



Ordinary Meeting of Council

Thursday 25 May 2023

4.00pm

Council Chambers

209 Comur Street, Yass

ATTACHMENTS TO REPORTS

Ordinary Meeting of Council

Attachments to Reports

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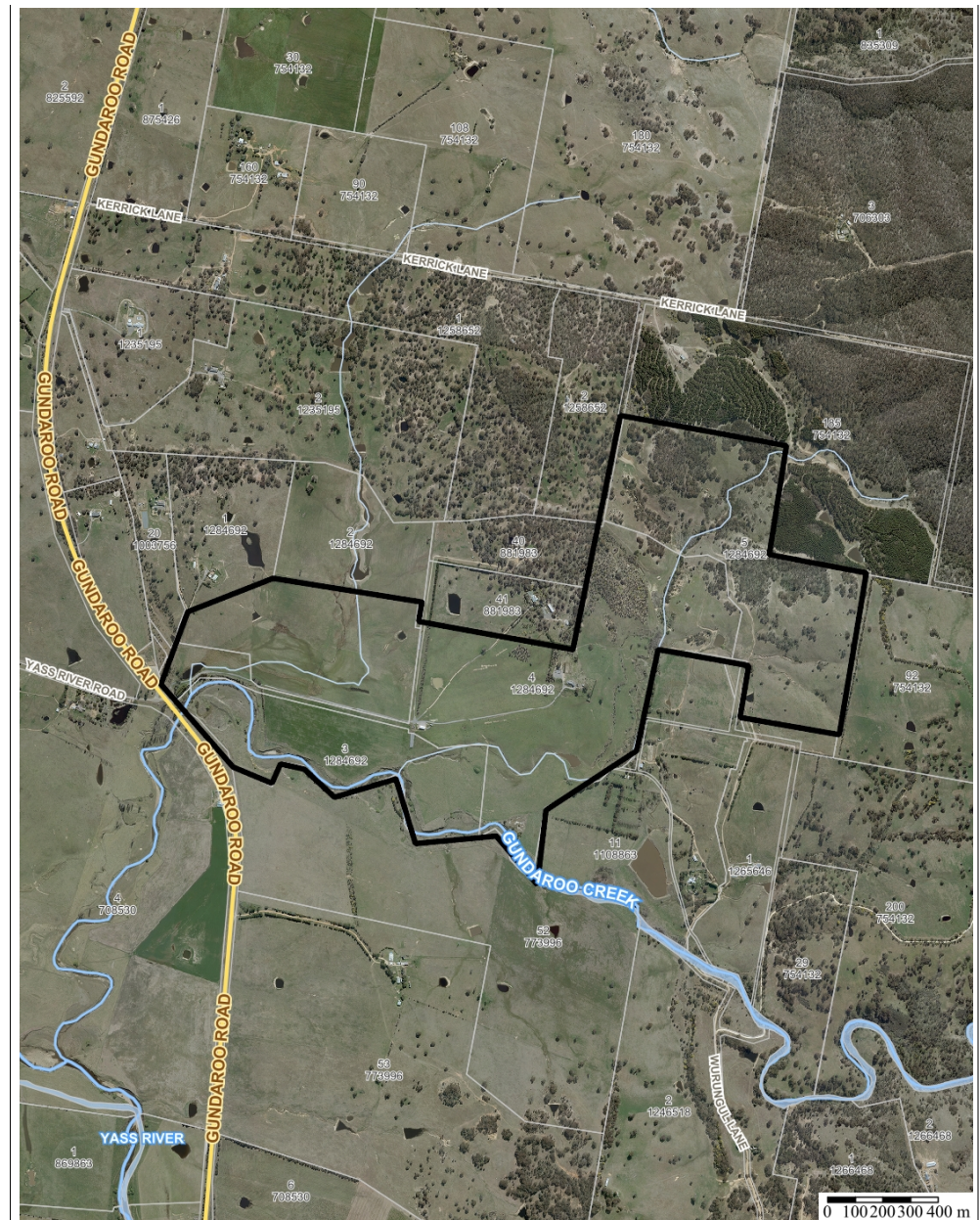
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6.1 Variations to Development Standards Quarterly Report
Attachment A Variations to Development Standard Report for the First Quarter (January-March) of 2023

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Postcode	Description of Development	Environmental planning instrument	Zoning of land	Development standard to be varied	Extent of variation	Determination	Date DA determined dd/mm/yyyy
DA220076	13 14 2	786575 786575 1243702	7	Iceton Place	Yass	2582	Staged 74 lot community title subdivision	Yass Valley LEP 2013	R5 Large Lot Residential C2 Environmental Conservation	Clause 4.1AA Minimum Lot Size for Community Title Schemes	5%-10%	Approved	2/02/2023

6.2 Development Application No DA230018 - Four Lot Subdivision Creating One Additional Lot, 4338 Gundaroo Road, Gundaroo
Attachment A Locality Plan





Yass Valley Council
PO Box 6
209 Corner Street
YASS NSW 2582
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Drawn By: Ian Dencker

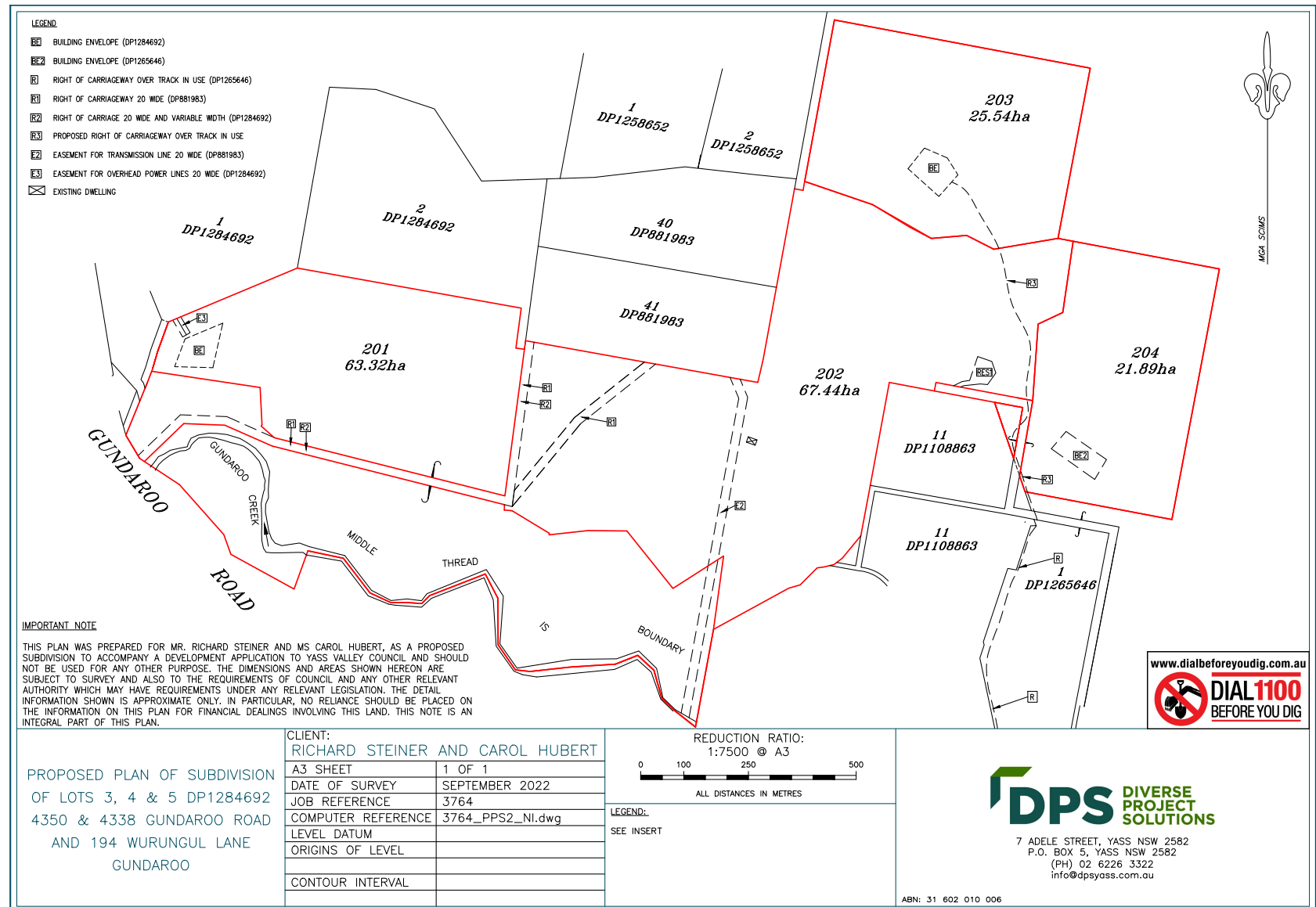
Projection: GDA94 / MGA zone 55

Date: 18/05/2023 9:58 AM

Locality Plan

Map Scale: 1:18240 at A4

6.2 Development Application No DA230018 - Four Lot Subdivision Creating One Additional Lot, 4338 Gundaroo Road, Gundaroo
Attachment B Proposal

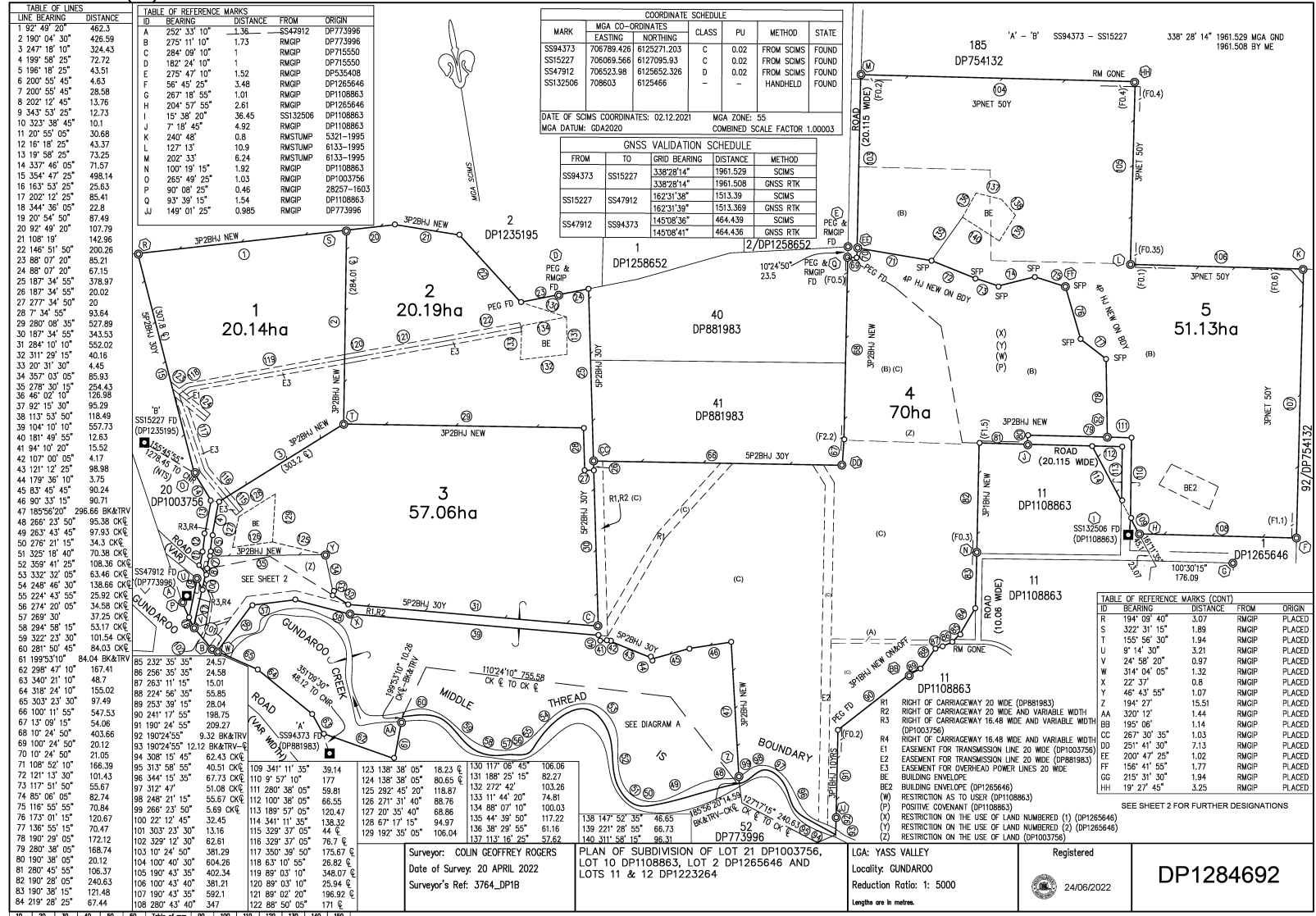


6.2 Development Application No DA230018 - Four Lot Subdivision Creating One Additional Lot, 4338 Gundaroo Road, Gundaroo
Attachment C Deposit Plan 1284692

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 2 sheets



Submission #1

From: [REDACTED]
Sent: Tuesday, 14 February 2023 11:58 PM
To: [YVC Customer Service Team](#)
Subject: Submission relating to DA230018

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Yass Valley Council

DA230018 - [REDACTED]

LOT 4 DP 1284692, 4338 Gundaroo Road, LOT 3 DP 1284962 4350 Gundaroo Road & LOT 5 DP 1284692 194 Wurungul Lane. (The DP for Lot 5, 194 Wurungul Lane may be incorrect, I think it should be DP1265646).

We are the owners of [REDACTED] which adjoins [REDACTED] for approximately 1.35 kilometres along our southern boundary. As adjoining landholders we are concerned about the following:

1. We are concerned about the potential pressure to use the vacant crown road between our block and Lot 203, of the proposed subdivision, on our western boundary, to access Kerrick Lane which is essentially a private road in that it does not provide legal access to the public road network. The applicant has previously stated a desire to access Kerrick Lane via the vacant crown road described above, [REDACTED]
2. The unused crown road in question was drafted in the 1800's without any consideration to topography and vegetation. The corridor is not suitable for vehicular access.
3. We have applied to the Crown Roads Department for the closure of the unused crown road on the basis of public safety, due to the potential for a dangerous intersection being created with Kerrick Lane, and environmental concerns relating to severe erosion and potential tree removal in the crown road corridor. Several years ago, Council prohibited us from using the crown road to access Kerrick Lane due to a ridge that severely restricts visibility to about 20 metres, to the East, where the crown road joins Kerrick Lane.
4. Kerrick Lane is a narrow, dead end road that provides access to about 6 properties. Any significant increase in traffic would be unsafe. We are concerned about the potential for through traffic from Marked Tree Road to Kerrick Lane that could be triggered by a track appearing to link the two. This can occur when entities such as Google pick up new roads in their imagery and publish them on their online maps. Google does not distinguish between public and private roads. This misleading information often ends up on GPS receivers used by the general public.

We request that council places a covenant on [REDACTED] such that access from that block, or any future subdivisions thereof, to a public road, will not be available via the unused crown road to Kerrick Lane.

We submitted an application to close the vacant crown road in December 2020 and have the support of the relevant neighbours. We ask that council also support our application to close the

crown road between Lot 185, DP754132 and Lot 5, DP1258652, for safety and environmental reasons.

[REDACTED]
[REDACTED]
[REDACTED]

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Submission #2

[REDACTED]
[REDACTED]
[REDACTED]

18 February 2023

Jeremy Knox
Development Planner
Yass Valley Council
PO Box 6
YASS NSW 2582

Dear Mr Knox,

Objection to Development Application DA230018 - [REDACTED]
[REDACTED]

1. I wish to lodge a formal objection to the above development application based on the following grounds

Road Access:

2. The existing Right of Way that, under the DA, will serve Lots 202, 203 and 204 passes close to the residence located on [REDACTED] and exceptionally close (30 metres) to the residence on [REDACTED]. The noise and dust generated by the additional through-traffic using the RoW that would occur if the DA is approved poses a significant risk to the health and wellbeing of the residents of these adjacent lots.

