of amenity on two sides cannot be moderated by a proposed embankment. The intersection of the proposed development with Hillview Drive needs to be upgraded.

The development application states that the eastern boundary of the proposed subdivision have been defined in consultation with TfNSW. Whilst some of the lots would be located in the vicinity of the duplication corridor, any likely impacts would be manageable through the careful siting and design of the dwellings. To this end, it is proposed that a soil mound approximately 5m wide and up to 1m high covered with vegetation along the eastern boundaries of proposed lots 23 to 28 and any future dwellings would be required to be designed and built with noise abatement treatments.

6.6 Entrance

A submission urges that the main entrance via Hillview Drive to Murrumbateman village needs to be inviting and aesthetically pleasing to tourists, visitors and residents since it is a rapidly growing wine tourist and rural residential/lifestyle centre.

No entry feature is proposed as part of the proposed subdivision.

6.7 Riparian Landscape Management

A submission raises concern that there are four sites selected for restoration plantings in the riparian landscape management plan (being two on the recreation ground and two on the subdivision side) but no street tree planting is included. Also it is not clear who is responsible for the implementation of the riparian landscape management plan.

The aim is to reinstate landscape functionality in areas of active erosion which may destabilise the riparian corridor and in areas that will have minimal impact on or be impacted by flood events.

Advanced street trees will be planted within the road reserves of the proposed new roads as part of subdivision works. Any approval that maybe issued will require submission of a detailed landscaping plan including cultivar, common and botanical names, height and spread at maturity.

The developer will be responsible for the implementation of the riparian landscape management plan. A condition has been included in the draft conditions requiring submission of a riparian management plan including details of bank stabilisation, details of revegetation and priority weeds clearance.

6.8 Connectivity to Other Parts of the Village

A submission seeks clarification if a footpath will be constructed in the laneway between proposed lots 4 and 5 with lighting and could the existing foot bridge be upgraded. A foot bridge is needed for connection to other parts of the village.

The laneway between proposed lots 4 and 5 is specifically placed to enable access for Council to the proposed sewer pump station. This laneway will be dedicated to Council and it along with a footpath will be constructed in accordance with the requirements of Council's *Road Standards Policy*.

A pedestrian link between the proposed subdivision and the existing village centre is not proposed due to proximity of existing horse arenas on Recreation Ground and the potential for

conflict between pedestrian and horses (this is an issue when a DA for the subdivision of the subject site was previously considered by Council). It is also not identified in the *Murrumbateman Recreational Ground Strategic Plan 2021*.

The street lighting is required for vehicular and pedestrian safety and provide night amenity. Determination of light design and illumination depends upon road category and is to comply with *AS/NZS 1158, NSW Public Lighting Code* and the Essential Energy standards. Final details of street lighting will need to be provided and approved as part of Subdivision Works Certificate application.

6.9 Filling

A submission raises concern that fill for the development should only be virgin excavated natural material (VENM) as there is a high risk of contamination from excavated natural material (ENM) fill. The contamination could seep into the ground and overflow from the filled areas into the riparian area adversely affecting the flora and fauna in this area.

Fill is to be sourced on site during the subdivision works so that neutral cut/fill outcomes are achieved. It is proposed that 60m³ of fill will be used to ensure that the building envelopes are located outside the 1 in 100 flood level.

6.10 Naming of Subdivision

Concern is raised that the subdivision should not be promoted as an 'Estate' as it is part of Murrumbateman village. The term 'Estate' gives the impression that it is separate from the village and may fractionalise some in the community. Naming the new road should be determined early and the promotional material state that name to show the location of this subdivision.

This is not a valid planning issue.

6.11 High Density Development

A submission raises the concern that fill will be required to raise the height of the building envelopes whilst several lots could still go under water. This could result in expensive house and contents insurance. The development could be redesigned to eliminate any building envelopes from flood planning area. This could mean high density development further up the hillside to make up for not building in a flood prone area.

The Flood Assessment Report determines that the lots and building envelopes have been placed to be clear of the flood planning area subject to stormwater drainage, infrastructure works and filling.

6.12 Sustainable Community Living

A submission suggests that this development represents an opportunity to create a model for sustainability with solar panels and community battery system.

This comment is noted and each new landowner within the subdivision can install solar panels and batteries if they wish.

6.13 Breach of Dam Upstream

A submitter raises the concern that one of the flood modelling plans envisaged the breach of a dam upstream. The submission questions if there is a big enough dam to cause such damage, a new dam is proposed or is it simply a contingency plan.

Dam failure scenario helps in determining if more stringent controls are required to be implemented. The risk associated with the failure of a dam upstream of the site has been taken into consideration in the flood modelling and risk assessment. The assessment concludes that the risk to the future development of the site is very low in the event of a dam failure.

6.14 Tree Removal, Vegetation and Biodiversity Impacts

A large portion of the vegetation on site is required to be removed to facilitate the proposed development. The Pasture Species Assessment Report concludes that the groundcover on site is not native vegetation. The *Arboriculture Impact Assessment Report* (AIAR) identifies about 299 trees within the site that are likely to be affected by the proposed development and assesses their overall health.

Under *Biodiversity Conservation Act 2016* any development over a site identified with potential biodiversity values is required to be supported by a test of significance. Should the test of significance identify that the development will have an impact on threatened species or ecosystems which exceeds the test of significance or involves clearing of more than 0.25 ha *Biodiversity Development Assessment Report* (BDAR) must be submitted

The submitted *Flora & Fauna Assessment Report* (FFAR) states that the area is characterised by exotic trees and exotic pasture grasses and weed. Approximately 0.03ha of native vegetation (planted native trees) would be required to be removed along with exotic trees and groundcovers. It concludes that the proposal does not trigger entry into the Biodiversity Offset Scheme as:

- The native vegetation clearing threshold for the property is not exceeded
- No areas of Biodiversity Values mapping will be affected
- The proposal is not likely to result in a significant impact to any threatened entity

To mitigate the impacts of the proposed subdivision and to improve environmental outcomes, the FFAR recommends trees are to be assessed for the presence of bird nests prior to removal. If active bird nests are present during the tree removal they are to be carefully removed in the presence of an ecologist or wildlife handler. In addition, a dam dewatering plan is required to be prepared to guide the process and to allow native aquatic fauna within the dam to be captured and relocated. These measures will be included in any approval that maybe issued.

On this basis, it is considered that the proposal is unlikely to have a significant impact on threatened species, populations or communities.

6.15 Stormwater Drainage and Dam Removal

Concern was raised in relation to the filling of the dam and the stormwater drainage considerations, including the potential impact that the subdivision will have on neighbouring development.