3. RD-POL 9 - Road Standards Policy 3.3 states that the right of carriageway must provide safe, all weather access. Access to proposed Lots 202, 203 and 204 cross Gundaroo Creek, and additionally Lot 203 requires to cross a third order stream (Water Management (General) Regulation 2018 hydroline spatial data). The crossing on Gundaroo Creek becomes impassable with as little as 20mm of rain. The existing ford across Gundaroo Creek does not provide "safe all weather access", with five known vehicles since 2017 suffering significant damage not to mention risk to safety of occupants after being caught in increased stream flows. We are concerned that with additional movements on Wurungul Lane / RoW, there is increased risk to public safety arising from additional traffic pressure on the ford. I recommend access to Lots 202, 203 and 204 is via Gundaroo Road which is far less susceptible to flooding.

4. Furthermore the right of carriageway through Lot 1 DP 1265646 and Lot 11 DP 1108863 has not been constructed to the required specification for more than one Lot access as per Table 1.0 of RD-POL 9 - Road Standards Policy. The initial carriageway was built to 3.5m width with 100mm base. Should the proposed subdivision proceed, we would expect the developer to upgrade the RoW to meet requirements under Table 1.0, RD-POL 9 for the five lots that use the

RoW to access Wurungul Lane i.e upgrade the existing RoW to 4.5m wide carriageway with 150mm base.

5. If the proposed subdivision is approved 11 Lots will have access to Marked Tree Road via Wurungul Lane. Given the additional traffic the subdivision will generate on Wurungul Lane (3x Lots), in addition to the existing use, Yass Valley Council must accept transfer of Wurungul Lane for the purposes of maintenance to meet Local Road Hierarchy Level 4 (RD-POL 9 Table 3.0 Rural Road Standards).

6. Consideration must be given to reducing dust by sealing Wurungul Lane, especially near the residence and building envelopes on Lots 1 and 2 DP1246518. The amount of dust generated by the volume of traffic poses a significant health and wellbeing risk to the residents.

7. The intersection of Wurungul Lane and Marked Tree Road is presently unsafe for the volume of traffic Wurungul Lane experiences at present, let alone with the creation of Lots 202, 203 and 204. Due to the sealed road edge collapsing, vehicles turning left onto Wurungul Lane from Marked Tree Road are unable to safely move off the road to allow following traffic to pass. This must be rectified for additional traffic expected from the subdivision.

8. Wurungul Lane immediately north of the intersection on Marked Tree Road is an extremely narrow one lane section. Due to the configuration of the narrow restriction, drivers are unable to see what traffic is entering the one lane restriction area or intersection. Neither side of the restriction offers a safe place for vehicles - especially towing vehicles - to reverse in order to allow safe passing.

Size of Lots

9. Statement of Environmental Effects, Para 2.1 states the proposed subdivision is zoned RU1 Primary Production zone against Yass Valley LEP 2013. The sub-division does not conform to the intent of the 40 hectare average lot size despite meeting the letter of para 4.1(B)3. The proposed Lots 203 and 204 do not meet the following objectives of the RU1 zoning:

- *encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *minimise the fragmentation and alienation of resource lands.*
- *maintain the rural character of Yass Valley. (YVLEP2013).*

10. Hence, the assertion put forward in the DA that the subdivision has been “designed to have regard to the existing land uses and has been able to retain efficient and productive sized allotments, maintaining the opportunity for sustainable agricultural development” is incorrect (Statement of Environmental Effects Page 12).

Creation of an additional Building Envelope

11. The building envelope for Lot 5 DP1264692 was moved (not duplicated) in 2020 to the site shown in proposed Lot 203. At this time, the building envelope shown in proposed Lot 204 was ceded. Therefore the Statement of Environmental Effects is incorrect when it states on page 7 para 3 that the proposed subdivision does not create any new building envelopes. The reinstatement of the building envelope in proposed Lot 204 in effect creates an additional envelope that relies on Right of Carriage access.

12. The above concerns apply with the assumption that each Lot will exercise their right to build a dwelling in the building entitlement, Any issues will be compounded if the option to construct an additional dwelling under dual occupancy provisions is pursued in the future.

Administrative Error with Statement of Environmental Effects

13. Statement of Environmental Effects 1.0 Introduction states the report is prepared for [REDACTED]
[REDACTED] regarding a subdivision at [REDACTED]

Yours Sincerely

[REDACTED]

[REDACTED]

Submission #3

From: [REDACTED]
Sent: Monday, 20 February 2023 7:40 AM
To: [YVC Customer Service Team](#)
Subject: Objection to DA230018-[REDACTED]
[REDACTED]

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

Mr Jeremy Knox
Development Planner
Yass Valley Shire Council
Yass NSW 2582

18 February 2023

Re: Objection to Development Application DA230018 – [REDACTED]
[REDACTED]

Dear Mr Knox.

We wish to lodge a formal objection to the above development application based on the following grounds:

1. *The use of Wurungul Lane for access:*

Wurungul Lane is already under significant pressure/use from current landowners and their families who have access from it. It is identified as an “unmaintained council road”. This means that Council do not maintain the road and therefore it requires current users to try and maintain it to a standard that is safe and reliable in all weathers. This is an unacceptable situation, posing safety risks to the owners trying to maintain the road and potential liability issues as well. There are currently 9 lots that legally have access off Wurungul Lane and another 2 would be added from this subdivision proposal. That doesn’t just mean another 2 vehicles using the Lane but as many cars as each family have and use regularly. In addition, with the population of Gundaroo village growing strongly, more people from the village have taken to using Wurungul Lane as a venue for activities such as jogging and dog walking. The condition of Wurungul Lane means that additional traffic as would arise from the proposed development would put these people at risk of being involved in an accident. The width of the road and its surface make it difficult to control a vehicle in the context of two vehicles meeting head on. Adding in a jogger or a dog walker to that context would add to the probability of a very serious accident.

We submit that if Council approves this development/subdivision, Council must take on the regular maintenance of Wurungul Lane and ensure that it meets Local Roads Hierarchy level 4 (RD-POL 9 Table 3.0 Rural Road Standards).

Furthermore, Wurungul Lane legally finishes at Gundaroo Creek. So, the access to these new lots is by right of carriageway, (RoC) beyond Gundaroo Creek and the end of Wurungul Lane. The right of carriageway, which passes through neighbouring blocks, is below the standard needed to meet the additional traffic arising from the proposed subdivision. This will create a dangerous and unhealthy situation for those residents. Already access to Marked Tree Road from Wurungul Lane is dangerous. Wurungul Lane diminishes to a single lane just prior to the intersection. The intersection itself is heavily eroded along the edge of the bitumen of Marked Tree Road making exiting difficult. If the DA is approved and the vehicular traffic along Wurungul Lane increases further, the likelihood of a serious accident at the intersection will also increase further. We therefore submit that if the DA is approved Council needs to address the necessary improvement to this intersection to ensure appropriate road standards are adhered to, as has been required in other subdivision developments in the Yass Valley, on the grounds of public safety.

2. Size of the lots proposed:

Statement of Environmental Effects, Para 2.1 states that the proposed subdivision is zoned RU1, Primary Production Zone, against Yass Valley LEP 2013. This proposed subdivision is not in line with the intent of the 40-hectare average lot size. While it may meet the obligation of average size over the whole subdivision, it does not allow lots 202 and 204 to meet the objectives of RU1 zoning. The sizes of these lots make it impossible to establish a sustainable primary production enterprise on the land. The proposed development does not minimise the fragmentation and alienation of resource lands, in fact it does the opposite of this. The development would not maintain or enhance the rural character of the Yass Valley.

3. Productivity of Lots proposed:

The land involved in the DA is all Native Vegetation, Category 2 Vulnerable Regulated Land, with some pockets of Category 2 Sensitive and Vulnerable Regulated Land. So we query whether this land should be further subdivided and whether it could be established as a sustainable primary production enterprise. Evidence from the local area demonstrates that small lot sizes are unable to sustain productive farming enterprises. This in turn creates on-going weed and feral pest control problems for the lots involved and for the neighbouring farmers. This has become a real issue in the Yass Valley Shire with various weeds infesting areas that are poorly managed and becoming endemic. This in turn causes neighbouring primary producers to incur greater financial costs, increased psychological stress and more work.

4. Creation of an additional Building Envelope:

It is our understanding that the building envelope (BE) for Lot 5 DP1264692 was moved in 2020 to the BE shown in proposed Lot 203. In 2020 the Proposed BE now showing for Lot 204 was ceded. Therefore, the Statement of Environmental Effects is incorrect in stating on page 7 para 3 that the proposed subdivision does not create any new BEs. The reinstatement of a BE on Lot 204 creates an additional BE that relies on RoC access.

3. Error in the Statement of Environmental Effects:

The Statement of Environmental Effects 1.0 Introduction states the report is prepared for [REDACTED] regarding a subdivision at [REDACTED]. This error invalidates the report for this proposed subdivision and council should in the first instance request a new and correct report be prepared specific to the DA being presented.

Yours sincerely

[REDACTED]

[REDACTED]

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Submission #4

From: [REDACTED]
Sent: Wednesday, 22 February 2023 7:10 PM
To: [YVC Customer Service Team](#)
Subject: DA230018 - [REDACTED]

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

Thank you for the opportunity to comment on DA 230018, the development by [REDACTED]

We occupy [REDACTED] and are adjacent to the proposed development.

We previously made several requests in relation to an earlier Development Application 210036 for a five-lot subdivision of 4338 & 4346 Gundaroo Road and 194 Wurungul Lane, Gundaroo. The new DA is an amendment of the previous DA.

Our main concern continues to be the absence of a restriction on the future owner of Lot 203 concerning access to Kerrick Lane via the existing Crown Road. We want Council to assure us that following approval of the DA no access will be granted to Kerrick Lane, from Lot 203 as such access will place a further burden on a road that we privately pay to maintain. In addition, any traffic taking this route will pass within 50 metres of our main house, disturbing our privacy.

We suggest a permanent barrier such as bollards or removal of the existing gate be a requirement for approval.

Kind regards,

[REDACTED]

Submission #5

22 February 2023

Mr Jeremy Knox
Development Planner
Yass Valley Shire Council
YASS NSW 2582

Objection to Development Application DA230018 – [REDACTED]

Dear Mr Knox

We wish to lodge a formal objection to the above development application based on grounds of the risk to public safety, maintenance of Wurungul Lane and the suitability of the Right of Carriageway as 'fit for purpose'.

Public Safety

Entry into Wurungul Lane off Marked Tree Road poses a serious safety risk. It is a narrow, single lane road, with eroding verges that is in constant need of repair. The entrance to Wurungul Lane is also preceded by a sweeping bend. These factors have, on numerous occasions, caused near collisions. With the ever increasing volume of traffic on Marked Tree Road, no exit lane off Marked Tree Road, and the potential of an increase in vehicles exiting Wurungul Lane, it is imperative that these safety risks be addressed.

It is requested that Council directs the developer to construct an entry into Wurungul Lane to the standard required of other subdivisions in Yass Valley Shire area.

Wurungul Lane

Currently there are eight properties that have legal access off Wurungul Lane. This has the potential to increase substantially, especially if dual occupancy is permissible.

Of major concern is the dust generated from the increase in traffic flow. This affects the lifestyle of and poses a health risk to nearby residents, especially those of Lot 2 DP1246518. Sealing of Wurungul Lane, with specific attention to the residence and building envelopes on Lots 1 and 2 DP1246518, would help reduce this problem.

Wurungul Lane requires constant maintenance even with the current level of traffic. If the development application is successful, the substantial increase in traffic volume will further place a heavy burden on maintenance. Thus, Council must take on the regular maintenance of Wurungul Lane and ensure that it meets Local Roads Hierarchy Level 4 (RD-POL 9 Table 3.0 Rural Road Standards).

Right of Carriageway

The standard of this Right of Carriage is definitely not 'fit for purpose' and would not be able to cope with the additional traffic generated by this proposed subdivision. The existing Gundaroo Creek crossing does not provide 'safe all weather access' as has often been demonstrated in the past. Access to Lots 202, 203 and 204 via Gundaroo Road is a safer and more reliable option.

The close proximity of this ROC to existing dwellings will significantly impact the lives and lifestyle of those residents.

Creation of an Additional Building Envelope

We understand that the building envelope for Lot 5 DP1264692 was moved in 2020 to the building envelope shown in proposed Lot 203. In 2020 the proposed building envelope now showing for Lot 204 was ceded. Therefore, the Statement of Environmental Effects is incorrect in stating (page 7 para 3) that the proposed subdivision does not create any new building envelopes.

The reinstatement of a building envelope on Lot 204 does, in fact, create an additional building envelope. This further increases the volume of traffic that relies on the right of carriageway for access.

Statement of Environment Effects

It is noted that the ‘Statement of Environmental Effects 1.0 Introduction states the report is prepared for [REDACTED] regarding a subdivision at [REDACTED] [REDACTED] is an administrative error.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

UNCLASSIFIED

Submission #6

23 February 2023

Mr Jeremy Knox
Development Planner
Yass Valley Shire Council
YASS NSW 2582

RE: Development Application DA230018 –

Dear Mr Knox

Please accept this submission in response to the above-mentioned Development Application (DA) for your consideration.

Today, Wurungul Lane is deemed to finish at the Gundaroo River crossing and is not maintained by Yass Valley Council (the Council). From the river crossing onwards, the quality of the road drops considerably. This has been manageable as there are only two residences beyond the river crossing. I am the owner and occupier of [REDACTED] which is at the 'end' of Wurungul Lane. This means there is little to no traffic passing my house or putting wear and tear on the road. Incidentally, the primary use of this road is actually for the movement of livestock.

Should this proposal go ahead, use of the road past the river crossing would increase exponentially and expose my house and occupants to regular 'dust storms' as the cars pass by. Furthermore, given the road was built to create Right of Carriageway only, it is not of the width or standard for a regularly trafficked road.

Wurungul Lane itself is not a 'two way' capable road and requires vigilant and careful awareness of other users to ensure there are no accidents. This has been manageable as there are 3-4 properties that use the majority of the road. Should the additional building envelopes outlined in the proposal become available, traffic on the road would increase and significantly increase the risk of an accident.

The entrance to Wurungul Lane off Marked Tree Road is severely deteriorated and has a very narrow single lane section. This requires serious consideration should additional residences be created through this proposal and the entrance become more utilised.

I note there are inconsistencies and errors in the application document and it is unclear how many building envelopes will actually be created through this development.

I ask that the Council undertake a considered review of the entirety of Wurungul Lane in light of this proposal and consider significant treatments to the road as part of this development. This would include addressing the entrance area, the suitability of the main part of the road and upgrading the 'extended' portion of Wurungul Lane beyond the river crossing to a sealed road.

I am happy to be contacted and involved in further discussion about this development should the Council deem this appropriate.

[illegible]

Section 4.15 Evaluation

Summary of Application

Development Application No.	DA230018
Type of Development	Integrated Development
Development Site	Lots 3, 4, & 5 DP1284692 – 4350 & 4338 Gundaroo Road and 194 Wurungul Lane GUNDAROO
Description of Development	<ul style="list-style-type: none">• A four (4) lot Torrens Title subdivision of the existing 3 lots creating 1 additional lot• Retention of 3 existing building envelopes on proposed Lots 201, 203 and 204• Retention of existing dwelling house on proposed Lot 202

Integrated Development

2

Legislation	Yes	N/A
Coal Mine Subsidence Compensation Act 2017 s 22	<input type="checkbox"/>	✓
Fisheries Management Act 1994 s 144, S201 S205. S219,	<input type="checkbox"/>	✓
Heritage Act 1977 s 58	<input type="checkbox"/>	✓
Mining Act 1992 ss 63, 64	<input type="checkbox"/>	✓
National Parks and Wildlife Act 1974 s 90	<input type="checkbox"/>	✓
Petroleum (Onshore) Act 1991 s 16	<input type="checkbox"/>	✓
Protection of the Environment Operations Act 1997 ss 43(a), 47 and 55, ss 43(b), 48 and 55, ss 43(d), 55 and 122	<input type="checkbox"/>	✓
Roads Act 1993 s 138	<input type="checkbox"/>	✓
Rural Fires Act 1997 s 100B	✓	<input type="checkbox"/>
Water Management Act 2000 ss 89, 90, 91	<input type="checkbox"/>	✓

Comments

Pursuant to section 4.46 of the *Environmental Planning and Assessment Act 1979*, the proposed development is integrated development. The application was referred to the NSW Rural Fire Service (RFS) for General Terms of Approval which have been received. Any consent that may be issued for the proposed development will contain the conditions required by the State agency.

Section 4.15 – Matters for Consideration

3

Provisions of any environmental planning instrument

State Environmental Planning Policy (SEPP)	<p>Where a SEPP is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the instrument • Complies with development standards contained in the instrument • Satisfies the requirements of the instrument • Meets the relevant concurrence, consultation and/or referral requirements.
<p><u>Comment</u></p> <p>N/A</p>	
Local Environmental Plan (LEP)	<p>In considering the provisions of the Yass Valley Local Environmental Plan 2013 (LEP), is the proposed development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the plan • Consistent with the aims and objectives of the land use zone • Permissible in the land use zone • Consistent with all relevant clauses within the LEP • Complies with development standards in the LEP.
<p><u>Comment</u></p> <p>Below is an assessment of the application pursuant to the relevant clauses of the LEP.</p>	
<p>Clause 2.3 Zone and zone objectives</p>	<p>The land is zoned RU1 Primary Production and the proposed development is generally consistent with the objectives of the zone.</p> <p>The proposed development: responds positively to the site conditions; is sympathetic with the surrounding amenity of the area; and has considered the opportunities and constraints of the site.</p>
<p>Clause 2.3 Land Use Table</p>	<p>The proposed development is permitted with consent in the zone.</p>
<p>Clause 2.6 Subdivision – Consent Requirements</p>	<p>Development consent is sought for the subdivision of land.</p>
<p>Clause 4.1 Minimum subdivision lot size</p>	<p>The submitted proposal involves creation of allotments using averaging provisions of the LEP.</p>
<p>Clause 4.1B Subdivision using average lot sizes</p>	<p>The minimum lot size in this area is 40ha, however the applicant proposes to utilise the provisions for subdivision using average lot sizes contained within 4.1B of the LEP.</p> <p>The proposed lot sizes are (with an average lot size of 44.5 ha):</p> <ul style="list-style-type: none"> • Lot 201 – 63.32ha • Lot 202 – 67.44ha • Lot 203 – 25.54ha • Lot 204 – 21.89ha

	As such, the proposal satisfies the minimum average lot size requirement of 40ha and no lot is below 20ha or above 70ha as stipulated in the LEP.
Clause 4.1C Additional requirements for subdivision in certain rural zones	<p>This clause applies to the land zoned RU1 Primary Production. Clause 4.1C(3) requires that development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) <i>the pattern of lots created by the subdivision and the location of any future buildings on the land are not likely to have a detrimental impact on any riparian land, watercourses or biodiversity values, or exacerbate existing erosion or salinity processes</i></p> <ul style="list-style-type: none"> The proposed subdivision creating 1 additional lot is not considered to have a detrimental impact on any riparian land, watercourses or biodiversity values, or exacerbate existing erosion or salinity processes. <p>(b) <i>the subdivision layout has regard to protecting areas of remnant vegetation and will minimise the need for clearing vegetation for any future buildings, accessways, fences and any associated asset protection zones</i></p> <ul style="list-style-type: none"> There is adequate opportunity for future buildings and access ways without the need for clearing or damaging any remnant vegetation. The building envelopes are located in areas that are clear of any significant vegetation. Existing fence lines have been adopted where practical. <p>(c) <i>the pattern of lots will not significantly increase access to a watercourse for stock and domestic purposes</i></p> <ul style="list-style-type: none"> The additional one (1) lot created will not significantly increase access to a watercourse for stock and domestic purposes. <p>(d) <i>the subdivision will not adversely affect the use of the land and surrounding land for agriculture.</i></p> <ul style="list-style-type: none"> The proposed subdivision is not considered to have any significant effect on the agricultural use of the land in the locality.
Clause 4.1D Minimum site areas for dual occupancies and multi dwelling housing in Zones R1, R2, R3 and RU5	N/A
Clause 4.2B Erection of dwelling houses and dual occupancies on land in certain	N/A. The subject application is for subdivision only and does not involve erection of a dwelling house. The newly created allotments will have dwelling entitlements.

rural and environment protection zones	
Clause 4.3 Height of buildings	N/A.
Clause 4.4 Floor space ratio	N/A
Clause 4.6 Exceptions to development standards	N/A
Clause 5.4 Controls relating to miscellaneous permissible uses	N/A
Clause 5.10 Heritage conservation	N/A
Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	The proposed subdivision will not have a detrimental impact on existing and approved land uses in the vicinity of the site. Any future use on a proposed lot, which requires development consent, must be assessed for potential impacts on neighbouring and nearby land uses.
Clause 5.21 Flood planning	N/A
Clause 6.1 Earthworks	Given the right of ways are existing, only minor earthworks will be required to ensure Council and RFS requirements are met. Compliance with any conditions of consent will ensure any earthworks have minimal impact on surrounding land.
Clause 6.2 Flood planning	Repealed.
Clause 6.3 Terrestrial biodiversity	Right of ways, access tracks, building envelopes and fence lines have been located so no established vegetation removal is required and it is therefore considered that the development has been designed to avoid adverse environmental impact. It should be noted that the development application proposes no construction works as part of this subdivision as these have been completed under a previous consent (DA210036).
Clause 6.4 Groundwater vulnerability	Site and soil assessments for each vacant lot indicate there is adequate suitable land for the on-site disposal of effluent. In this regard, the development has been designed to avoid adverse environmental impact.
Clause 6.5 Riparian land and watercourses	The development site has frontage to Gundaroo Creek, however the development will not impact on the creek corridor.

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Clause 6.6 Salinity	Part of the site is identified as being affected by salinity. This is a matter which will be addressed in more detail if any future DA is submitted i.e. dwelling house, shed.
Clause 6.7 Highly erodible soils	N/A
Clause 6.8 Essential services	All essential services exist or are capable of being extended to service the development subject to conditions of consent.
Clause 6.9 Development within a designated buffer area	N/A
Clause 6.10 Development on land intended to be acquired for Barton Highway duplication	N/A
Other relevant clause	N/A

Proposed environmental planning instrument that is or has been subject of public consultation and has been notified to the consent authority

Primary Matters	Specific Consideration
Draft Environmental Planning Instrument	<p>Where a draft environmental planning instrument is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the draft instrument • Complies with development standards contained in the draft instrument • Satisfies the requirements of the draft instrument • Meets the relevant concurrence, consultation or referral requirements to address the provisions of the draft instrument
Comment There are no current draft environmental planning instruments applicable to this development	

Any development control plan

Primary Matters	Specific Consideration
Development Control Plan (DCP)	<p>Where a DCP is applicable to the proposed development, is the development:</p> <ul style="list-style-type: none"> • Consistent with the aims and objectives of the plan • Satisfies the requirements of the DCP
Comment No DCP applies to this development.	

Contributions Plans	Are contributions under the Yass Valley Developer Contribution Plan 2018 and/or the Yass Valley Heavy Haulage Contribution Plan 2021 applicable to the proposed development?
<u>Comment</u> A standard condition of consent requires payment of a developer contribution (where applicable) prior to issue of subdivision certificate under the Yass Valley Developer Contribution Plan 2018, if consent is granted.	

Planning agreement entered into or a developer has offered to enter into under s7.4 of the Act

Primary Matters	Specific Consideration
Planning Agreement or Draft Planning Agreement	Details of Agreement N/A
<u>Comment</u> There are no current planning agreements applicable to this development	

Prescribed Matters – Environmental Planning and Assessment Regulation

Primary Matters	Specific Consideration
Environmental Planning and Assessment Regulation 2021	The following matters under the <i>Environmental Planning and Assessment Regulation 2021</i> have been considered: <ul style="list-style-type: none"> • AS 2601 when demolition is involved • The Low Rise Housing Diversity Design Guide for Development Application (July 2020) for a manor house or multi dwelling housing (terraces) • Fire safety provisions for a change of building use for an existing building • Provisions for temporary structures • Compliance with the Building Code of Australia if a building upgrade required
<u>Comment</u> N/A	

Likely impacts of the development including⁸ environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Primary Matters	Specific Consideration
Context and setting	<p>Context</p> <p>Compatibility of the development with:</p> <ul style="list-style-type: none"> scenic qualities and features of the landscape character and amenity of the locality and streetscape scale (bulk, height, mass) form, character, density and design of development in the locality previous existing land uses and activities in the locality <p>Setting</p> <p>Impact of the development on adjacent properties in terms of:</p> <ul style="list-style-type: none"> the relationship and compatibility of adjacent land uses sunlight access (overshadowing) visual and acoustic privacy views and vistas edge conditions such as boundary treatments and fencing
<p>Comment</p> <p>The proposed lots are conducive to development that is compatible with the scenic qualities of the landscape and which will not impact on the amenity of neighbouring properties.</p>	
Access, transport and traffic	<p>Consideration of access, transport and traffic and the proposed development:</p> <ul style="list-style-type: none"> The proposed development and Council's Roads Standards Policy The volume of traffic generated from the proposed development and capacity of the local and arterial road network Availability of public transport Any traffic management study submitted Provision of vehicle parking spaces Compliance with relevant standards for on site car parking provisions for compliance with relevant standards The proposed or existing location of vehicular access to the site
<p>Comment</p> <p>If consent is granted conditions of consent require upgrade works to be carried out on the existing right of way off Wurungul Lane and also on the substandard sections of Wurungul Lane.</p>	
Utilities	<p>Consideration of utilities and the proposed development:</p> <ul style="list-style-type: none"> Utilities are either existing and capable of supporting the proposed development or capable of being extended to service the site Where onsite sewage management is proposed it has been accompanied by a report prepared by an appropriate consultant demonstrating the suitability of the site for on-site effluent disposal
<p>Comment</p>	

<p>Utilities are either existing and capable of supporting the proposed development or capable of being extended to service the site.</p> <p>Building envelopes and effluent disposal areas all fit in with the subdivision plan and there are no constraints to effluent disposal. Standard conditions will be included, if consent is granted.</p>	
Heritage	<p>Impact of the proposed development on heritage significance of the site, adjacent properties and/or a heritage conservation area:</p> <ul style="list-style-type: none"> • Consideration of impact on items, landscapes, areas, places, relics and practices • Consideration of the historic, scientific, social, aesthetic, cultural, archaeological (both Aboriginal and non-Aboriginal) values of the site
<p><u>Comment</u></p> <p>Standard conditions of consent highlight the processes involved should an archaeological or Aboriginal object/artefact be discovered in the course of works associated with the development.</p>	
Water	<p>Impact of the proposed development on conservation of water:</p> <ul style="list-style-type: none"> • water supply sources • treatment, reuse and disposal of waste water and runoff • drainage, flow regimes, flooding on-site, up and downstream and in the catchment flood plain • groundwater tables
<p><u>Comment</u></p> <p>The proposed subdivision is not considered to impact on groundwater within the site. There is sufficient area within the proposed allotments to appropriately dispose of effluent.</p>	
Soils	<p>Impact of the development on soils:</p> <ul style="list-style-type: none"> • soil qualities - erodibility, permeability, expansion/contraction, fertility/productivity, salinity, sodicity, acidity, contaminants • instability - subsidence, slip, mass movement • the movement, formation, use and management of soils • soil erosion and degradation • remediation of contaminated soils
<p><u>Comment</u></p> <p>Part of the site is identified as being affected by salinity. The site has not been identified as an area of contamination.</p> <p>These are matters which will be assessed in more detail if any future DA is submitted and is something which can be addressed through standard conditions.</p>	
Air and Microclimate	<p>Impact of the development on air quality and microclimatic conditions in terms of emissions of dust, particulates, odours, fumes, gases and pollutants.</p>
<p><u>Comment</u></p> <p>Any emissions of dust, particulates, odours, fumes, gases and pollutants will be primarily during construction works. These impacts can be managed through appropriate conditions of</p>	

development consent and compliance with all other relevant legislation. Impacts will be minimal given the relatively minor scope of works proposed.	
Flora and Fauna	<p>Impact of the proposed development on:</p> <ul style="list-style-type: none"> wilderness areas and national parks wildlife corridors and remnant vegetation the relationship of vegetation to soil erosion/stability and the water cycle weeds, feral animal activity, vermin and disease <p>Outcomes of an assessment under the <i>Biodiversity Conservation Act 2016</i> considers:</p> <ul style="list-style-type: none"> whether the development will result in serious and irreversible impacts whether a BDAR is required where a BDAR is required, whether it is considered satisfactory
<p><u>Comment</u></p> <p>The development has been designed to avoid adverse environmental impact and no vegetation is proposed to be cleared.</p> <p>It should be noted that the development application proposes no construction works as part of this subdivision as these have been completed under a previous consent (DA210036).</p>	
Waste	<p>Impact of the proposed development on waste:</p> <ul style="list-style-type: none"> solid, liquid and gaseous wastes and litter the generation, collection, storage and disposal of waste
<p><u>Comment</u></p> <p>Suitable arrangements for any waste (if any) can be made available.</p>	
Energy	<p>Impact of the proposed development on energy:</p> <ul style="list-style-type: none"> the overall energy needs of the development the measures employed to save energy - passive design, solar lighting and heating, natural ventilation, shading elements, insulation, high thermal mass building materials, energy efficient appliances and machinery the use of renewable and non-polluting energy sources? energy needs in producing building/structural materials? energy use by-products and waste <p>Where relevant the development also complies with the Building Sustainability Index (BASIX).</p>
<p><u>Comment</u></p> <p>N/A at subdivision stage - BASIX will become a consideration if future DAs for dwelling houses are submitted.</p>	
Noise and Vibration	<p>Whether the development has potential to generate noise pollution or vibration including during construction and potential impacts.</p>
<p><u>Comment</u></p>	

<p>Noise generation can be an issue associated with any subdivision construction works. Therefore, the following conditions are recommended in order to minimise the impacts of noise and vibration on residential amenity during construction:</p> <p>(1) <i>Hours of construction are to be restricted to 7:00 a.m. to 6:00 p.m. Monday to Friday and 8:00 a.m. to 1:00 p.m. Saturdays, with no work/activities on Sundays or public holidays.</i></p> <p>(2) <i>Noise, dust and odour generated as a result of the proposed development must comply with the provisions of the Protection of the Environment Operations Act, 1997.</i></p>	
Natural Hazards - Geological	Risks to people, property and the physical environment as a result of geologic/soil instability - subsidence, slip, mass movement has been considered.
<p><u>Comment</u></p> <p>N/A</p>	
Natural Hazards - Flooding	<p>Where the development is located on land identified as flood affected:</p> <ul style="list-style-type: none"> • Compliance with the relevant Flood Risk Management Plan in accordance with the information submitted with the application or • The addition of conditions which require compliance with the relevant Flood Risk Management Plan or the Building Code of Australia.
<p><u>Comment</u></p> <p>N/A</p>	
Natural Hazards - Bushfire	<p>Where the development is located on land identified as bushfire prone:</p> <ul style="list-style-type: none"> • Compliance with Planning for Bushfire Protection 2019 (however in accordance with s.8.3.2 of <i>Planning for Bushfire Protection 2019</i> there are no bushfire protection requirements for <u>class 10a buildings located more than 6 metres from a dwelling</u> in bushfire prone areas); or • If it is integrated development it has been referred to the RFS in accordance with s100B Rural Fires Act 1997.
<p><u>Comment</u></p> <p>General Terms of Approval have issued by the NSW Rural Fire Service and will be included in any development consent issued.</p>	
Technological Hazards	<p>Does the development present risks from:</p> <ul style="list-style-type: none"> • industrial and technological hazards • land contamination and remediation <p>Where potential land contamination has been identified an assessment must be provided determining whether the:</p> <ul style="list-style-type: none"> • The contamination is likely to be low and does not warrant remediation as the proposed land use is not sensitive, or • The land is not contaminated, or • The land is contaminated and remediation is proposed prior to the proposed use

<p><u>Comment</u></p> <p>The use of the site has primarily been for pasture and grazing. The land is not listed on Council's contaminated land database and there are no known risks of contamination.</p> <p>The proposed development is not considered to pose a risk to people or the natural environment from industrial and technological hazards.</p>	
<p>Safety, Security and Crime Prevention</p>	<p>The assessment must determine whether adequate measures are included to address the potential for accident / injury and criminal activity.</p>
<p><u>Comment</u></p> <p>N/A</p>	
<p>Social impact in the locality</p>	<p>Whether the development is likely to have social benefits in the locality in terms of:</p> <ul style="list-style-type: none"> • community facilities and links • the interaction between the new development and the community
<p><u>Comment</u></p> <p>The additional lot created will have a dwelling entitlement and any future dwelling is likely to generate a positive social impact in the locality.</p>	
<p>Economic impact in the locality</p>	<p>Whether the development is likely to have economic benefits in terms of:</p> <ul style="list-style-type: none"> • employment generation • economic income • generating benefits for existing and future businesses
<p><u>Comment</u></p> <p>The additional lot created will have a dwelling entitlement and any future dwelling is likely to generate a positive economic impact in the locality.</p>	
<p>Site and internal design</p>	<p>The development is generally sensitive to environmental conditions and site attributes including:</p> <ul style="list-style-type: none"> • the size, shape and design of allotments, easements and roads • the proportion of the site covered by buildings • the positioning of buildings • the size (bulk, height, mass), form, appearance and design of buildings • the amount, location, design, use and management of private and communal open space • landscaping <p>The development is unlikely to affect the health and safety of the occupants in terms of:</p> <ul style="list-style-type: none"> • inadequate lighting, ventilation and insulation • inadequate building fire risk prevention and suppression • inappropriate building materials and finishes • inappropriate common wall structure and design