A review of the *Stormwater Master Plan and Flood Impact Assessment* indicates that there is opportunity for stormwater drainage to be appropriately dealt with and full engineering design drawings will be required prior to the issue of a Subdivision Works Certificate. The Flood Impact Assessment indicates that the building envelopes and future dwelling areas are outside of an area inundated by a 1 in 100 year flood event. However, 60m³ fill is required on the southern portions of proposed Lots 5, 6 and 7 to a maximum depth of 0.2m to ensure the building envelopes are above the 1 in 100 year level.

A drainage easement is required to convey the eastern tributary/drainage line through the site. To ensure no offsite flood impact occurs civil design of the drainage easement/flow path is required to be submitted prior to the issue of a Subdivision Works Certificate.

A dewatering plan will be required for the dams to be removed and any turtles and fish (if present) relocated by a suitable person.

6.16 Golden Sun Moth

The submission raises the concern that neighbouring properties have established golden sun moth habitat. However, no ecological study has been provided. This needs to be assessed for site suitability/suitable offsets provided.

The FFAR assesses the potential biodiversity impacts associated with the proposed subdivision and notes that no threatened flora and fauna species were recorded, and none are expected to occur due to the extent of disturbance and lack of appropriate habitat. Moreover, the vegetation to be removed does not function as part of a habitat corridor for any threatened species.

6.17 Run-Off

An objection raised concerns with the management of gross pollutant runoff. The runoff will affect the water quality used for growing lucerne.

Prior to issue of a Subdivision Works Certificate, the Applicant is required to submit engineering drawings and calculations associated with the drainage of stormwater. These documents are required to include details of the discharge of stormwater off the site (including quantities for various storm events and 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.

6.18 Barton Highway/Hillview Drive Intersection

A submission raises the concern that the submitted traffic study is from 2018 and specifically states 'no specific analysis of Barton Highway has been undertaken'. What are the roadworks Council will require to Hillview Drive, the new intersection with Hillview Drive and the intersection of Hillview Drive and existing and future Barton Highway. How is the future Barton Highway by-pass major intersection with Hillview Drive reflected in the new intersection design?

Due to the proximity of a crest on Hillview Drive west of proposed intersection of the new subdivision road with Hillview Drive, a safe intersection sight distance of a minimum of 151 metres may not be achieved. Therefore, upgrade works to lower the crest/improve the sight distance on Hillview Drive are required. Basic Left and Right Turns (BAL & BAR) are also required to be constructed on Hillview Drive at the intersection with the new proposed road.

Hillview Drive is required to be upgraded along the frontage of the subject property to a Local Secondary category in accordance with Council's *Roads Standards Policy and Design & Construction Specification – AUS-SPEC #1*.

In the absence of a design for the future Barton Highway it is onerous to require works to be carried out relating to Hillview Drive intersection with future Barton Highway. This will be considered when the bypass design is complete.

6.19 Noise

Concern is raised that noise from the future bypass, flyover bridge and intersection will impact on future dwellings.

The Statement of Environmental Effects states that eastern boundary of the subject land was defined with the assistance of TfNSW to ensure that it correctly reflects the Barton Highway duplication corridor and will not impact any design or construction requirement. TfNSW has not objected to the lots along eastern boundary being closer to future alignment of Barton Highway and have recommended that the future development on the proposed allotments should be designed such that the traffic noise from Barton Highway is mitigated and all habitable rooms under ventilated conditions comply with the requirements of Building Code of Australia/National Construction Code for sound insulation. A Restriction to User is included in the draft conditions that requires all dwellings to be constructed to meet these requirements.

6.20 Connection to Water and Sewer Reticulation

A submission raises the concern that the application assumes connecting to village water supply and sewer and queries whether these services are available to this land.

Water and sewer services are not readily available to this land. The applicant is required to design and install water main from the existing water main located in Fairley Street. Similarly, sewerage system including sewage pump station are required to be designed and installed to discharge to Council’s sewer system located along the Barton Highway. Any approval of the proposed subdivision will contain these requirements

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that a deferred commencement development consent be issued. Draft conditions are included in **Attachment G**.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.4 - Future development, particularly at the residential/agricultural and the residential/industrial interfaces, should be planned for the managed to minimise potential conflict between adjacent land uses
Delivery Program Action	Include information in the Development Control Plan

- ATTACHMENTS:**
- A. Locality Plan [⇨](#)
 - B. Plan of Subbdivision [⇨](#)
 - C. Submissions [⇨](#)
 - D. Applicant's Response to Submisisons [⇨](#)
 - E. Agency Responses [⇨](#)
 - F. s.4.15 Assessment [⇨](#)
 - G. Draft Conditions [⇨](#)

6.2 CONTAMINATED WASTE REMOVAL

SUMMARY

Waste transfer stations at Binalong, Bowning, and Murrumbateman have stockpiles of asbestos contaminated waste. Contaminated piles are separated from staff and public with warning signs. The contaminated waste is stable, however it is exposed and requires removal.

RECOMMENDATION

That \$215,000 be transferred from the Waste Reserve to fund the removal of contaminated waste piles from Binalong \$120,000, Bowning \$60,000, and Murrumbateman \$35,000 transfer stations.

FINANCIAL IMPLICATIONS

The Waste Reserve currently has a balance of \$2.9M with \$530,000 committed for current projects.

POLICY & LEGISLATION

- *Work Health & Safety Act 2011*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- Asbestos Management Policy

REPORT

Waste deposited at Binalong, Bowning, and Murrumbateman transfer stations has found to be contaminated with asbestos. The waste sites have been segregated and fenced off from the public with signs. Waste piles are intact and stable, however are exposed and pose potential risk.

It is recommended that funds from the Waste Reserve be used to fund the removal of contaminated waste.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN4: Water, waste and sewerage services meet the needs of our community
Strategies	IN4.3 - Our recycling and waste management practices are accessible and efficient
Delivery Program Action	Operate Waste Transfer Stations in Yass, Murrumbateman, Binalong, Bowning, Wee Jasper and Gundaroo

ATTACHMENTS: Nil

6.3 MURRUMBATEMAN TRANSFER STATION AUTOMATED PUMP

SUMMARY

The Murrumbateman old landfill site has an approved EPA contaminated water holding pond. The pond retains and circulates water via a manual petrol pump. Water is pumped to sprinklers and dispersed over the capped landfill site.

Access to, and operation of the pump, has been identified in a risk assessment to present an unacceptable risk to staff.

RECOMMENDATION

That \$97,000 be transferred from the Waste Reserve for the supply and installation of an automated electrical pump at the Murrumbateman old landfill site.

FINANCIAL IMPLICATIONS

The Waste Reserve currently has a balance of \$2.9M with \$745K committed to current projects.