	<ul style="list-style-type: none"> lack of access and facilities for the disabled
<p><u>Comment</u></p> <p>The design of the proposed subdivision generally responds to the attributes of the site. Proposed allotments have sufficient area, in the form of building envelopes with suitable area for erection of buildings and associated infrastructure, on which it is anticipated a respective dwelling will be able to be located.</p>	
Construction	<ul style="list-style-type: none"> The proposed development has provision for compliance with the Building Code of Australia (as amended) and relevant Australian standards The impacts of construction activities can be managed and suitable conditions have been included in the development consent.
<p><u>Comment</u></p> <p>The location of access, lot boundaries and building envelope are considered to be responsive to the existing site features. Conditions of consent will require the construction/upgrade of vehicular access and upgrade of as per Council's Road Standards Policy RD-POL-09 and fencing in accordance with Council's Non-Urban Fencing Policy DA-POL-12.</p>	

The suitability of the site for the development

Primary Matters	Specific Consideration
Compatibility with existing development in the locality	<p>The proposal is compatible with existing development in the locality as:</p> <ul style="list-style-type: none"> Utilities and services available to the site are adequate for the development The development will not lead to unmanageable transport demands Transport facilities are adequate in the area The locality contains adequate recreational opportunities and public spaces to meet the needs of the development The air quality and microclimate are appropriate for the development No hazardous land uses or activities nearby Ambient noise levels are suitable for the development The site is not critical to the water cycle in the catchment The proposal is compatible with the existing built environment
<p><u>Comment</u></p> <p>The proposed subdivision is consistent with existing land uses and development in the locality. The applicant's proposal meets the objectives for the RU1 Primary Production zone, and is not considered likely to result in an inappropriate planning outcome.</p>	
Site conduciveness to the development	<p>The subject site is conducive with the proposed development as :</p> <ul style="list-style-type: none"> The site is suitable for the proposed development The site is either not subject to natural hazards including flooding, tidal inundation, subsidence, slip, mass movement, and bushfires or where it is these risks have been adequately managed The slope of the land is suitable for the proposed development The proposal is compatible with conserving the heritage significance of the site

	<ul style="list-style-type: none"> • The soil characteristics on the site is appropriate for development (Saline / Sodic / Acidic) • The development is compatible with protecting any critical habitats or threatened species, populations, ecological communities on the site • The site is not prime agricultural land and the development will not unduly prejudice future agricultural production • The development will not unduly prejudice the future use of the site • Cut and fill is a suitable development option for the site
<p><u>Comment</u></p> <p>The attributes of the site are conducive to the proposed development. Future development of each lot is to take into consideration the attributes of the lot and how the development can be best designed to suit the characteristics of the site.</p>	

Any submissions made in accordance with this Act of the regulations

Primary Matters	Specific Consideration
Public Submissions	Community consultation was undertaken in accordance with Council's Community Engagement Strategy. Where submissions have been received, the issues raised have been considered and are summarised in the comments below.
<p><u>Comment</u></p> <p>Six (6) submissions were received. Refer to comments in the Council report.</p>	
Submissions from Public Authorities	Where relevant submissions received from Government or Public Authorities have been considered with any issues raised being resolved, addressed by conditions of consent/general terms of approval or are considered not relevant to the development
<p><u>Comment</u></p> <p>The NSW Rural Fire Service has issued their General Terms of Approval for the proposed development, a copy of which will be included with any consent issued.</p>	

The public interest

Primary Matters	Specific Consideration
Government (Federal, State and Local) and Community Interests	<p>Government and community interests have been considered and are satisfied as:</p> <ul style="list-style-type: none"> • The proposed development complies with the Council Policies identified as applicable in the <u>schedule below</u>. Where a variation to this policy has been supported details have been included in the comments. • The proposed development is generally consistent with any relevant planning studies and strategies

	<ul style="list-style-type: none">• Covenants not imposed by council have been set aside for the purpose of this assessment• The proposal generally complies with all other covenants, easements, restrictions and agreements that have a bearing on the proposal• Issues raised in public meetings and inquiries have been considered. Where relevant more detail has been provided under the heading public submissions.• It is unlikely that the development will have a detrimental effect on the health and safety of the public		
It is not anticipated that the proposed development will have a detrimental impact on the health and safety of the public.			
The proposed subdivision is not considered to present any issues that affect the public interest. Accordingly, the proposed development is not considered to be contrary to the public interest.			
Council Policies	Policy	Code	Applicable
	Building Line – Rural and Residential Land	DA-POL-8	Yes
	Building Line – Urban	DA-POL-4	No
	Building Over Sewer Mains	SEW-POL-1	No
	Development Assessment and Decision Making	DA-POL-18	Yes
	Filling Policy	DA-CP-22	No
	Holiday Cabins – Micalong Creek Subdivision	DA-POL-3	No
	Kerb and Gutter Construction	ENG-POL-4	No
	Non-Urban Fencing	DA-POL-12	Yes
	Off-Street Car Parking	ENG-POL-8	No
	Provision of Electricity Supply and Telecommunications Service for Subdivisions	DA-POL-17	Yes
	Road Naming	RD-POL-6	No
	Road Standards	RD-POL-9	Yes
	Temporary Accommodation	DA-POL-2	No
	Truck and Transport Depots in Rural Areas	DA-POL-11	No
Water Supply in Rural Areas and Villages	WS-POL-2	No	
Comment			
Building Line – Rural and Rural Residential Land DA-POL-8 – building envelopes will be a minimum of 50m from all property boundaries.			

Development Assessment and Decision Making DA-POL-18 – the application is referred to Council as more than three submissions have been received.

Non-Urban Fencing DA-POL-12 – standard conditions are recommended if consent is granted.

Provision of Electricity Supply and Telecommunications Service for Subdivision DA-POL-17 - standard conditions are recommended if consent is granted.

Road Standards RD-POL-9 – If consent is granted conditions of consent require upgrade works to be carried out on the existing right-of-way off Wurungul Lane and also on the substandard sections of Wurungul Lane.



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04 April 2023

Our Ref: 3764_YVC3

The General Manager
Yass Valley Council
PO Box 6
YASS NSW 2582

Attention: Jeremy Knox

Dear Sir,

RESPONSE TO SUBMISSIONS RECEIVED – DA230018

**PROJECT: Proposed Four (4) Lot Subdivision at
Lots 3 to 5 DP1284692 4350 & 4338 Gundaroo Road and 194 Wurungul Lane, GUNDAROO**

In response to your email dated 2 March 2023, please find our comments below which address issues listed in Submissions received for the above-mentioned Development Application:

SUBMISSION	ISSUE	RESPONSE
1.		
1.1	<i>We are concerned about the potential pressure to use the vacant crown road between our block and Lot 203, of the proposed subdivision, on our western boundary, to access Kerrick Lane which is essentially a private road in that it does not provide legal access to the public road network. The applicant has previously stated a desire to access Kerrick Lane via the vacant crown road described above.</i>	<p>The proposed subdivision does not involve nor rely on the crown road to the west of proposed Lot 203.</p> <p>The Statement of Environmental Effects (SEE) sets out the proposed legal and physical access for proposed Lot 203 to the south, via Rights of Carriageway (RoC) and Wurungul Lane.</p> <p>The RoC created by DP881983 and shown on the Proposed Plan of Subdivision (PPS) as 'R' ends at the southern boundary of proposed Lot 204.</p> <p>A further RoC shown on the PPS as 'R3' is proposed to be created and extends to the boundary of proposed Lot 203 giving full legal and physical access.</p>
1.2	<i>The unused crown road in question was drafted in the 1800's without any consideration to topography and vegetation. The corridor is not suitable for vehicular access.</i>	<p>See 1.1</p> <p>Note - the crown road is not 'unused' and <u>is</u> suitable for heavy and light vehicular access.</p> <p>Most recently (2019 – 2022) it was used to provide access for earth moving machinery to construct infrastructure on the applicants' property AND by the author of Submission #1 to perform earthworks on his property.</p>

1.3	<p><i>We have applied to the Crown Roads Department for the closure of the unused crown road on the basis of public safety, due to the potential for a dangerous intersection being created with Kerrick Lane, and environmental concerns relating to severe erosion and potential tree removal in the crown road corridor. Several years ago, Council prohibited us from using the crown road to access Kerrick Lane due to a ridge that severely restricts visibility to about 20 metres, to the East, where the crown road joins Kerrick Lane.</i></p>	<p>See 1.1</p> <p>Note – the applicants will oppose any effort, from any quarter, to close the crown road, including by the legal means available.</p>
1.4	<p><i>Kerrick Lane is a narrow, dead end road that provides access to about 6 properties. Any significant increase in traffic would be unsafe. We are concerned about the potential for through traffic from Marked Tree Road to Kerrick Lane that could be triggered by a track appearing to link the two. This can occur when entities such as Google pick up new roads in their imagery and publish them on their online maps. Google does not distinguish between public and private roads. This misleading information often ends up on GPS receivers used by the general public.</i></p> <p><i>We request that Council places a covenant on XXXXX such that access from that block, or any future subdivisions thereof, to a public road, will not be available via the unused crown road to Kerrick Lane.</i></p> <p><i>We submitted an application to close the vacant crown road in December 2020 and have the support of the relevant neighbours. We ask that Council also support our application to close the crown road between Lot 185 DP 754132 and Lot 5 DP1258652 for safety and environmental reasons.</i></p>	<p>See 1.1</p> <p>Note – the request to close the crown road is in contravention of the public access provisions of the <i>Crown Land Management Act 2016 No 58</i>.</p> <p>The applicants own the land to the east and the south of the crown road and hold an Enclosure Permit over its southern end. They have not been approached in support of an application to the Crown Lands Department to close the crown road and will never support such an application.</p> <p>The applicants will oppose any effort, from any quarter, to limit their rights in relation to the crown road, including by the legal means available.</p>
2.		
2.1	<p><i>The existing Right of Way that, under the DA, will serve Lots 202, 203 and 204 passes close to the residence on XXXXXX. The noise and dust generated by the additional through-traffic using the RoW that would occur if the DA is approved poses a significant risk to the health and wellbeing of the residents of these adjacent lots.</i></p>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not three (3) as the submission suggests); and a further RoC shown on the PPS as 'R3'.</p> <p>Proposed Lots 202 and 204 hold existing RoC to Wurungul Lane, but proposed Lot 202 (the existing residence) will continue to use the legal and physical access off Gundaroo Road (notwithstanding the existing rights of access to Wurungul Lane which will be retained).</p>

2.2	<p><i>RD-POL-9 – Road Standards Policy 3.3 states that the right of carriageway must provide safe, all weather access. Access to proposed Lots 202, 203 and 204 cross Gundaroo Creek and additionally Lot 203 requires to cross a third order stream (Water Management (General) Regulation 2018 hydro line spatial data). The crossing on Gundaroo Creek becomes impassable with as little as 20mm of rain. The existing ford across Gundaroo Creek does not provide 'safe all weather access', with five known vehicles since 2017 suffering significant damage not to mention risk to safety of occupants after being caught in increased stream flows. We are concerned that with additional movements on Wurungul Lane/ RoW, there is increased risk to public safety arising from additional traffic pressure on the ford. I recommend access to Lots 202, 203 and 204 via Gundaroo Road which is far less susceptible to flooding.</i></p>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not three (3) as the submission suggests); and a further RoC shown on the PPS as 'R3'.</p> <p>The accessway to proposed Lot 203 is existing infrastructure and has been constructed in accordance with the Plantation and Reafforestation Act 1999.</p> <p>In relation to speculation that access to proposed Lots 202, 203 and 204 be changed, the applicants already hold rights of access to Wurungul Lane which they intend to use, not least because they are the most practical and because internal access ways to approved building envelopes exist and have been approved by RFS. See 2.1 for proposed Lot 202.</p>
2.3	<p><i>Furthermore the right of carriageway through Lot 1 DP1265646 and Lot 11 DP1108863. Has not been constructed to the required specification for more than one Lot access as per Table 1.0 of RD-POL-9 – Road Standards Policy. The Initial carriageway was built to 3.5m width with 100mm base. Should the proposed subdivision proceed, we would expect the developer to upgrade the RoW to meet requirements under Table 1.0, RD-POL 9 for the five lots that use the Row to access Wurungula Lane i.e upgrade the existing RoW to 4.5m wide carriageway with 150mm base.</i></p>	<p>Council's Development & Standards Engineer inspected the existing accessways involved in this DA (28.02.2023).</p> <p>Accessways were found to be in good repair with the following to be addressed by way of Conditional Consent:</p> <p><i>Within a 300m section north and south of the creek crossing:</i></p> <ul style="list-style-type: none"> • <i>Widen existing carriageway to a minimum of 4.5 meters north of the crossing up to the turn off to the property at 190 Wurungul Lane and south of the crossing up to the gate</i> • <i>Provide road bend warning signs at the bend south of the beginning of existing Right of Way</i> • <i>Replace existing stoned dish drainage crossing near the turnoff to the property at 194 Wurungul Lane with a pipe and headwalls culvert</i> • <i>Provide road bend warning signs at the bend about 200 meters south of the access entrance to proposed Lot (204)</i> • <i>Provide guide posts at all recently constructed pipe culverts.</i>

2.4	<i>If the proposed subdivision is approved 11 Lots will have access to Marked Tree Road via Wurungul Lane. Given the additional traffic the subdivision will generate on Wurungul Lane (3 x lots), in addition to the existing use, Yass Valley Council must accept transfer of Wurungul Lane for the purposes of maintenance to meet Local Road Hierarchy Level 4 (RD-Pol 9 Table 3.0 Rural Road Standards).</i>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not three (3) as the submission suggests).</p> <p>This would create one (1) additional road user beyond those holding existing access rights (which includes the applicants).</p> <p>The request for Wurungul Lane to be listed as a <i>Maintained Unsealed Road</i> on Council's Road Hierarchy Map is not part of this application but seems excessive given only one (1) additional Lot is to be created.</p> <p>[The relevant policy is in fact RD-Pol-7 Unsealed Rural Roads].</p>
2.5	<i>Consideration must be given to reducing dust by sealing Wurungul Lane, especially near the residence and building envelopes on Lots 1 and 2 DP1246518. The amount of dust generated by the volume of traffic poses a significant health and wellbeing risk to the residents.</i>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not three (3) as the submission suggests).</p> <p>The request for any part of Wurungul Lane to be sealed is not part of this application but seems excessive given only one (1) additional Lot is to be created.</p>
2.6	<i>The intersection of Wurungul Lane and Marked Tree Road is presently unsafe for the volume of traffic Wurungul Lane experiences at present, let alone with the creation of Lots 202, 203 and 204. Due to the sealed road edge collapsing, vehicles turning left onto Wurungul Lane from Marked Tree Road are unable to safely move off the road to allow following traffic to pass. This must be rectified for additional traffic expected from the subdivision.</i>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not three (3) as the submission suggests).</p> <p>See 2.3 for roadworks requested by Council as part of this DA.</p>
2.7	<i>Wurungul Lane immediately north of the intersection on Marked Tree Road is an extremely narrow one lane section. Due to the configuration narrow restriction, drivers are unable to see what traffic is entering the one lane restriction area or intersection. Neither side of the restriction offers a safe place for vehicles - especially towing vehicles – to reverse in order to allow safe passing.</i>	See 2.3.