POLICY & LEGISLATION

- Work Health & Safety Act 2011
- Work Health & Safety Regulation 2017
- WorkCover Codes of Practice
- Work Health & Safety Policy

REPORT

The Murrumbateman old landfill area has a contaminated water retention pond to capture water from within the capped landfill site as per Environment Protection Authority requirements. The pond prevents potential contaminated water from escaping into the broader environment.

To ensure water levels do not breach the catchment pond, the water is pumped from the pond to sprinklers located within the capped landfill site. This requires constant monitoring by staff and the manual activation of the system twice per day.

There are several work, health and safety (WHS) issues identified with the current processes.

The creation of a suitable road access way from the transfer station to the pump site is a possible option. However, this option is not feasible as construction activity work may compromise the landfill capping.

The installation of an automated electrical pumping system can be achieved without disturbance to the landfill capping, and is the preferred option.

It is recommended that an automated electrical pump be installed to resolve this WHS issue.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN4: Water, waste and sewerage services meet the needs of our community
Strategies	IN4.3 - Our recycling and waste management practices are accessible and efficient
Delivery Program Action	Operate Waste Transfer Stations in Yass, Murrumbateman, Binalong, Bowning, Wee Jasper and Gundaroo

ATTACHMENTS: Nil

6.4 YASS WATER TREATMENT PLANT UPGRADE PROJECT UPDATE

SUMMARY

The Yass Water Treatment Plan Upgrade Project is an important and challenging project for Council. Bimonthly update reports are a requirement of the Council.

RECOMMENDATION

That the update report and work completed on the Water Treatment Plant Upgrade Project be noted.

FINANCIAL IMPLICATIONS

Budgets are allocated for Stage 1 Construction and for the Stage 2 & 3 Design and Business Case development in the Operational Plan. Budget was also allocated for purchase of additional land for WTP extension.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

1. Background

The upgrade of the Yass Water Treatment Plant was progressed in three stages until January 2023:

- Early Works package includes installation of bubble plume aeration at Yass Dam, upgrade of Raw Water Pump Station (RWPS), and urgent works at Yass Water Treatment Plant
- Major treatment plant upgrades
- Rehabilitation of selected treatment process units in the existing WTP

1.1 Stage 1 – Early Works (completed)

- Funding Deed was executed by the NSW Treasury for \$2,542,966 on 14 March 2022
- Project Components:
 - Yass Dam (construction of pipeline and underwater installation of diffuser pipes in the floor of the dam)
 - RWPS (new electrical switch board, control system, refurbishing of pumps and a compressor for bubble plume aeration)
 - Yass WTP (installation of dosing equipment for alum, potassium permanganate, water quality monitoring equipment, control system)
- Construction works commenced in February 2022 and by the end of December 2022 “Practical Completion” was achieved.
- Project activities were completed at the end of February 2023 and the Deed was finalised.
- Actual cost was \$2.208M and savings of approximately \$335k will remain with HAF for use in future upgrades.
- Monitoring of Yass Dam water quality with bubble plume aeration and performance of WTP continues to inform overall upgrade.

The Stage 1 upgrade works made it possible to run the WTP at a slower rate during the flood event in August 2022 and in October 2022. This capability together with the enhanced alum dosing and control system enabled the operation staff to produce drinking water within the Australian Drinking Water Guidelines; however, this required the plant to be shut off for periods

when it was incapable of treating incoming raw water. Treated water storage was also depleted to critical levels during the periods where water could not be treated.

Even after Stage 1 Upgrade works, risk of failure to comply with drinking water guidelines and a potential “Boil Water Alert” during these extreme flooding events remains. This is due to unprecedented levels of deterioration of raw water quality evidenced during the August and October 2022 flood events. As new records are set due to the wetter wet periods, dryer dry periods and increased storm events brought on by the changing climate the existing treatment plant will be less able to meet treatment requirements.

Commissioning of bubble-plume aeration system in December 2022 disturbed the accumulated sediments in the dam and caused issues with discolouration. The system has stabilised by mid-February 2023 and water quality in the Yass Dam has stabilised in the absence of any significant rainfall during this period.

1.2 Next Steps in WTP Upgrade

Consultations:

Consultations with DPE Water and HAF to seek guidance to progress with the Stage 2 and 3 design and business case continued since August 2022.

- DPE Water maintained its view that improvements of Stage 1 Upgrade on water quality need to be monitored over a period of at least one year and reflected in Stage 2 and 3. Therefore, no design works should commence until after 2024.
- Council staff raised concerns to the security of water supply due to risks remaining after the implementation of Stage 1 Upgrade. These risks are:
 - Ageing electrical and control infrastructure
 - Chemical storage and handling issues
 - Workplace health and safety issues
 - Inadequate treated water storage capacity during emergencies
 - Control of water reticulation at the WTP site.
 - Pathogen risks due to unprotected catchment that came into force in the September 2022 update of the Australian Drinking Water Guideline.

DPE Water and HAF agreed the above issues require urgent attention at a meeting on 18 August 2022 and to devise ‘Stage 1A’. Follow-up consultations progressed with HAF and DPE Water to revise the Deed for Design and Business Case and to progress post-Stage 1 Upgrade.

Update March 2023:

At a meeting on 19 January 2023 attended by the representatives of Treasury/INSW, HAF, DPE Water, Council staff and consultants, the following were agreed.

- a. Prepare a business case for the overall upgrade of WTP based on a high-level concept design
- b. Identify road map for overall upgrade of WTP
- c. Immediate risks to be the next stage within the overall framework of WTP Upgrade

Consultation with all stakeholders continued and Scope of Works to prepare the business case that will inform the best investment strategy was endorsed by HAF on 4 April 2023. Revision of existing Deed with Treasury is in progress.

2. Business Case (BC) for Yass WTP Augmentation

Work to develop a BC to confirm the preferred option for additional investment at the Yass Water Treatment Plant (WTP) will consist of:

- a. High-level concept design and options assessment
- b. Business Case conforming to NSW Government Business Case Guidelines (TPP18-06)

Works commenced on 12 April 2023. Timeline for major deliverables are as follows:

- Options Selection Briefing Paper - Aug 2023
- High-level Concept Design and Site Layout - Sep 2023
- Draft Business Case - Oct 2023
- Final Business Case - Dec 2023

Final Business Case is required to go through an HAF Assurance process prior to funding.

3. Consultation with DPE (Water)

Council continues to consult with HAF and DPE Water on WTP Upgrade works and extensive inputs were obtained in the Scope of Works for the Business Case. HAF and DPE Water will be part of Project Steering Group that will meet monthly with Council staff and consultants (BecaHunterH2O).

4. Land for WTP Extension

Purchase of land for extension of WTP was concluded on 4 April 2023. Council now owns LOT 1 DP1290121 (formerly part of 32 Cooks Hill Road).

5. Next Steps

- Approval from Treasury/INSW on Review of Deed
- Progress activities to complete Business Case for overall upgrade of WTP

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN4: Water, waste and sewerage services meet the needs of our community
Strategies	IN4.1 - Ensure high quality water supply options for the towns in region
Delivery Program Action	Upgrade of Yass Water Treatment Plant

ATTACHMENTS: Nil

6.5 INVESTMENTS AND BORROWINGS REPORT - MARCH 2023

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 March 2023. 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 & Borrowings Report for March 2023 be noted.

FINANCIAL IMPLICATIONS

The investment portfolio assists with Council's cash flow and funding of projects identified in the Operational Plan.

POLICY & LEGISLATION

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

REPORT

1. Comments on Economic Climate

At its March 2023 meeting, the Reserve Bank of Australia (RBA) raised its policy rate by 25bps. Although the RBA noted that a further tightening of monetary policy is likely to be required, there were also indications that the April 2023 meeting would consider the case for a pause. In response to these comments and a downward shift in US interest rate expectations following the banking sector developments, investors now expect the RBA to start cutting rates in the second half of this year. Lower-than-expected CPI inflation in February 2023 has strengthened this view.

Indicators of economic activity generally point to slowing momentum in the Australian economy. The economy grew by a weaker-than-expected 0.5% in the December quarter. Consumer spending slowed noticeably as households face falling real wage growth and higher interest rates, and consumer confidence remains weak. More recently, although retail sales values rose slightly in February 2023, there has been no growth in retail spending for the past 6 months. Building approvals also continued to trend lower in January and the housing market more broadly remains subdued.

In contrast, the labour market remained tight in February 2023 with strong employment growth and the unemployment rate falling to 3.5%. Survey measures of business conditions also remain resilient. Net overseas migration to Australia has continued to rebound strongly, which should help alleviate labour market shortages and support economic activity.

Source: Tcorp

Monthly Economic commentary – 1 April 2023

2. Summary of movements in Council Investments

Four investments matured during March 2023, and there are two new investments created during March 2023.

Opening Balance 1 March 2023	\$24,500,000
Less: 4 x Maturities	\$5,000,000
Add: 2 x New Deposit	\$2,900,000
Closing balance at 31 March 2023	\$22,400,000

Council is currently conforming to its investment ratios. Information on Council’s investments is detailed in **Attachment A**.

During the month of March 2023 some investments were not renewed, and the monies were brought into our NAB working account to facilitate the purchase of land for the water fund. Due to the ratings of the maturing term deposits at the time, coupled with Mystate changing from “Not rated” to being rated “A2 / BBB+”, we have exceeded our limit on “Investment Exposure by Credit Rating Type” in Category “BBB Category / A-3”. This is a timing issue with the next chance to upgrade an investment due on the 3 May 2023.

3. Council Loans

Council has four loans with a balance of \$14.59M owing on 30 June 2022. This will reduce by \$745,599 during the year, reducing to \$13.85M on 30 June 2023. The table below provides loan details. Indicative repayments for 2022/23 are shown for both principal and interest.

	Projected Balance as at 30 June 2022	Projected Balance as at 30 June 2023	Interest rate	Comment	Principal 2022/23	Interest 2022/23
General Loan	-	-	-	-	-	-
Sewer - CBA Loan for Sewer Infrastructure	3,593,096	3,399,115	4.82% Fixed	20 years, repaid in 2035/36	193,981	169,757
Water - NAB/Westpac Dam wall	8,276,585	8,084,976	5.36% Fixed	20 years amortisation, 10 years term to Aug 2032	191,608	355,937
Water - Yass to Murrumbateman water supply (Tcorp)	1,761,055	1,528,248	2.55% Fixed	10 years, fully repaid in 2029	232,807	42,692
Water main and pump station upgrades (Tcorp)	962,226	835,022	2.55% fixed	10 years, fully repaid in 2029	127,204	23,327
TOTAL LOANS	14,592,962	13,847,362			745,599	591,713

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Actively manage investments

ATTACHMENTS: A. Investments and Borrowings Report - March 2023 [⇒](#)

6.6 PRESENTATION OF AUDITED FINANCIAL STATEMENTS 2021/22

SUMMARY

The Audit Office report on the Annual Financial Statements for the year ended 30 June 2022 have been received. Council is now required to adopt the financial statements and to authorise the presentation of the audited statements to the public.

RECOMMENDATION

That the 2021/22 Annual Financial Statements be adopted and approve placing financial statements on public exhibition.

FINANCIAL IMPLICATIONS

Financial results determine Council's ability to provide goods, services and facilities and to carry out activities appropriate to the current and future needs of the local community and of the wider public.

POLICY & LEGISLATION

- *Local Government Act 1993*
- Australian Accounting Standards and Professional Pronouncements
- Local Government Code of Accounting Practice and Financial Reporting

REPORT

1. Summary

There was additional work required in finalising the Financial Statements this year, as work was required to balance the asset revaluations. The financial statements were provided to the Audit Office per the agreed schedule; however Council was asked to apply for two extensions by Deloitte and the Audit Office as the deadline agreed upon at the start of the process was unable to be met.

The Audited Statements, incorporating the Audit Office Reports, are finalised (**Attachment A**). The audit reports were submitted to the Office of Local Government prior to the 31 March 2023 deadline.

As indicated in the Independent Auditor's report (page 63) Council's audit is Qualified due to "non-disclosure in Note E3-1 to the financial statements, the Council has not recognised rural fire-fighting equipment as assets within 'Infrastructure, property, plant and equipment' in the Statement of Financial Position at 30 June 2022". This was a conscious decision that Council resolved to not include, along with almost all NSW Councils.

Council's net operating result from continuing operations is a surplus compared to last financial year, due to capital grants that were awarded and not completed, as well as the way grants are now reported in accordance with the Accounting Standards.

In accordance with s420 *Local Government Act 1993*, Council's audited financial statements will be available on Council's website for the next 28 days. Any person may make submission in writing to Council with respect to the Council's Audited Financial statements or the Auditors Reports.

A representative from Deloitte's will provide a presentation at this meeting and will be available to answer questions from Councillors.