2.8	<p><i>Statement of Environmental Effects, Para 2.1 states the proposed subdivision is zoned RU1 Primary Production zone against the Yass Valley LEP 2013. The subdivision does not conform to the intent of the 40 hectare average lot size despite meeting the letter of para 4..1(B)3. The proposed Lots 203 and 204 do not meet the following objectives of the RU1 zoning.....</i></p> <p><i>Hence, the assertion put forward in the DA that the subdivision has been; designed to have regard to the existing land uses and has been able to retain efficient and productive sized allotments, maintaining the opportunity for sustainable agricultural development is incorrect.</i></p>	<p>Among the additional objectives for RU1 zoned land (and not cited in the Submission) is the following:</p> <ul style="list-style-type: none"> <i>To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land.</i> <p>As well as selectively referencing RU1 Objectives, the Submission selectively refers to proposed Lots 203 and 204 whereas the DA involves proposed Lots 201, 202, 203 and 204.</p> <p>In designing the subdivision, the applicants explicitly incorporated the available prime crop and pasture land in proposed Lots 201 and 202 (roughly 11ha lucerne; 10ha oats; and 100ha improved pasture).</p> <p>Proposed Lots 203 and 204 exist on land that at the time of purchase (May 2020) was degraded and weed infested, with depleted soils and areas of significant and active erosion, incapable of supporting any viable agricultural production.</p> <p>Since that time, the applicants have remediated proposed Lots 203 and 204 in accordance with the <i>Local Land Services Act 2013 No 51</i> and Local Land Services publication <i>Gully Erosion Assessment and Control Guide (2018)</i>.</p> <p>They entered into an LLS Land Management Funding Agreement (SE03402) in May 2021 to i) protect remnant terrestrial vegetation, and ii) enhance and connect terrestrial vegetation by regenerating (31.2ha) and planting (19.2ha) of mixed native trees across 50.4ha of proposed Lots 203 and 204.</p> <p>This extensive regeneration project is now a duly Authorized Environmental Plantation (YA2101P), issued under the <i>Plantations and Reafforestation Act 1999</i> (Department of Primary Industries).</p> <p>Taken together, it is clear that the applicants' efforts across all proposed Lots in the DA meet RU1 Objectives.</p>
2.9	<p><i>The building envelope for Lot 5 DP1264692 was moved (not duplicated) in 2020 to the site shown in proposed Lot 203. At the time, the building envelope show in in proposed</i></p>	<p>The building envelope for proposed Lot 203 was created via DP1284692 and is shown as 'BE 'on the PPS.</p>

	<i>Lot 204 was receded. Therefore the Statement of Environmental Effects is incorrect when it states on page +7 para 3 that the proposed subdivision does not create any new building envelopes. The reinstatement of the building envelope in proposed Lot 204 in effect creates an additional envelope that relies on Right of Carriageway access.</i>	<p>The building envelope for proposed Lot 204 was created by DP1265646 and is shown as 'BE2' on the PPS.</p> <p>The SEE is correct when it states that the proposed subdivision does not create any new building envelopes – these are inherited through the underlying DPs and are listed on the current Titles.</p>
2.10	<i>The above concerns apply with the assumption that each Lot will exercise their right to build a dwelling in the building entitlement, Any issues will be compounded if the option to construct an additional dwelling under dual occupancy provisions is pursued in the future.</i>	Proposed Lots 203 and 204 will have a dwelling entitlement that allows the construction of a dwelling house and dual occupancy, as permissible within the controls of the YVLEP2013.
3.		
3.1	<p><i>Wurungul Lane is already under significant pressure/ use from current landowners and their families who have access from it. It is identified as an unmaintained council road'. This means that Council do not maintain the road and therefore it requires current users to try and maintain it to a standard that is safe and reliable in all weathers. This is an unacceptable situation, posing safety risks to the owners trying to maintain the road and potential liability issues as well. There are currently 9 lots that legally have access off Wurungul Lane and another 2 would be added from this subdivision proposal. That doesn't just mean another 2 vehicles using the Lane but as many cars as each family have and use regularly. In addition, with the population of Gundaroo village growing strongly, more people from the village have taken to using Wurungul Lane as a venue for activities such as jogging and dog walking. The condition of Wurungul Lane means that additional traffic as would arise from the proposed development would put these people at risk of being involved in an accident. The width of the road and its surface make it difficult to control a vehicle in the Context of two vehicles meeting head on. Adding in a jogger or a dog walker to that context would add to the probability of a very serious accident. We submit that is Council approves this development/ subdivision, Council must take on the regular maintenance of Wurungul Lane and ensure that it meets Local Roads Hierarchy level 4 (RD-POL 9 Table 3.0 Rural Road Standards).</i></p> <p><i>Furthermore, Wurungul Lane legally finishes at Gundaroo Creek. So, the access to these new lots is by right of carriageway (RoC) beyond Gundaroo Creek and the end of Wurungul Lane. The right of carriageway, which passes through neighbouring blocks,</i></p>	<p>The DA involves the creation of one (1) additional Lot (proposed Lot 203) (not two (2) as the submission suggests).</p> <p>See points 2.4, 2.3 and 2.6.</p>

	<p><i>is below the standard needed to meet the additional traffic arising from the proposed subdivision. This will create a dangerous and unhealthy situation for these residents. Already access to Marked Tree Road from Wurungul Lane is dangerous. Wurungul Lane diminishes to a single lane just prior to the bitumen of Marked Tree Road making existing difficult. If the DA is approved Council needs to address the necessary improvement to this intersection to ensure appropriate road standards are adhered to, as has been required in other subdivision developments in the Yass Valley, on the grounds of public safety.</i></p>	
3.2	<p><i>Statement of Environmental Effects, Para 2.1 states that the proposed subdivision is zoned RU1, Primary Production zone against Yass Valley LEP 2013. This proposed subdivision is not in line with the intent of the 40-hectare average lot size. While it may meet the obligation of average size over the whole subdivision, it does not allow lots 202 and 204 to meet the objectives of RU1 zoning. The sizes of these lots make it impossible to establish a sustainable primary production enterprise on the land. The proposed development does not minimise the fragmentation and alienation of resource lands, in fact it does the opposite of this. The development would not maintain or enhance the rural character of the Yass Valley.</i></p>	See 2.8.
3.3	<p><i>The land involved in the DA is all Native Vegetation, Category 2 Vulnerable Regulated land, with some pockets of Category 2 Sensitive and Vulnerable Regulated Land. So we query whether this land should be further subdivided and whether it could be established as a sustainable primary production enterprise. Evidence from the local area demonstrates that small lot sizes are unable to sustain productive farming enterprises. This in turn creates an on-going weed and feral pest control problems for the lots involved and for the neighbouring farmers. This has become a real issue in the Yass Valley Shire with various weeds infesting areas that are poorly managed and becoming endemic. This in turn causes neighbouring primary producers to incur greater financial costs, increased psychological stress and more work.</i></p>	<p>See 2.8.</p> <p>Taking all proposed Lots involved in the DA into account, and with regard to the following:</p> <ul style="list-style-type: none"> <i>To ensure that the location, type and intensity of development is appropriate, having regard to the characteristics of the land, the rural environment and the need to protect significant natural resources, including prime crop and pasture land.</i> <p>No matter the size of the underlying Lots, the characteristics of the land comprising proposed Lots 203 and 204 make it vulnerable to further degradation through grazing or and/or cultivation. It is wholly unsuited to agricultural production.</p> <p>Its best use, therefore, as part of the integrated land use across all Lots making up this DA is as an environmentally remediated and protected zone, with residential development where permissible.</p> <p>The LLS Land Management Funding Agreement (SE03402) requires the applicants to undertake</p>

		vertebrate pest animal and weed control. This forms part of an annual farm management program.
3.4	<i>It is our understanding that the building envelope (BE) for Lot 5 DP1264692 was moved in 2020 to the BE shown in proposed Lot 203. In 2020 the proposed BE now showing for Lot 204 was receded. Therefore, the Statement of Environmental Effects is incorrect in stating on page 7 para 3 that the proposed subdivision does not create any new BEs. The reinstatement of a BE on Lot 204 creates an additional BE that relies on RoC access.</i>	See 2.9.
4.		
4.1	<p><i>Our main concern continues to be the absence of a restriction on the future owner of Lot 203 concerning access to Kerrick Lane via the existing Crown Road. We want Council to assure us that following approval of the DA no access will be granted to Keerrick Lane, from Lot 203 as such access will place a further burden on a road that we privately pay to maintain. In addition, any traffic taking this route will pass within 50 metres of our main house, disturbing our privacy.</i></p> <p><i>We suggest a barrier such as bollards or removal of the existing gate be a requirement for approval.</i></p>	<p>See 1.1, 1.3 and 1.4.</p> <p>Note – this request is in contravention of the public access provisions of the <i>Crown Land Management Act 2016 No 58</i>. The applicants will oppose any effort, from any quarter, to limit their rights in relation to the crown road, including by the legal means available.</p>
5.		
5.1	<p>Public Safety <i>Entry into Wurungul Lane off Marked Tree Road poses a serious safety risk. It is a narrow, single lane road, with eroding verges that is in constant need of repair. The entrance to Wurungul Lane is also preceded by a sweeping bend. These factors have, on numerous occasions, caused near collisions. With the ever increasing volume of traffic on Marked Tree Road, no exit lane off Marked Tree Road, and the potential of an increase in vehicles exiting Wurungul Lane, it is imperative that these safety risks be addressed.</i></p> <p><i>It is requested that Council directs the developer to construct an entry into Wurungul Lane to the standard required of other subdivisions in Yass Valley Shire area.</i></p>	See 2.3 and 2.6.
5.2	<p>Wurungul Lane <i>Currently there are eight properties that have legal access off Wurungul Lane, This has the potential to increase substantially, especially if dual occupancy is permissible.</i></p> <p><i>Of major concern is the dust generated from the increase in traffic flow. This affects the lifestyle of and poses a health risk to nearby residents, especially those of Lot 2</i></p>	See 2.3, 2.4 and 2.5.

	<p>DP1246518. Sealing of Wurungul Lane, with specific attention to the residence and building envelopes on Lots 1 and 2 DP1246518, would help reduce this problem.</p> <p>Wurungul Lane requires constant maintenance even with the current level of traffic. If the development application is successful, the substantial increase in traffic volume will further place a heavy burden on maintenance. Thus, Council must take on the regular maintenance of Wurungul Lane and ensure that it meets Local Road Hierarchy Level 4 (RD-POL 9 Table 3.0 Rural Road Standards).</p>	
5.3	<p>Right of Carriageway The standard of the Right of Carriageway is definitely not 'fit for purpose' and would not be able to cope with the additional traffic generated by this proposed subdivision. The existing Gundaroo Creek crossing does not provide 'safe all-weather access' as has often been demonstrated in the past. Access to Lots 202, 203 and 204 via Gundaroo Road is a safer and more reliable option.</p> <p>The close proximity of this ROC to existing dwellings will significantly impact the lives and lifestyle of these residents.</p>	See 2.3, 2.2 and 2.1.
5.4	<p>Creation of an Additional Building Envelope We understand that the building envelope for Lot 5 DP1264692 was moved in 2020 to the building envelope shown in proposed Lot 203. In 2020 the proposed building envelope now showing for Lot 204 was receded. Therefore, the Statement of Environmental Effects is incorrect in stating (page 7 para 3) that the proposed subdivision does not create any new building envelopes.</p> <p>The reinstatement of a building envelope on Lot 204 does, in fact, create an additional building envelope. This further increases the volume of traffic that relies on the right of carriageway for access.</p>	See 2.9.
6.		
6.1	<p>Today, Wurungul Lane is deemed to finish at the Gundaroo River crossing and is not maintained by Yass Valley Council (the Council). From the river crossing onwards, the quality of the road drops considerably. This has been manageable as there are only two residences beyond the river crossing. I am the owner and occupier of XXXXXX which is at the 'end' of Wurungul Lane. This means there is little to no traffic passing my house or putting wear and tear on the road. Incidentally, the primary use of this road is actually for the movement of livestock.</p> <p>Should this proposal go ahead, use of the road past the river crossing would increase exponentially and expose my house and</p>	See 2.1, 2.3, 2.4, 2.5, and 2.6.

	<p>occupants to regular 'dust storms' as the cars pass by. Furthermore, given the road was built to create Right of Carriageway only, it is not of the width or standard for a regularly trafficked road.</p> <p>Wurungul Lane itself is not a 'two way' capable road and requires vigilant and careful awareness of other users to ensure there are no accidents. This has been manageable as there are 3-4 properties that use the majority of the road. Should the additional building envelopes outlined in the proposal become available, traffic on the road would increase and significantly increase the risk of an accident.</p> <p>The entrance to Wurungul Lane off Marked Tree Road is severely deteriorated and has a very narrow single lane section. This required serious consideration should additional residences be created through this proposal and the entrance become more utilised.</p>	
6.2	<p>I note there are inconsistencies and errors in the application document and it is unclear how many building envelopes will actually be created through this document.</p>	See 2.9.
6.3	<p>I ask that the Council undertake a considered review of the entirety of Wurungul Lane in light of this proposal and consider significant treatments to the road as part of this development. This would include addressing the entrance area, the suitability of the main part of the road and upgrading the 'extended portion of Wurungul Lane beyond the river crossing to a sealed road.</p>	See 2.4, 2.5 and 2.6.

A draft 88B instrument is included by way of attachment to this response. It sets out the parties burdened and benefitted by the proposed RoC shown as R3 on the Proposed Plan of Subdivision.

We recommend this proposed development to Council and await advice on Council's determination of the application.

Please call this office if you have any queries on the above.

Yours Faithfully
DPS YASS Pty Ltd



Rachel Doberer
SENIOR TOWN PLANNER
rachel@dpsyass.com.au

CONDITIONS OF CONSENT

Part A General Conditions

1. Consent is granted generally in accordance with the plans and details submitted to Yass Valley Council (Council) with the Development Application. The plans and details have been stamped and attached to this consent. The development must be carried out in accordance with the stamped plans or as modified by these conditions.
2. This approval relates only to the development referred to in the Development Application and does not approve or accept any works or buildings already erected on the land, whether or not those works or buildings are the subject of a prior approval.
3. All engineering design and construction work shall be undertaken in accordance with the following, current at the time of the Subdivision Works Certificate being issued:
 - Council's Road Standards Policy RD-POL-09
 - Specific Requirements of Transport for NSW
 - Council's Design and Construction Specification – AUS-SPEC #1
 - Australian Standards and
 - AustRoads
4. All adjustments to existing utility services, whether caused directly or indirectly by the approved development, must be undertaken at no cost to Council.
5. Public access to the site and construction works, materials and equipment on the site is to be restricted, when construction work is not in progress or the site is unoccupied.
6. The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to the satisfaction of Council as shall any techniques to suppress dust and the tracking of sediment onto existing sealed roads.
7. Noise, dust and odour generated as a result of the development must comply with the provisions of the *Protection of the Environment Operations Act 1997*.
8. A Section 138 approval, as defined by the Roads Act 1993 shall be obtained by Council for the works within the road reserve of Wurungul Lane.
9. All engineering design and construction work shall be undertaken in accordance with the following, current at the time of the consent:
 - Council's Road Standards Policy RD-POL-09
 - Council's Design and Construction Specification – AUS-SPEC #1
 - Australian Standards and
 - AustRoads

Part B Prior to Subdivision Works Commencing

10. The person having the benefit of this Development Consent must provide at least two days' notice to Council of their intention to commence subdivision work. This will require Form 131 to be submitted to Council.

11. Any contractor, prior to undertaking works in an existing Council road reserve, shall obtain an approval from Council as the Roads Authority and/or as required under section 138 *Roads Act 1993* and submit details that include but not limited to:

- A current work Licence
- A current public liability certificate with a minimum cover of \$20 million
- Current plant/vehicle insurances
- A certified Traffic Guidance Scheme for proposed works

Where works are required within a Classified Road, the applicant must obtain concurrence and/or approval of the Transport for NSW (TfNSW) for engineering design plans, Traffic Management Plans and approvals under section 138 *Roads Act 1993*.

12. A sign must be displayed and maintained in a prominent position on the site while subdivision work is being undertaken and removed upon completion.

The sign must list the following details:

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

13. Toilet facilities must be provided at the work site. Each toilet provided must be:

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

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

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

15. The amount of filling material imported to the site for works associated with this approval (e.g. road upgrade) must be limited to 100m³ unless otherwise approved by Council. If the amount of filling for works associated with this approval is greater than 100m³ details on the volume of material and number of truck movements must be submitted to Council.

16. Upgrading of substandard areas of Wurungul Lane for adequate access to proposed Lots 203 and 204 shall not commence until the person having the benefit of this Development Consent has obtained, by Council an approval under Section 138 *Roads Act 1993* by submitting details that include but not limited to:

- Engineering drawings for required works
- A current work Licence.
- A current public liability certificate with a minimum cover of \$20 million
- Current Plant / vehicle insurances
- A certified traffic guidance scheme plan for proposed works

17. A construction management plan to address construction activity, access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the construction works to alleviate any need to park within, or load/unload from Council's road reserve. Appropriate signage and fencing are to be installed and maintained to effect this requirement. The proposed construction site's entrance is to be clearly shown.

Part C While subdivision works are being carried out

Environmental Heritage

18. If an Archaeology object is discovered during the course of work:
- (a) All work must stop immediately and
 - (b) The *Department of Planning, Industry and Environment* must be advised of the discovery.

Depending on the significance of the object, an archaeological assessment and excavation permit issued under the *Heritage Act 1997*, may be required before work can continue.

19. If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of work:
- (a) All must stop immediately and
 - (b) The Department of Planning, Industry and Environment must be advised of the discovery in accordance with s.89A National Parks and Wildlife Act 1974.

Depending on the nature of the discovery, an Aboriginal Heritage Impact Permit issued under the National Parks and Wildlife Act 1974, may be required before work can continue.

Tree Management

20. All trees that are proposed to be retained must be protected prior to any site works or civil works commencing on the site in accordance with *AS 4970-2009 - Protection of Trees on Development Sites*.
21. The removal of trees from the site is restricted to those in accordance with the plans and details submitted to Council with the Development Application, stamped and attached to this consent.

Earthworks, Internal Driveways and Importation of Material

22. Dust, noise and odour emissions from works associated with the proposed development must comply with the provisions of the *Protection of the Environment Operations Act 1997*.
23. Details of a suitably qualified and experienced person, to the satisfaction of the Council (and with knowledge of soil conservation practices), who will be responsible for the day to day environmental management of the site and provide liaison between the Developer and all relevant government agencies including Council, must be submitted to Council.
24. Appropriate soil erosion and sediment control measures must be installed.
25. Material imported to the site must be suitable for the proposed application and be:
- (a) Sourced from a suitably licensed facility (i.e. landscaping supplies or quarry operation) or
 - (b) VENM as defined in the *Protection of the Environment Operations Act 1997*.

Documentation demonstrating compliance with this condition must be provided to Council upon request.

26. Heavy vehicle movements associated with the delivery of material to the site are restricted as follows:
- (a) A maximum of 6 movements per day (1 movement = in and out of the site)
 - (b) No movements on weekends or public holidays
 - (c) Movements must occur between 7am and 6pm.
27. If required, the movement of heavy vehicles associated with the delivery of material must comply with the conditions of any heavy vehicle permit issued by Council.
28. A 'Fill Delivery Record' must be established and must record:
- The source address of the fill
 - Whether the fill has been certified as VENM or ENM
 - The volume of material delivered
 - The name, contact details, and organisation or affiliation of the person delivering the material
 - Vehicle registration
 - The date of delivery.

A copy of the 'Fill Delivery Record' must be submitted to Council upon request.

Part D Inspections

To arrange an inspection with Council please use the on-line booking system:

yassvalley.nsw.gov.au > Our Services > Planning and Building > Certification and Inspections > Inspections

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

29. A compliance certificate must be obtained from Council's Infrastructure & Assets Division at the following stages of construction:

Roads

- (a) Completion of Completion of the unsealed road upgrade - visual only
- (b) Completion of new Right of Carriageway - visual only
- (c) **Completion of the unsealed road upgrade** - visual only

Fencing

- (a) **Completion of boundary fencing of each lot created**

30. An inspection is to be undertaken by Council's Planning and Environment Division or an accredited bushfire consultant at the completion of bushfire protection works as required by the NSW Rural Fire Service.
31. An inspection must be undertaken by the Local Control Authority to determine the status of weeds on each proposed lot.

Part E Bushfire Protection – NSW Rural Fire Service General Terms of Approval

32. Refer to [Appendix A](#).

Part F Before the issue of a Subdivision Certificate

33.

In accordance with [s.7.12 EP&A Act](#) and the [Yass Valley Development Contributions Plan 2018](#), a monetary contribution must be paid to Council if the proposed cost of carrying out the development exceeds \$100,000.

The cost of carrying out development is to be determined by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following (as applicable to the development):

- Materials and labour required for the erection of building/s
- Materials and labour for the internal fit out of all buildings
- Demolition works
- Excavation and site preparation including earthworks for access construction
- Driveway construction/upgrade
- Water, sewer and stormwater infrastructure

The contribution rate is determined in accordance with the table below and is cumulative across stages:

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

The contribution plan may be viewed on Council's [website](#) or at the Council Office, located at 209 Comur Street, Yass.

34. A levy under the Building and Construction Industry Long Service Payments Act 1986, equivalent to 0.25% of the value of the works, shall be paid, where the value of such works is greater than \$250,000.
35. The property vehicular accesses from the road to the property boundary must be constructed in accordance with Council's Road Standards Policy RD-POL-09 or, where required, designs/drawings approved under S.138 of the Roads Act 1993.
36. Roads and associated infrastructure is constructed/upgraded in accordance with either Council's Road Standards Policy RD-POL-09 or, where required, designs/drawings approved with the Subdivision Works Certificate.
37. Stock proof fencing must be provided to all boundaries of the proposed lots in accordance with Council's Non-Urban Fencing Policy DA-POL-12.

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

- A fence height of no less than 1,200 mm
- Strainers – spacing 100 m to 200 m depending on terrain
- Steel Star Pickets at 4 m centres
- Two 1.57 mm high tensile barbed wires (or 2.5 mm. high tensile plain wires) on top

- Three 2.8 mm high tensile carry wires
- “Hinged Joint or Ringlock”
- Netting floodgates as required
- All gates must be set back a minimum of 15 metres from the edge of road formation.

New fences must be located so as to minimise the need for tree removal.

All “Hinge Joint or Ringlock” fencing must be set no higher than 50 mm above the surface of the ground.

The existing boundary fence where dilapidated, must be repaired to the above standard. Existing fence in good order but of varying standards may be permitted if such standard is deemed by Council as ‘stock proof’.

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

- 38.** The Applicant must provide an inspection notice, from within the last three months, of the status of weeds on the property pursuant to the Applicant’s General Biosecurity Duty under the *Biosecurity Act 2015*.

The applicant must carry out such works as determined by the Local Control Authority for the satisfactory control of weeds prior to the issue of a Subdivision Certificate. The Local Control Authority is to provide written documentation confirming that these works have been carried out and completed in a satisfactory manner.

Where a plan of management is required by the Local Control Authority for the satisfactory control of weeds:

- (a) The applicant must submit to Council a copy of the plan of management
 - (b) The applicant must submit to Council written documentation from the Local Control Authority confirming that the plan of management is satisfactory
 - (c) The plan of management must be registered as a restriction to user under Section 88 of the *Conveyancing Act 1919*. The name of the Authority having the power to release, vary or modify this restriction must be Yass Valley Council and will only be released at such time as an inspection notice from the Local Control Authority is submitted to Council confirming that the area is free of weeds.
- 39.** In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of electricity supply is available to each lot within the subdivision.
- 40.** In accordance with the Provision of Electricity Supply and Telecommunications Service for Subdivisions Policy DA-POL-17, evidence must be submitted to Council demonstrating that a satisfactory standard of telecommunications service is available to each lot within the subdivision.
- 41.** The applicant must confirm by survey that the formation and associated batters and drainage structures of Gundaroo Road and Wurungul Lane along the frontage of the subject property, are within the road reserve.

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

42. Easements must be created on the final plan of subdivision centred on any existing or new power lines/cables passing through private property and must be in accordance with the service provider's requirements.
43. Building envelopes must be designated on the final plan of subdivision over each proposed lot in accordance with the approved plan of subdivision.

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

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

44. The development must comply with the General Terms of Approval issued by the NSW Rural Fire Service (refer [Appendix A](#)).
45. Evidence must be provided indicating that the dams located on each of the proposed lots do not exceed the maximum harvestable rights in accordance with the maximum harvestable right dam capacity provisions of the NSW Farm Dams Policy 1999.
46. A Subdivision Certificate Application (Form 206) must be submitted to Council.

The application is to be accompanied by the following:

- (a) A plan of subdivision (linen plan) acceptable for registration by the NSW Land Registry Service.
- (b) An Administration Sheet which incorporates a subdivision certificate acceptable for registration by the NSW Land Registry Service.
- (c) Where easements, rights of carriageway or restrictions on the use of land are proposed or required to be created under Section 88 of the *Conveyancing Act 1919*, a copy of the relevant instrument.
- (d) The relevant documents required by the NSW Land Registry Service for the registration of a Community scheme or a Strata scheme, if applicable.
- (e) The applicant must create, where applicable, 20 metre wide easements over the final plan of subdivision in favour of Essential Energy, centred on all existing power lines which cross the subdivision.
- (f) A copy of relevant development consent or complying development certificate.
- (g) A copy of any relevant construction certificate.
- (h) A copy of any relevant compliance certificates, letters from authorities and receipts for payment of any fees/contributions.
- (i) A copy of detailed subdivision engineering plans, where relevant.

- (j) Evidence that the applicant has complied with all conditions of consent that it is required to comply with before a subdivision certificate can be issued.
- (k) For subdivision involving subdivision work, evidence that the work has been completed, or:
 - Agreement has been reached with the relevant consent authority as to payment of the cost of work and as to the time for carrying out the work, or
 - Agreement has been reached with the relevant consent authority as to security to be given to the consent authority with respect to the completion of the work.
- (l) The relevant fee payment at the date of application for the subdivision certificate.

47. The following works in Wurungul Lane are to be carried out within a 300m section north and south of the creek crossing in accordance with either Council's Road Standards Policy RD-POL-09 or, where required, designs/drawings approved under Section 138 Roads Act 1993.

- Widen existing carriageway to a minimum of 4.5 meters north of the crossing up to the turn off to the property at 190 Wurungul Lane and south of the crossing up to the gate. To ensure no trees are removed or damaged, an alternate upgrading by means of passing bays can be considered.
- Provide road bend warning signs at the bend south of the beginning of existing Right of Way.
- Replace existing stoned dish drainage crossing near the turnoff to the property at 194 Wurungul Lane with a pipe and headwalls culvert.

48. In addition to compliance with the property access requirements of the NSW Rural Fire Services, the following works on the existing Right of Way are to be carried out:

- Provide road bend warning signs at the bend about 200 meters south of the access entrance to proposed Lot 204.
- Provide guideposts at all recently constructed pipe culverts.

Any damage to Councils Road caused by the construction is to be repaired.

All disturbed surfaces adjacent to the works, either natural or manmade, will be required to be rehabilitated to a suitable state at the end of works.

49. Certification from an appropriately certified person that all the conditions of this consent are satisfied.

50. The subdivision certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*.

Advisory Notes Accompanying Development Consent DA230018

1. This consent has been granted under Clause 4.1B of *Yass Valley Local Environmental Plan 2013*.
2. All fees and charges associated with this consent will be adjusted annually from the date of this consent in accordance with seasonal movements in the CPI for the Canberra region.
3. This development consent does not guarantee compliance with land specific agreements, by-laws, covenants, 88B restrictions, community management plans, or other similar development restrictions that may be applicable to the land. It is the responsibility of the land owner, applicant and developer to make their own enquiries in order to be satisfied that compliance with these restrictions has been achieved.
4. The applicant must ensure all sub-contractors are licensed by the NSW Department of Fair Trading.
5. All persons undertaking work in connection with this consent must ensure all required risk control measures and procedures are complied with.

The *Work Health and Safety Act 2011*, the *Work Health and Safety Regulation 2011* and various Australian Standards provide a comprehensive set of risk control measures and procedures for development sites. This legislation is administered by WorkCover New South Wales which has produced a variety of guidelines and other supporting documents for the information of developers.

APPENDIX A – NSW Rural Fire Service General Terms of Approval



NSW RURAL FIRE SERVICE

Yass Valley Council
Locked Bag 6
YASS NSW 2582

Your reference: (CNR-51476) DA230018
Our reference: DA20230203000476-Original-1

ATTENTION: Jeremy Knox

Date: Thursday 16 March 2023

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Torrens Title Subdivision
4338 GUNDAROO ROAD GUNDAROO 2620, 4//DP1284692, 3//DP1284692

I refer to your correspondence dated 03/02/2023 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

General Conditions

1. The General Terms of Approval are based on the documents/plans supplied via Councils referral to the NSW RFS.
 - The plan titled "Plan of Proposed Subdivision of Lots 3, 4 & 5 DP1284692 4350 & 4338 Gundaroo Road and 194 Wurungul Lane Gundaroo, prepared by Diverse Project Solutions, reference 3764, dated September 2022"
 - The bush fire assessment prepared by Ember Bushfire Consulting, first issue, dated 9/01/2023.

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

2. At the issue of a subdivision certificate, and in perpetuity, the site around the existing buildings on lot 201 and 202 must be maintained as an inner protection area for a distance of 50 metres to the north, east, south and west. The land must be managed in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

Access – Property Access

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

3. The proposed access handles and right of carriageways must comply with the following property access way requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:

- property access roads are two-wheel drive, all-weather roads;
- minimum 4m carriageway width;
- in forest, woodland and heath situations, rural property access roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m at the passing bay;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the crossfall is not more than 10 degrees; and,
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

General Advice – Consent Authority to Note

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the *National Construction Code* must be subject to separate application under section 4.14 of the *Environmental Planning and Assessment Act 1979* and address the requirements of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Laura Richards on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Services
Built & Natural Environment





BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision
4338 GUNDAROO ROAD GUNDAROO 2620, 4//DP1284692, 3//DP1284692
RFS Reference: DA20230203000476-Original-1
Your Reference: (CNR-51476) DA230018

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under s100b of the Rural Fires Act 1997.

Michael Gray
Manager Planning & Environment Services
Built & Natural Environment

Thursday 16 March 2023

Yass Valley Council

Quarterly Budget Review Statement

For the period 1/01/2023 to 31/03/2023

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Yass Valley Council

Quarterly Budget Review Statement

For the period 1/01/2023 to 31/03/2023

Report by Responsible Accounting Officer

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

It is my opinion that the Quarterly Budget Review Statement for Yass Valley Council for the quarter ended 31/03/2023 indicates that Council's projected financial position at 30/6/2023 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Franco Rombola
Responsible Accounting Officer

6.3 Third Quarterly Budget Review 2022/23 Statements
Attachment A Third Quarter Budget Review Statement

Yass Valley Council

Income and Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2023

Income and Expenses - Council Consolidated

Quarterly Budget Review Statement

for the period 01/01/2023 to 31/03/2023

(\$000's)	Original Budget 2022/23	Approved Changes						Revised Budget 2022/23	Recommend changes for Mar Qtr	Notes	Projected Year End Result	Mar-23 Actual YTD figures
		Other than by QBRs		Carry	Sept	Dec	Mar					
		Amended	Balance	Forwards	QBRs	QBRs	QBRs					
Income												
Rates and Annual Charges	19,275	-89	19,186	0	0	240	0	19,426	247	1	19,673	19,673
User Charges and Fees	6,071	111	6,182	0	0	9	0	6,191	0		6,191	5,749
Other Revenues	300	-87	213	0	0	71	0	284	0		284	270
Grants and Contributions - Operating	5,092	228	5,320	0	0	-522	0	4,798	682	2	5,480	5,480
Grants and Contributions - Capital	11,578	1,100	12,678	0	2,978	-974	0	14,682	0		14,682	9,532
Interest and Investment Revenues	139	0	139	0	0	101	0	240	1,600	3	1,840	1,840
Other Income	394	0	394	0	0	0	0	394	0		394	311
Fair Value increment on Investment Property	113	-113	0	0	0	0	0	0	0		0	0
Net Gains from Disposal of Assets	1,896	-736	1,160	0	0	-850	0	310	0		310	161
Total Income from Continuing Operations	44,858	414	45,272	0	2,978	-1,925	0	46,325	2,529		48,854	43,016
Expenses												
Employee Costs	15,085	440	15,525	0	0	-507	0	15,018	0		15,018	10,073
Materials & Services	11,133	-573	10,560	620	421	859	0	12,460	0		12,460	8,843
Borrowing Costs	1,097	-5	1,092	0	0	-255	0	837	516	4	1,353	1,353
Depreciation	5,997	3,697	9,694	0	0	0	0	9,694	0		9,694	7,271
Other Expenses	880	339	1,219	0	0	-80	0	1,139	0		1,139	855
Total Expenses from Continuing Operations	34,192	3,898	38,090	620	421	17	0	39,148	516		39,664	28,395
Net Operating Result from Continuing Operations	10,666	-3,484	7,182	-620	2,557	-1,942	0	7,177	2,013		9,190	14,621
Discontinued Operations - Surplus/(Deficit)								0			0	0
Net Operating Result from Continuing Operations	10,666	-3,484	7,182	-620	2,557	-1,942	0	7,177	2,013		9,190	14,621