A summary of the Financial Statements is provided below:

	2022 \$000	2021 \$000
Income Statement		
Total income from continuing operations	54,472	49,591
Total expenses from continuing operation	34,891	33,969
Operating result from continuing operations	19,581	15,622
Net operating result for the year	19,581	15,622
Net operating result before grants and contributions provided for capital purposes	1,131	(2,200)
Statement of Financial Position		
Total current assets	45,512	40,573
Total current liabilities	(18,202)	(12,778)
Total non-current assets	485,168	434,477
Total non-current liabilities	(14,993)	(15,928)
Total equity	497,485	446,344
Other Financial Information		
Unrestricted current ratio (times)	2.39	3.36
Operating performance ratio (%)	4.07%	(1.35%)
Debt service cover ratio (times)	5.30	3.38
Rates and annual charges outstanding ratio (%)	5.59%	6.25%
Infrastructure renewals ratio (%)	343.15%	134.30%
Own source operating revenue ratio (%)	49.40%	51.50%
Cash expenses cover ratio (months)	16.41	4.16

2. Key items to note from Financial Year 2021/22

2.1 Operating grants & contributions

Operating grants and contributions increased by 53% as compared with original budget, mainly attributable to Council receiving 75% of financial assistance grant payment in advance for next year \$1,160k, additional grants for water supply network \$715k, local roads special purpose grant \$410k, and the emergency services grant \$255k.

2.2 Capital grants and contributions

Capital grants and contributions increased by 58% as compared with original budget, mainly attributable to Council receiving additional capital grants for water supply network \$929k, local roads special purpose grants \$3,253k, NSW Transport contributions \$1,365k, and the non-cash contribution of subdivision dedications \$1,919k.

2.3 Interest and investment revenue

Due to unprecedented low interest rates on offer for investments, Councils interest income received from the investment of surplus funds was much lower than originally anticipated.

2.4 Net gains from disposal of assets

Councils original budget of \$458k net gain from assets disposal was based on the expected sale proceeds of plant and equipment. However, the actual result, a loss of \$2,452k, is attributable to the disposal of infrastructure residual value from the assets renewal throughout the year.

2.5 Other income

Other income increased by \$2,356k compared with original budget, mainly attributable to increment in the fair value of the investment property from the revaluation undertaken in the year.

2.6 Material and services

Materials and Services increased by \$3,454k as compared with original budget and Other Expenses decreased by \$3,771k as compared with original budget, mainly attributable to the Local Government Code of Accounting Practice and Financial Reporting 2020/21 as it requires a change to the classification of some operating expenses previously Other Expenses to Materials and Services.

2.7 Borrowing costs

Borrowing costs reduced by 28% mainly attributable to the landfill remediation and restoration costs of \$320k included in the original budget.

2.8 Depreciation, amortisation and impairment of non-financial assets

Depreciation expenses increased by \$2,011k as compared with original budget, mainly attributable to additions of infrastructure assets of \$12.3m and water supply network of \$10.3m in 2021.

2.9 Other expenses

Materials and Services increased by \$3,454k as compared with original budget and Other Expenses decreased by \$3,771k as compared with original budget, mainly attributable to the Local Government Code of Accounting Practice and Financial Reporting 2020/21 as it requires a change to the classification of some operating expenses previously Other Expenses to Materials and Services.

2.10 Statement of cash flows

Cash flow from operating activities increased by \$14,486k as compared with original budget, mainly attributable to additional grants and contributions for the year, including FAG \$1,378k, operating grants \$1,364k, capital grants \$4,112k, Development Contributions \$779k, and non-cash contributions \$1,920k, and gross up of GST credit \$3,601k.

Cash flow from investing activities increased by \$13,523k as compared with original budget, mainly attributable to the increase in the payment for IPPE during the year.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Abide by Accounting Standards and OLG accounts regulations

ATTACHMENTS: A. Audited Financial Statements 2012/22 [⇒](#)

6.7 2022/23 Q2 AMENDED QUARTERLY BUDGET REVIEW STATEMENTS

SUMMARY

This report provides an amended Second 2022/23 Quarterly Budget Review Statements (QBRS) for the period 1 October 2022 to 31 December 2022. This review shows Council's projected year end **Net Operating Result from Continuing Operations** remaining positive and is predicted to be \$7.18M in the December review. Actuals at 31 December 2022 are showing a positive \$11.22M result with Net Operating result before Capital Items also positive at \$5.34M.

RECOMMENDATION

That:

1. *The amended adjustments to the Income & Expenses Budget for the Q2 Quarterly Budget Review Statements, as detailed in the report, be adopted.*
2. *In accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 31 December 2022 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure be noted.*

FINANCIAL IMPLICATIONS

The details of Council's projected year end operating result before capital changes for the 2022/23 financial year are contained within the report below.

POLICY & LEGISLATION

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

REPORT

During the Council meeting held in March 2023 and a subsequent email from a community member, further clarifications were raised on the Income and Expenses Budget Review Statement by Type and Activity. There was a software error in loading the report and then it was discovered that page 2 of the Quarterly Budget Review Statements (QBRS) was missing from the March Ordinary Council Meeting papers.

The Finance team reviewed the QBRS and have amended the Income & Expenses Budget. This report provides an amended Income & Expenses Budget, as well Recommended Changes to Revised Budget pages of Q2 2022/23 QBRS Review.

Council has forecast an increased deficit in **Net Operating Result before Capital Items** from \$912K, as presented to Council in the 2022/23 Operational Plan, to \$7.5M for the 2022/23 Financial Year budget. Due to continued staff turnover and shortages commencing in the third quarter review last financial year, the end of financial year reporting periods, and a prolonged 2021/22 year end audit, staff have not been available to complete a full search for possible savings. This has meant that during this second quarter budget review, the addition of capital and operational projects, as well as operational expenses has created a new forecast deficit of \$7.51M.

It is important for Council to be aware that the additional projects and expenses are only budgeting issues, and Council is currently in a sound financial position.

This is highlighted by:

- **Net Operating Result from Continuing Operations** remaining positive and is predicted to be \$7.18M in the December review. Actuals at 31 December 2022 are also showing a positive \$11.22M result with Net Operating result before Capital Items as positive at \$5.34M.

- Council is continuing to maintain its **Total Cash & Investments** with a projected year end result of \$35.68M for the year end and an Actual figure of \$34.98M at 31 December 2022.

The amended Income and Expenses budget appears as **Attachment A** and has been produced in accordance with the guidelines and standards issued by the Office of Local Government.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Abide by Accounting Standards and OLG accounts regulations

ATTACHMENTS: A. Amended QBRS [⇨](#)

6.8 ARIC NON-VOTING COUNCIL MEMBER

SUMMARY

Internal audit has no direct involvement in day-to-day operations of Council. A Council's internal audit function reports to an Audit, Risk & Improvement Committee (ARIC) which provides independent advice to the Council's governing body and Chief Executive Officer on the performance and governance of the Council.

RECOMMENDATION

That Council determine if they wish to nominate a Non-Voting Councillor to sit on the CRJO Audit & Risk Improvement Committee.

FINANCIAL IMPLICATIONS

Nil

POLICY & LEGISLATION

- OLG Guidelines for Risk Management and Internal Audit for Local Government in NSW

REPORT

All Councils operate in uncertain and changing environments. Risk is defined as the effect of this uncertainty on a Council's ability to achieve its goals and objectives, where the effect is the potential for a result that is different to what was expected or planned for.

- **Risk management** is an essential part of a Council's management and internal control framework. It looks at what risks the council may face and the best way to address these risks. Assessment and management of risk is central to determining internal audit activities.
- **Internal controls** are any actions taken by a Council to manage both the positive and negative impact of risk on the organisation and its community. Management has primary day-to-day responsibility for the design, implementation, and operation of internal controls.
- **Internal audit** is an essential component of a good governance framework for all Councils. It is a mechanism that a Council uses to receive independent assurance that its internal controls and risk management is effective and that it is performing its functions legally, effectively and efficiently and to advise on how it can improve its performance.

Council is a member of the Canberra Region Joint Organisation (CRJO) Audit, Risk & Improvement Committee (ARIC). The first meeting of this Committee was held on 20 March 2023 at the Goulburn Mulwaree Council Chambers. The Committee is made up of the following members:

- Chair: Stephen Coates
- Independents: Diana Hamono; Rachel Harris; and Bryce McNair
- Non-voting: Warwick Bennett, CRJO; Andrew Croke, ULSC; Lynette Safranek, YVC; Brendan Hollands, GMC
- Internal Audit: Paul Fitzsimons

The draft guidelines give Councils an option of appointing one non-voting Councillor member to their Committee, who meets the eligibility criteria for councillor members of committees (refer **Attachment A** page 19). The Mayor cannot be appointed as a Councillor member of a Council's ARIC.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.4 - Governance provides a sound basis for decision making
Delivery Program Action	Decisions made in accordance with LG Act and Regulations

ATTACHMENTS: A. Risk Management & Internal Audit for Local Government in NSW Guidelines [↗](#)

6.9 GRANTS UPDATE: OCTOBER 2022 TO MARCH 2023

SUMMARY

In line with Council’s Community Strategic Plan and Delivery Program, Council staff continually source grant funding to assist council, community groups, and local businesses. This report outlines grant applications covering the period October 2022 to March 2023.

RECOMMENDATION

That the report on Community Grants be noted.

FINANCIAL IMPLICATIONS

Without grant funding, Council would be unable to provide various road and community programs to enhance the wellbeing of our residents. Grants are also essential to assist with Economic Development within the Yass Valley.

REPORT

Table 1 below outlines community grant programs staff have either applied for or distributed to community groups, individuals, or business.

Applications submitted	Funding provider	Community involvement	Total funding	Approved	Completed
<ul style="list-style-type: none"> National Science Week at YV Library 	NSW Gov. Inspiring Australia	Youth, Yass Library	\$4,600	TBC	
<ul style="list-style-type: none"> Caravan Parks Grant Program 	Australian Government Dept. Trade & Investment	Sent to Yass Valley Caravan Parks through direct email	\$300,000	TBC	N/A
<ul style="list-style-type: none"> STA Country Arts Support Program 	Southern Tablelands Arts	Community Arts	\$3,000	TBC	
<ul style="list-style-type: none"> Regional Tourism Activation Fund – Round 2 	Dept. Regional NSW	Several community groups and businesses	Economic growth	TBC	
<ul style="list-style-type: none"> Library Co-Design community consultation 	Charles Sturt University, NSW Public Libraries	Yass Valley Library	Services rather than income	Yes	Commenced
<ul style="list-style-type: none"> Business Case & Strategy Development Plan Funding 	Dept. Regional NSW	Southern Tablelands Councils – Goulburn Mulwaree, Upper Lachlan Shire, Queanbeyan-Palerang Regional, Hilltops, Yass Valley	\$175,000	Yes	Underway
<ul style="list-style-type: none"> Community Reconnect Funding 	Dept. Premier & Cabinet	Over 20 community group and individual events	\$301,708	Yes	Underway
<ul style="list-style-type: none"> STEM Community Partnerships Program 	CSIRO, Dept. Regional NSW	Yass High School and a local business	Community value	Yes	Underway
<ul style="list-style-type: none"> Regional Event Fund: Event Development Fund 	Destination NSW	All business and community groups through Newsletter	Economic growth	No	

Applications submitted	Funding provider	Community involvement	Total funding	Approved	Completed
• Trees for Queen’s Jubilee program	Industry Science & Resources	Bookham Hospital Auxiliary	\$9,500	Yes	Completed
• Youth Winter Break Program	Dept. Regional NSW	Several community groups and businesses	\$5,000	Yes	Completed
• Seniors Festival 2023	Dept. Regional NSW	Several community groups and businesses in the Yass Valley	\$5,000	No	Completed with other funding
• Small Business Month 2022	Small Business Council of NSW	Yass Valley Business Chambers and 9 local small businesses	\$10,000	Yes	Completed
• Youth Spring Break Program	Dept. Regional NSW	Several community groups and businesses	\$5,000	Yes	Completed
• Youth Summer Break Program	Dept. Regional NSW	Several community groups and businesses	\$15,000	Yes	Completed
• Arts & Culture Funding Program	Create NSW	Community members	Community Event	Unknown	

Table 2 is a summary of capital grants for recreation facilities.

Project	Value	Commence date	Completion due date
DPIE – Riverbank Park Playground	\$2,000,000	Commenced 2022	May 2023
Murrumbateman Dog Park	\$30,000	Commenced 2022	June 2023
CRIF – Caravan Park Design	\$50,000	October 2022	April 2023
CRIF – Bowning Amenities Building	\$150,000	October 2022	February 2023
SCCF3 – Murrumbateman water/Sewer Services	\$183,000	October 2022	June 2023
SCCF3 – Murrumbateman Storage Shed & Horse Yards	\$200,000	October 2022	April 2023
Sutton Footpath	\$10,000	March 2023	June 2023
SCCF5 – Skate Park Extension	\$500,000	June 2023	June 2025
SCCF5 – Wee Jasper Carpark	\$200,000	June 2023	June 2025
SCCF5 – Murrumbateman Storage Shed	\$150,000	June 2023	June 2025
SCCF5 – Murrumbateman Field Irrigation	\$150,000	June 2023	June 2025
MSCFF – Murrumbateman Amenities Building	\$1,400,000	June 2023	June 2025
FFSCFF – Victoria Park Lighting Upgrade	\$450,000	June 2023	June 2025
Murrumbateman Playground	\$750,000	2023/24	2023/24
Bowning Cricket Pitch	\$20,000	2023/24	2023/24
Caravan Park BBQ Shelter	\$20,000	2023/24	2023/24
Bowning Playground	\$30,000	2023/24	2023/24
O’Connor Park Boat Ramp	\$50,000	2022/23	2022/23
Yass Cemetery Plinth & Irrigation	\$25,000	2022/23	2022/23

Table 3 is a summary of capital grants for roads.