6.3 Third Quarterly Budget Review 2022/23 Statements
Attachment A Third Quarter Budget Review Statement

Yass Valley Council

Quarterly Budget Review Statement

for the period 01/01/2023 to 31/03/2023

Income and Expenses Budget Review Statement

Budget review for the quarter ended 31 March 2023

Income and Expenses - Council Consolidated

(\$000's)	Original Budget 2022/23	Approved Changes						Revised Budget 2022/23	Recommend changes for Mar Qtr	Projected Year End Result	Mar-23 Actual YTD figures
		Other than by QBRs		Carry Forwards	Sept QBRs	Dec QBRs	Mar QBRs				
		Amended	Balance								
Income											
Our Civic Leadership	13,950	0	13,950	0	0	250	0	14,200	1,847	16,047	14,539
Our Community	336	0	336	0	0	0	0	336	0	336	481
Our Economy	1,242	0	1,242	0	0	0	0	1,242	0	1,242	144
Our Environment	770	0	770	0	0	120	0	890	0	890	1,335
Our Infrastructure	28,560	415	28,975	0	2,978	-2,296	0	29,657	682	30,339	26,517
								0			
Total Income from Continuing Operations	44,858	415	45,273	0	2,978	-1,926	0	46,325	2,529	48,854	43,016
Expenses											
Our Civic Leadership	4,901	0	4,901	458	421	-82	0	5,698	516	6,214	3,380
Our Community	1,497	0	1,497	10	0	0	0	1,507	0	1,507	2,231
Our Economy	2,396	0	2,396	19	0	0	0	2,415	0	2,415	577
Our Environment	2,472	0	2,472	84	0	0	0	2,556	0	2,556	2,374
Our Infrastructure	22,926	3,899	26,825	49	0	100	0	26,974	0	26,974	19,833
Total Expenses from Continuing Operations	34,192	3,899	38,091	620	421	18	0	39,150	516	39,664	28,395
Net Operating Result from Continuing Operations	10,666	-3,484	7,182	-620	2,557	-1,944	0	7,175	2,013	9,190	14,621
Discontinued Operations - Surplus/(Deficit)								0		0	
Net Operating Result from Continuing Operations	10,666	-3,484	7,182	-620	2,557	-1,944	0	7,175	2,013	9,190	14,621
Net Operating Result before Capital Items								-		-	

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/2023 to 31/03/2023

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Increase of \$247K for Rates & Annual charges.
2	Increase of \$682 for grants received.
3	Increase of \$1.6M Interest and Investment revenues to reflect higher than budgetted returns on investment portfolio
4	Increase of \$516K due to higher than budgeted borrowing costs on Yass Dam Wall refinancing.

6.3 Third Quarterly Budget Review 2022/23 Statements
Attachment A Third Quarter Budget Review Statement

Yass Valley Council

Quarterly Budget Review Statement

for the period 01/01/2023 to 31/03/2023

Capital Budget Review Statement

Budget review for the quarter ended 31 March 2023

Capital Budget - Council Consolidated

(\$000's)	Original Budget 2022/23	Approved Changes						Revised Budget 2022/23	Recommend changes for Mar Qtr	Notes	Projected Year End Result	Mar-23 Actual YTD figures
		Other than by QBRs		Carry	Sept	Dec	Mar					
		Amended	Balance	Forwards	QBRs	QBRs	QBRs					
Capital Expenditure												
New Assets												
- Plant & Equipment	3,606							3,606			3,606	604
- Land & Buildings	0			57				57			57	
- Roads, Bridges, Footpaths	0					490		490			490	
Renewal Assets (Replacement)	0							0			0	
- Plant & Equipment	0							0			0	-
- Land & Buildings	1,205				798			2,003			2,003	1,628
- Roads, Bridges, Footpaths	9,407			1,329	3,356			14,092	-1,901	1	12,191	5,493
- Stormwater	0							0			0	
- Water Supply Network	4,312			869	128			5,309			5,309	2,100
- Sewerage Network	1,350			412	-280			1,482			1,482	540
- Other Open Space/Recreational Assets	3,021			152	825			3,998			3,998	1,444
- Waste	415			471	18			904			904	21
Loan Repayments (Principal)	682							682			682	362
Total Capital Expenditure	23,998	0	0	3,290	4,845	490	0	32,623	-1,901		30,722	12,192
Capital Funding												
Rates & Other Untied Funding	1,952			107	659			2,718			2,718	5,067
Capital Grants & Contributions	11,955			658	4,271	80		16,964			16,964	
Reserves:												
- External Restrictions/Reserves	6,077			2,377	-85	410		8,779	-1,901	2	6,878	
- Internal Restrictions/Reserves	4,014			148				4,162			4,162	
Total Capital Funding	23,998	0	0	3,290	4,845	490	0	32,623	-1,901		30,722	5,067
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-	-	-		-	7,125

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/2023 to 31/03/2023

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

1	A reduction in expenditure of \$1.9M due to the commencement of the Nanima Road (Jeir Creek) bridge replacement project has been deferred to early 2023/24.
2	A corresponding increase of \$1.9M in Externally Restricted Revenue, due to the deferred Nanima Road (JeirCreek) bridge replacement project.

6.3 Third Quarterly Budget Review 2022/23 Statements
Attachment A Third Quarter Budget Review Statement

Yass Valley Council

Quarterly Budget Review Statement

for the period 01/01/2023 to 31/03/2023

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 March 2023

Cash & Investments - Council Consolidated

(\$000's)	Opening Balance 2022/23	Approved Changes					Revised Balance 2022/23	Recommend changes for Mar-23	Notes	Projected Year End Result	Mar-23	
		Other than by QBRs		Carry Forward	Sept QBRs	Dec QBRs					Mar QBRs	Actual YTD figures
		Amended	Balance									
Externally Restricted ⁽¹⁾												
Unexpended Grants	4,873					490	5,363			5,363	5,363	
Water Supplies	3,738						3,738	-1,368	1	2,370	2,370	
Sewerage Services	4,222						4,222	-498	2	3,724	3,724	
Waste Management	2,993						2,993			2,993	2,993	
Stormwater Management	250						250			250	250	
S64 Water	3,040						3,040			3,040	3,040	
S64 Sewer	1,026						1,026			1,026	1,026	
S7.11 Yass Valley Council Area	6,656					-410	6,246	-163	3	6,083	6,083	
Total Externally Restricted	26,798	0		0	0	80	26,878	-2,029		24,849	24,849	
(1) Funds that must be spent for a specific purpose												
Internally Restricted ⁽²⁾												
Plant & Vehicle Replacement	1,906						1,906	-38	4	1,868	1,868	
Employee Leave Entitlement	919						919			919	919	
Binalong Pool	22						22			22	22	
Comur Street Rehabilitation	20						20			20	20	
Infrastructure-land and assets	1,453						1,453	-718	5	735	735	
Local Government Elections	135						135			135	135	
Murrumbateman S355	123						123			123	123	
Quarry Rehabilitation	106						106			106	106	
Roads	44						44			44	44	
Victoria Park	578						578			578	578	
Electricity Savings Reserve	97						97			97	97	
General Revenue Carry Forward	691					-691	0			0	0	
Financial assistance grant (advance)	2,756					-2,756	0			0	0	
Total Internally Restricted	8,850	0		-3,447	0	0	5,403	-756		4,647	4,647	
(2) Funds that Council has earmarked for a specific purpose												
Unrestricted (i.e., available after the above Restrict	27	0		3,447	0	-80	3,394	0		3,394	128	
Total Cash & Investments	35,675						35,675	-2,785		32,890	29,624	

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/2023 to 31/03/2023

Cash & Investments Budget Review Statement

Comment on Cash & Investments Position

Investments

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

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$29,624,057

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.

The date of completion of this bank reconciliation is 31/03/2023

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows: **\$ 000's**

Cash at Bank (as per bank statements)	7,224
Investments on Hand	22,400

Reconciled Cash at Bank & Investments	<u>29,624</u>
--	---------------

Balance as per Review Statement:	<u>29,624</u>
---	---------------

Difference: -

	These are adjustments from the reserves to cover expenditure on corresponding projects. They do not have a cash affect
--	--

6.3 Third Quarterly Budget Review 2022/23 Statements Attachment A Third Quarter Budget Review Statement

Pass Valley Council

Quarterly Budget Review Statement Budget review for the quarter ended 31 March 2023

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

Budget review for the quarter ended 31 March 2023

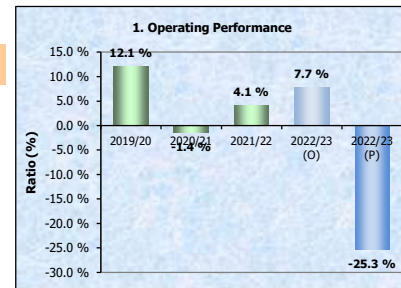
\$000's)	Current Projection		Original Budget 22/23	Actuals Prior Periods	
	Amounts	Indicator		21/22	20/21
	22/23	22/23		21/22	20/21

ISW Local Government Industry Key Performance Indicators (OLG):

1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses	- 7,900	-25.3 %	7.67 %	4.07 %	-1.35 %
Operating Revenue (excl. Capital Grants & Contributions)	31,249				

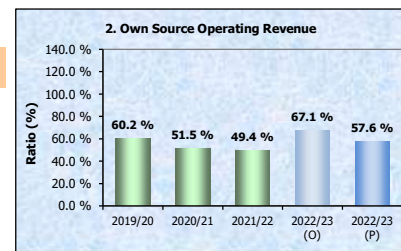
This ratio has decreased to be under the benchmark primarily due to the volume of Capital Grants the council has obtained. These are one off grants that the State and Federal Governments have offered to stimulate the economy due to the impacts of COVID-19. These funds will be used to fast track Council's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



2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)	26,451	57.6 %	67.15 %	49.40 %	51.50 %
Total Operating Revenue (incl. Capital Grants & Cont.)	45,930				

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



6.3 Third Quarterly Budget Review 2022/23 Statements
Attachment A Third Quarter Budget Review Statement

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/23 to 31/03/23

Contracts Budget Review Statement

Budget review for the quarter ended 31 March 2023

Part A - Contracts Listing - contracts entered into during the financial Year to date.

Contract detail & purpose	Contractor	Contract Value	Start or Awarded Date	Duration of Contract
Supply and Delivery of Skid steer loader and attachments	Clark Equipment Sales Pty Ltd, 36-38 Barrier St Fyshwick ACT 2609	\$160,325	1-Jul-22	one off
Yass Sewerage Treatment Plant Sludge Dewatering	Southern Cross Ag and Trucking Pty Ltd	\$130,820	29-Aug-22	12-Sep-22
Supply and Delivery of 1 x Skid Steer Trailer with attachment rack	Rogers-Wille, 3 Antimony Street Carole Park, QLD, 4300	\$48,900	23-Sep-22	one off
Yass Sewer Relining Project	Interflow Pty Ltd	\$566,300	1-Nov-22	5 Months
Supply and Delivery a Large Area Rotary Mower	TORO Australia Group Sales PTY LTD, 53 Howards Road BEVERLY SA 5009	\$124,667	7-Nov-22	One off
Jeir Creek Bridge - Nanima Road	Complete Civil Pty Ltd PO Box 161 Yass NSW 2582	\$1,328,351	28-Oct-22	30/06/2023
Back Creek Road Upgrade - Stage 1	Allan Casey Lentro Earthworks Pty Ltd 342 Wallaroo Road Wallaroo, NSW 2618	\$2,889,297	28-Oct-22	30/06/2023
Cleaning of drinking water supply reservoirs	Southern Commercial Divers PO Box 174 Albion Park NSW 2527	\$22,000	5-Oct-22	5-Dec-22
Wee Jasper Road Stage 2 Seg 70 & 71	Allan Casey Lentro Earthworks Pty Ltd 342 Wallaroo Road Wallaroo, NSW 2618	\$720,000	30-Nov-22	Mar-23
Yass Memorial Hall - re-roofing	Total Roof Care Pty Ltd	\$750,000	Mar-23	Jun-23
Primary School SPS Refurbishment-Civil Package	Qmax Pumping Systems Pty Ltd	\$222,100	27-Mar-23	31-Jul-23
Strategic Assessment - Yass Rail Trail	Burchills Engineering Solutions - Level 2, 26 Marine Parade, Southport QLD 4215	\$190,000	14.03.2023	Completion June 2023
Browne Street Drainage Improvements	Lentro Earthworks - 342 Wallaroo Road, Wallaroo NSW 2618	\$190,000	28.03.2023	Completion July 2023

Yass Valley Council

Quarterly Budget Review Statement
for the period 01/01/23 to 31/03/23

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	310,768	Y
Legal Fees	12,091	Y

Definition of a consultant:

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

6.4 Investments and Borrowings Report - April 2023

Attachment A April 2023 Investment Report

A) Council Investments as at 30 April 2023

Investment Type	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Cash Working Accounts						
NAB Working Account ¹	1,759,712.11	A1+/AA-	n/a	n/a	at call	3.60%
Tcorp Strategic Cash Facility ²	4,981,990.76	AAA	n/a	n/a	3 day call	3.09%
	6,741,702.87					
CBA	1,500,000.00	AA-	28/02/23	29/11/23	274	4.85%
NAB	1,500,000.00	A1+/AA-	26/04/23	25/10/23	182	4.50%
CBA	1,400,000.00	AA-	24/02/23	04/10/23	222	4.85%
NAB	1,200,000.00	A1+/AA-	05/04/23	06/09/23	154	4.40%
MyState	1,500,000.00	A2/BBB+	10/03/23	06/09/23	180	4.70%
CBA	1,000,000.00	AA-	28/02/23	30/08/23	183	4.64%
BOQ	1,000,000.00	A2/BBB+	08/02/23	09/08/23	182	4.40%
Great Southern Bank	1,000,000.00	A2/BBB	31/01/23	02/08/23	183	4.45%
NAB	10,350.92	A1+/AA-	11/04/23	13/07/23	93	3.00%
AMP	1,000,000.00	A2/BBB	11/01/23	12/07/23	182	4.50%
AMP	500,000.00	A2/BBB	14/12/22	21/06/23	189	4.30%
NAB	1,000,000.00	A1+/AA-	22/03/23	20/06/23	90	4.35%
AMP	1,500,000.00	A2/BBB	14/12/22	14/06/23	182	4.30%
AMP	1,500,000.00	A2/BBB	12/12/22	14/06/23	184	4.30%
NAB	1,500,000.00	A1+/AA-	25/01/23	24/05/23	119	4.05%
NAB	1,500,000.00	A1+/AA-	25/01/23	10/05/23	105	4.00%
NAB	1,500,000.00	A1+/AA-	31/01/23	03/05/23	92	4.01%
AMP	2,000,000.00	A2/BBB	31/10/22	03/05/23	184	4.40%
Term Deposits < 12 Months						
	22,110,350.92					
Total Short Term	28,852,053.79					4.13%
Investment Property						
Hawthorn - Current Fair Value	6,688,000.00	Revalued 30 June 2022 as part of financial Statements				

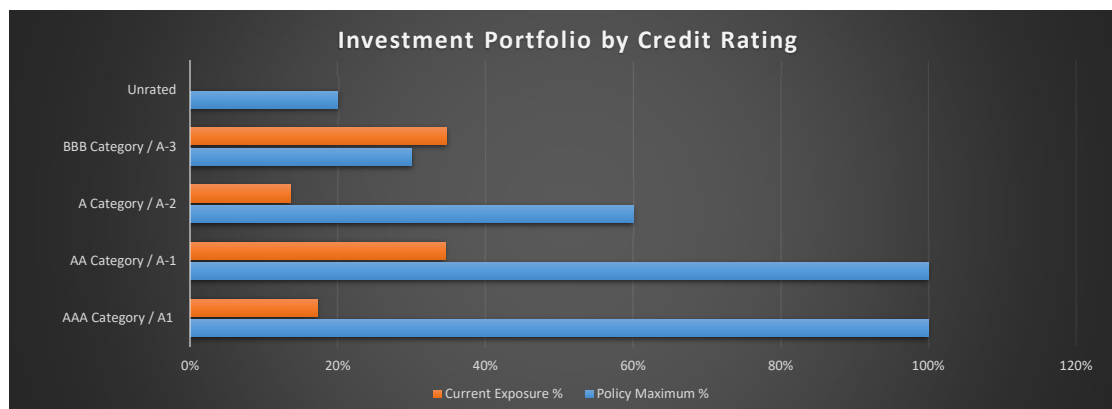
1. The NAB account balance shown above includes deposits at month end not processed to Council's financial system and excludes cheques that have not been presented.