Project	Status	Value	Completion due date
Local Roads and Community Infrastructure Program phase 3 (LRCI) <ul style="list-style-type: none"> Re-sheeting \$1M Memorial Hall Roof Repairs \$700k 	Commenced	\$1,714,454	30 June 2025
Regional and Local Road Repair Program Round 2 (RLR RP)	Program being developed	\$2,295,489	29 Feb 2024
Fixing Local Roads Pothole Repair Round (FLR PRR)	Commenced	\$432,341	01 Jan 2024
Fixing Local Roads round 2 (FLR 2)	Commenced	\$2,612,000	30 June 2023
Roads to Recovery (RTR)	Commenced	\$857,227	30 June 2023
Block Grant (Regional Roads)	Commenced	\$400,000	30 June 2023

Council staff constantly monitor the NSW RDA Grant Guru site which lists all grant opportunities Australia wide, as well as other funding providers (both Government and Non-Government) to ensure staff are aware of any grants that either Council or community groups could utilise.

Staff also distribute the Eden Monaro Grants Bulletin, NSW Government Grants, Business Australian Government site, and Grant Guru opportunities to community and businesses.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.3 - Seek out and pursue grant funding opportunities
Delivery Program Action	Support community groups to apply for grants for renewal, upgrades and new infrastructure

ATTACHMENTS: Nil

6.10 2023 SENIORS FESTIVAL REVIEW

SUMMARY

Due to the NSW State Government Reconnect grant program, Council was able to offer an extensive range of varied events and activities over 4 weeks during February and March 2023, across the Yass Valley for seniors.

RECOMMENDATION

That the 2023 Seniors Festival Review report be noted.

FINANCIAL IMPLICATIONS

This event was fully funded from the NSW Government Reconnect Funding program.

POLICY & LEGISLATION

Nil

REPORT

The Seniors Festival was able to provide a range of varied activities across many different locations within the Yass Valley (refer **Attachment A**).

We had approximately 280 seniors register for the Seniors Month Program over February and March 2023. Out of 15 activities we had 13 of these booked out. High Teas were very popular and sold out within a day of publication.

One of the criticisms staff received for this event was that people couldn't book it as events filled so quickly. It was noted that some residents registered for every single event, and others registered but did not turn up leaving spots vacant that could have been filled. The next Seniors Program we will consider limiting attendance to activities to enable a broader range of community members to attend.

Council received great feedback from people who attend, as well as for the staff who organised the event eg

From late February to mid-March, I was fortunate enough to attend some of the free activities held across the Yass Valley aiming to reconnect us seniors with one another and our community. I have been a Yass Valley local majority of my life, only recently moving from a rural property into the township of Yass when lockdowns hit – the calendar of events that Yass Valley Council hosted across the region, gave me an opportunity meet other seniors from the area, who are outside my circle of friends and create new friendships. Often after the events or workshops a group of us new acquaintance would go for coffee or lunch, and eagerly discuss our next outing. Attending one of these events was often the highlight of many of us seniors weeks, filling in the social outings when our families return to life post-Christmas break. Thank you to Yass Valley Council, especially Robyn & Lynette – who were always present for each event, went above and beyond the responsibility in caring for us and making sure we were well looked after and enjoying ourselves – I know that many of us are hopeful that these types of events will continue in the future. – Jeanette

This event demonstrated that there is a definite need for events for our Seniors. While a lot of local businesses were used for the events, there is an opportunity to use more.

Staff have already started drafting a plan for a Spring Seniors Program, with an aim to get more males involved.

A collection of photos from the program is included in **Attachment B**.

STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.1 - Events celebrate the identity of our towns and villages, heritage and culture
Delivery Program Action	Assist community with events or activities that celebrate identity, heritage and culture

- ATTACHMENTS:**
- A. Seniors Festival Program [⇒](#)
 - B. Seniors Festival Photos [⇒](#)

**6.11 TENDER EVALUATION REPORT - PROVISION OF ENGINEERING GEOTECHNICAL SERVICES
YVC.IA.07.2023 - 3 YEAR CONTRACT**

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Provision of Engineering Geotechnical Services YVC.IA.07.2023 - 3 Year Contract.

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.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this procurement. The works tendered for are on an ‘as needed basis’ and when undertaken form the preliminary works to a larger project i.e. road rehabilitation or bridge replacement. The project would then fund the required investigation works.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

1. Background

Council undertakes many Capital works projects each year, to enable a more efficient process Council established a term contract for the preliminary tasks required including geotechnical investigation services. This has allowed major projects to continue without delay due to individual procurement processes and has worked extremely well across multiple road and bridge projects for the last several years.

The current contract with D&N Geotechnical Pty Ltd has expired, therefore Council have gone back to the market and re-tendered for the renewal of a geotechnical service company. The works include the provision of varied geotechnical services to Council on a ‘as required basis’ based on a per hour rate, for a three year period with the option of a two year extension.

2. Tender

Tenders were called on 24 February 2023 and closed on 20 March 2023. Five tenders were received from the following organisations:

Organisation	Address
ACT Geotechnical Engineers Pty Ltd	5/9 Beaconsfield Street, Fyshwick ACT
ADE Consulting Group Pty Ltd	Unit 6/7 Millennium Court, Silverwater, NSW 2128
D&N Geotechnical Pty Ltd	Unit 11, Trevor Pearcey House, Block C, Traeger Court, 28-34 Thynne Street, Bruce ACT
Macquarie Geotechnical Pty Ltd	3 Watt Drive, Robin Hill, NSW 2795
SMEC	MMJ Building, Level 2, 6-8 Regent Street, Wollongong NSW 2500

A report on the tender evaluation is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN1: We have transport links that connect towns within the region and increase access to significant centres
Strategies	IN1.3 - Renew, upgrade and create new road assets to meet community needs
Delivery Program Action	Sealed road upgrade program (grant funding only)

ATTACHMENTS: Nil

**6.12 TENDER EVALUATION REPORT - PROVISIONS OF ENGINEERING SURVEY SERVICES
YVC.IA.08.2023 - 3 YEAR CONTRACT**

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Provision of Engineering Survey Services YVC.IA.08.2023 - 3 Year Contract.

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.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this procurement. The works tendered for are on an ‘as needed basis’ and when undertaken form the preliminary works to a larger project i.e. road rehabilitation or bridge replacement. The project would then fund the required investigation works.

POLICY & LEGISLATION

- Local Government Act 1993

REPORT

1. Background

Council undertakes many Capital works projects each year, to enable a more efficient process Council established a term contract for the preliminary tasks required including engineering survey services. This has allowed major projects to continue without delay due to individual procurement processes and has worked extremely well across multiple road and bridge projects for the last several years.

The current contract with Diverse Project Solutions Pty Ltd (DPS) has expired, therefore Council have gone back to the market and re-tendered for the renewal of an engineering survey service company. The works include the provision of varied survey services to Council on an ‘as required basis’ based on a per hour rate, for a three year period with the option of a two year extension.

2. Tender

Tenders were called on 24 February 2023 and closed on 20 March 2023. One tender was received from the following organisation:

Organisation	Address
Diverse Project Solutions Yass Pty Ltd	7 Adele Street, Yass NSW 2582

A report on the tender evaluation is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN1: We have transport links that connect towns within the region and increase access to significant centres
Strategies	IN1.3 - Renew, upgrade and create new road assets to meet community needs
Delivery Program Action	Sealed road upgrade program (grant funding only)

ATTACHMENTS: Nil

6.13 TENDER EVALUATION REPORT - MURRUMBATEMAN RECREATION GROUND AMENITIES BUILDING CONSTRUCTION YVC.IA.01.2023

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Murrumbateman Recreation Ground Amenities Building Construction YVC.IA.01.2023 Contract.

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

Council received funding of \$1,400,000 under the NSW Government Infrastructure Grants Multi-Sport Community Facility Fund 2022/23 which has been included in the 2022/23 Operational Plan and Budget. Council is required to contribute \$700,000 which has also been included in the 2022/23 Operational Plan and Budget.

POLICY & LEGISLATION

- Local Government Act 1993
- Murrumbateman Recreation Ground Strategic Plan 2021

REPORT

1. Background

Council received funding of \$1,400,000 under the Multi-Sport Community Fund 2022/23 to construct a new multi-purpose amenities building within the Murrumbateman Recreation Ground. Council engaged an architect to undertake the building design which includes change rooms, toilets, referee room, canteen, storage room and disabled amenities. This design was presented to community and sporting user groups and was received with great result.

2. Tender

Tenders were called on 10 March 2023 and closed on 3 April 2023. A total of eight tenders were received from the following organisations:

Organisation	Address
Briarwood Construction T/A Ram Construction	Unit 10, 96-98 Vicars Street, Mitchell ACT 2911
Cercol Construction P/L	PO Box 846, Fyshwick ACT 2609
GJ Gardner Homes	400 Auburn Street, Goulburn NSW 2580
Gundagai Constructions Services P/L	111 Sheridan Street, Gundagai NSW 2722
Monarch Building Solutions P/L	PO Box 1379, Fyshwick ACT 2609
Rice Construction Group P/L	PO Box 1404, Armidale NSW 2350
Structen Pty Ltd	48 Crookston Drive, Camden South NSW 2570
Total Project Construction P/L	342 Wallaroo Road, Hall ACT 2618

A report on the tender evaluation is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.2 - Our community infrastructure is accessible, adaptable and suitable for multiple user groups and fosters inclusive, healthy, and active recreation opportunities
Delivery Program Action	Implementation of priority projects identified in the Yass Valley Open Space strategy

ATTACHMENTS: Nil

6.14 2023/24 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

SUMMARY

This report is to consider all applications for 2023/24FY Community Section 356 Financial Assistance by community, groups, organisations, and individuals.

RECOMMENDATION

This item is classified CONFIDENTIAL in accordance with Section 10A(2)(b and c) of the Local Government Act 1993, which permits the meeting to be closed to the public business relating to the personal hardship of a resident or ratepayer and information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

FINANCIAL IMPLICATIONS

A total of \$90,950 has been allocated in the draft 2023/24FY Operational Plan.

POLICY & LEGISLATION

- Community Financial Assistance, Donations, and Heritage Grants Policy

REPORT

A total of 43 applications for community financial assistance has been received at Council.

The applications have been reviewed by staff to ensure each application is eligible for this type of financial assistance, how the funding has a community benefit, the amount requested, and a suggested allocation by Council.

A report on the applications is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

Key Pillar Our Community

CSP Strategy CO1 - Our health and wellbeing are supported by equitable access services

Delivery Program Action CO1.1 - Our community is able to access information, health and services that support physical health and mental wellbeing

Operational Plan Activity Support community groups with mental health wellbeing events and activities

ATTACHMENTS: Nil

6.15 CRAGO MILL PRECINCT BORROWINGS

SUMMARY

The Crago Mill Precinct Design has been developed to a point where a funding source needs to be accessed and approved to facilitate this project to fruition. Council engaged the services of an experienced Corporate Banking and Advisory Finance Broker, John Bowes of Robo Capital, to obtain funding proposals from major loan institutions.

RECOMMENDATION

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 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

The acceptance of a loan institution will enable Council to:

- Negotiate and secure a loan with the preferred institution,
- Make payment of either a one off establishment fee or ongoing establishment fee, and
- Make regular require loan repayments for the term of the loan.

POLICY & LEGISLATION

- *Local Government Act 1993.*

REPORT

As reported to Council on 28 April 2022, a Development Application (DA) for this project was submitted to the Regional Planning Committee for consideration. The Planning Panel met on 22 February 2023 and considered the final draft modifications to the Consent. The latest communications from the team leader indicated that DA approval would be finalised soon.

In March 2023, a broker was engaged to obtain finance quotations. As per the *Local Government Act 1993*, tenders are not required for finance loans. Two Build Cost Plans were submitted to the broker for consideration, the broker used these cost plans to obtain funding source quotations.

Build Cost Plan Options and funding source quotations are included in the Closed Session of this meeting for Council's consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.2 - Our community infrastructure is accessible, adaptable and suitable for multiple user groups and fosters inclusive, healthy, and active recreation opportunities
Delivery Program Action	Construction of Crago Mill Precinct

ATTACHMENTS: Nil

9.1 MINUTES OF THE COUNTRY MAYORS ASSOCIATION MEETING HELD ON 9 MARCH 2023

REPORT

The minutes of the Country Mayors Association meeting held on 9 March 2023 are included in **Attachment A**.

From these minutes there are no items which covers a matter 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

Accordingly the minutes are presented for information.

RECOMMENDATION

That the minutes of the Country Mayors Association meeting held on 9 March 2023 be noted.

ATTACHMENTS: A. Country Mayors Association Minutes 9 March 2023 [⇒](#)

10 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:

10.1 Tender Evaluation Report - Provision of Engineering Geotechnical Services YVC.IA.07.2023 - 3 Year Contract.

Item 10.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.2 Tender Evaluation Report - Provision of Engineering Survey Services - YVC.IA.08.2023 - 3 Year Contract

Item 10.2 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.

10.3 Tender Evaluation Report - Murrumbateman Recreation Ground Amenities Building Construction YVC.IA.01.2023

Item 10.3 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.

10.4 2023/24 Community Financial Assistance Applications

Item 10.4 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 section s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.5 Crago Mill Precinct Borrowings

Item 10.5 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.