2. Tcorp Strategic Cash Facility is an allowable investment under the Ministerial Order. The % interest rate is an annualised rate.

It changed from a monthly rate to an annualised rate in October 2022

b) Investment Exposure by Credit Rating Type

S&P Long Term / Short Term Credit Rating	Policy Maximum %	Current Exposure %	Current Investment \$
AAA Category / A1	100%	17.27%	4,981,990.76
AA Category / A-1	100%	34.56%	9,970,063.03
A Category / A-2	60%	13.52%	3,900,000.00
BBB Category / A-3	30%	34.66%	10,000,000.00
Unrated	20%	0.00%	-
		100%	28,852,053.79



6.4 Investments and Borrowings Report - April 2023

Attachment A April 2023 Investment Report

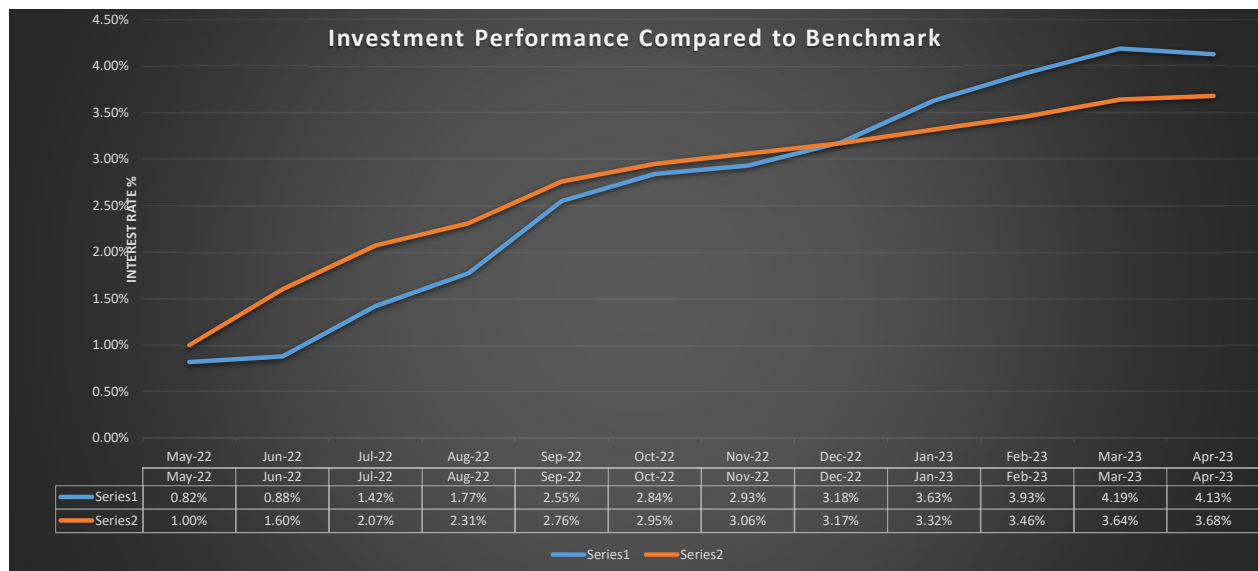
c) Exposure to a Single Institution

Institution	S&P Rating	Policy Maximum %	Current Exposure %	Current Investment \$
NAB	A1+/AA-	50%	34.56%	9,970,063.00
CBA	AA-	50%	13.52%	3,900,000.00
BOQ	A2/BBB+	30%	3.47%	1,000,000.00
MyState	AA-	30%	5.20%	1,500,000.00
AMP	A2/BBB+	30%	22.53%	6,500,000.00
Great Southern Bank	AA-	30%	3.47%	1,000,000.00
TCorp	AAA	50%	17.27%	4,981,990.00
			100.00%	28,852,053.00

d) Investment Portfolio Performance

Investment Performance vs Benchmark

	Investment Portfolio return (%pa)	Benchmark: BBSW 90 day Bank Bill Index (source RBA)
1 month average	4.13%	3.68%
3 month average	4.08%	3.59%
6 month average	3.67%	3.39%
12 month average	2.69%	2.75%



**Local Government
Remuneration Tribunal**

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

27 April 2023



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Executive Summary

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

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.

In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.

Accordingly, the revised categories of general purposes councils are determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural



Fees

The Tribunal determined a 3 per cent per annum increase in the minimum and maximum fees applicable to each category.

For the new categories, the Tribunal has determined fees having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Twenty six (26) councils are recategorised into a higher existing category or placed in a new category.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2020.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees without breaching the Government's Wages Policy as per section 242A (3) of the LG Act.
5. Natural disasters have a significant impact on the way mayors in particular work. There is an increase on time demands from the community, and media during these events as well as an increase in workloads. Whilst it is worth noting these issues, it is not within the Tribunal's authority to determine additional remuneration in recognition of the increasing demands on a mayor's time for these events.
6. The Tribunal's determination takes effect from 1 July each year.

Section 2 – 2022 Determination

7. In 2022, the Tribunal received eight (8) submissions, which included five (5) requests for recategorisation. Three of these requests sought the creation of new categories.
8. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate but noted that some councils may have a case for recategorisation at the next major review of categories in 2023.
9. The Tribunal determined that fees would increase 2 per cent in the minimum and maximum fees applicable to each category from 1 July 2022.

Section 3 – 2023 Review

2023 Process

10. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees, categorisation and any other general matters. The invitation noted that it is expected that submissions are endorsed by the respective council.
11. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
12. The Tribunal received 18 written submissions, of which 15 were from individual councils, 1 submission from LGNSW, 1 from Australian National University academic, Associate Professor Tanya Jakimow, and 1 from the United Services Union (USU).
13. The Tribunal notes that 12 of the 15 council submissions were endorsed by the representative councils.
14. The Tribunal acknowledges and thanks all parties for their submissions.
15. Noting its comments in its reports of 2021 and 2022, the Tribunal met Central NSW Joint Organisation member representatives in Orange, and Far South West Joint Organisation member representatives in Broken Hill. The Tribunal also gave an overview of its work to a meeting of the Country Mayors' Association in Newcastle. While in Broken Hill the Tribunal met with LGNSW representatives.
16. The Tribunal and Assessors met as required to discuss submissions, review category criteria and allocation of councils



Categories

17. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every three years. The Tribunal last reviewed the categories in 2020.
18. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in Section 240 of the LG Act:
 - *the size of areas;*
 - *the physical terrain of areas;*
 - *the population of areas and the distribution of the population;*
 - *the nature and volume of business dealt with by each council;*
 - *the nature and extent of the development of areas;*
 - *the diversity of communities served;*
 - *the regional, national and international significance of the council;*
 - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
 - *such other matters as may be prescribed by the regulations.*
19. The 2020 Determination established the following categories:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Large	Regional Strategic Area
Metropolitan Medium	Regional Centre



Metropolitan Small	Regional Rural
	Rural


20. For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.
21. The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).
22. Having regard to section 239 of the LG Act, information examined and provided through submissions, the Tribunal has determined the categories of general purpose councils as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

23. In reviewing the current model, the Tribunal sought to improve consistency of criteria.
24. In examining the criteria for each of the categories, the Tribunal is of the view that non-resident population criteria should also be included for consistency in the following categories:



- Major Strategic Area
 - Regional Strategic Area
 - Regional Centre
 - Regional Rural
25. Three (3) councils will be reclassified as a result of meeting criteria thresholds into an existing category.
26. The Tribunal has determined the creation of two (2) new categories, being Metropolitan Major and Rural Large.
27. In determining the 2 new categories the Tribunal gave significant consideration to section 239 of the LG Act, statistical data, the existing categories and relativities between each category.
28. It was determined that the existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government.
29. Hence a new category Rural Large is created. The determination is amended to reflect the new category and criteria that includes a population greater than ten thousand, and a councillor to resident ratio of 1 to 1200. The Tribunal notes there are a number of Rural councils on the cusp of this new category.
30. The revised category also shows more clearly the differences for large rural and remote councils. It is becoming apparent these councils require



different considerations regarding the role Mayors and Councillors in servicing the community across such large distances.

31. Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap.
32. The determination is amended to reflect a new category, Metropolitan Major, with a population criteria threshold of 400,000 (including non-resident).
33. Accordingly, the Tribunal has identified a number of councils that will be recategorised into these new categories.
34. Given the relativities in population threshold criteria, the Tribunal is of the view that the population criteria for Regional Strategic Area be adjusted from 200,00 down to 100,000.
35. As a result, three (3) councils will be reclassified as Regional Strategic.
36. Whilst the Tribunal did explore additional criteria points that may go to efficient and effective local government, within the bounds of statutory provisions no further changes to the criteria could be determined in this review.
37. The category County Councils remain unchanged, retaining the categories of Water and Other.

38. **Appendix 1 Criteria that apply to categories** has been amended to reflect changes outlined above.

Submissions Received – Categorisation


39. Nine (9) submissions received from councils requested recategorisation and five (5) of these requested the creation of new categories.
40. A summary of matters raised in submissions and the Tribunal's consideration of those matters is outlined below

Request for New Categories

41. Requests were received for the creation of new categories namely, Metropolitan Large Growth Area, Metropolitan Major, Metropolitan Medium Growth and Regional Growth.
42. Blacktown City Council again requested the creation of a new category, Metropolitan Large - Growth Area. Council stated its current categorisation in Metropolitan Large “*does not reflect the complexities of servicing their rapid rate of growth and economic influence*”.
43. Blacktown City Council contends that a new category would allow a criteria to be set that reflects:
- Size
 - Rate of growth
 - Economic influence
 - Operational budget




- Complexities of remaining financially sustainable whilst maintaining services and providing new infrastructure
44. Penrith Council reiterated previous submissions, again requesting the creation of a new category, Metropolitan Large Growth Centre. Council argues they are unique compared to other similar sized councils, providing significant regional services to Greater Western Sydney.
45. Penrith Council contends its claim for creation and inclusion in a new category is enhanced through their leading role in the region demonstrating the exponential growth that will occur in the Penrith Local Government area. Council submits they are playing a leading role in several significant city-shaping projects and initiatives such as:
- Western Sydney Airport
 - Western Sydney Priority Growth Area
 - Penrith Health and Education Precinct
 - The Greater Sydney Commission District planning process
 - National Growth Areas Alliance
 - Sydney Science Park
 - Defence Industries Precinct and
 - South Creek Corridor
46. While the Tribunal understands that areas of Western Sydney are developing rapidly, not least with the new airport and associated infrastructure it is not persuaded to create a new category, Metropolitan Large - Growth Area/Centre. These councils are experiencing growth and will in the future have populations of residents and non-residents that meet the thresholds for recategorisation. It is not within the Tribunal's legislative



remit to anticipate growth. However as dealt with earlier in this determination, the Tribunal acknowledges the need for a new Metropolitan category to reflect increasing population and bridge gap between current categories, Metropolitan Large and Major CBD.

47. Canterbury Bankstown Council proposed the creation of a new category, Metropolitan Major, that would sit in between current category of Metropolitan Large and Major CBD.
48. Council based its argument for a new category on the following grounds:
 - Categories need to have consistent criteria
 - A new category of Metropolitan Major would capture increased population and workloads post amalgamation process
 - New criteria should be based on population size and councillor to resident ratio
 - Councils size, with a current population of 372,322 across five wards
 - Population and distribution of population
 - Councils' area and physical terrain
 - Diversity of communities served
 - Nature and volume of business dealt with by Council
49. Council proposed a new criteria could include population threshold and councillor to resident ratio, with thresholds being 350,000 and 1 to 24,000.
50. The Tribunal considered the suggested criteria of a councillor to resident ratio for all categories. Whilst the Tribunal has included this criteria for



Rural Large category, it has not included it for all categories. It may warrant further consideration for other categories in future reviews.

51. The Tribunal is persuaded to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination.
52. Camden Council's submission requests the creation of a growth category for Metropolitan Medium councils. They argue the proposed new category would allow criteria to be established to better reflect their growth rate, economic influence and complexities involved in servicing growth.
53. Council proposes the new category be called Metropolitan Medium – Growth Area. Council submits that its inclusion into this new category is based on the following:
 - Population growth
 - Development corridors
 - Growing assets and major infrastructure
 - Major services and institutions
54. The Tribunal has already determined a new metropolitan category, taking into account population and relatives in population between existing categories. It is not persuaded to include another new metropolitan category.
55. Maitland City Council requested the creation of a new category, Regional Growth Area to bridge the gap between Regional Centre and Regional Strategic.
56. Council based its argument for a new category on the following grounds:

- Maitland is the fastest growing regional city in NSW
- significant role in accommodation growth
- Council being an emerging health centre, with the \$470 million investment in the new Maitland Hospital
- Significant role in delivery of state goals, including Greater Newcastle Metropolitan Plan 2036 and a state partner in infrastructure delivery including roads and facilities

57. Council also contends the current categorisation model for non-metropolitan is inadequate. It argues that the application of the population criteria is flawed as increments initially rise by 20,000 before leaping up by 160,000.
58. The current population criteria thresholds for non-metropolitan councils are outlined in the table below:

Category	Population Criteria
Rural	<20,000
Regional Rural	>20,000
Regional Centre	>40,000
Regional Strategic Area	>200,000
Major Strategic Area	>300,000

59. The Tribunal has considered the issues raised in Council's submission but is not persuaded for reasons noted earlier for anticipation of growth versus actual population, to create a new category, Regional Growth Area.



60. The Tribunal acknowledges the point made in Council's submission regarding incremental increases for non-metropolitan categories population criteria.
61. As outlined earlier the Tribunal has determined to change the population criteria for Regional Strategic from 200,000 to 100,000. This will result in Maitland Council being reclassified.

Requests for Recategorisation

62. The Tribunal received four (4) requests for recategorisation. Liverpool, Byron, Tweed and Burwood Councils put forward individual cases for recategorisation for the Tribunal's consideration.
63. A summary of council's requests and the Tribunal's findings are outlined in the paragraphs below.
64. Liverpool Council requested to be reclassified from their current classification of Metro Large to Major CBD category. Liverpool Council's case to be included in Major CBD category is based on the following grounds:
 - Population forecast to grow by 59.23% in the next 20 years from 242,817 to 386,646
 - A GDP estimated at \$13.03 billion, with 91,000 jobs in the LGA
 - Significant development in the LGA that includes new council offices and chambers, new city library, childcare facility, and the \$106 million Liverpool Quarter development consisting of retail, commercial, food and beverage spaces

- Liverpool being an integral part of Western Sydney Deal to deliver transformative change
- Liverpool being home to several significant infrastructure projects, including Western Sydney Airport, Western Sydney Infrastructure plan, Holsworthy Barracks and Liverpool Hospital upgrades
- Diversity of population

65. The Tribunal notes that the current criteria for Major CBD remains unchanged. It includes being a major provider of business and government services, and secondary CBD to metropolitan Sydney.
66. Having regard to section 239 of the LG Act, the criteria, the submission put forward, and for reasons outlined earlier in regard to anticipated growth versus actual growth, the Tribunal is not persuaded to include Liverpool Council in Major CBD category.
67. Byron Shire Council requested to be reclassified from their current category of Regional Rural into Regional Centre.
68. Council noted, based on ABS 2021 census data, with a population of 36,077, it is on the cusp of reaching the population threshold of 40,000 residents.
69. Council believes they meet several other additional criteria that supports their case for reclassification. Council's request is based on the following grounds:
- Non-resident population of 4,817 travel from surrounding locations to work in the LGA



- A population growth increase of 7.2% over the last 5 years, which is above the state increase of 5.3%
- Proximity to Gold Coast and Ballina/Byron airports
- Byron being home to internationally renowned Hinterland region
- Byron being home to a large number of festivals and events

70. As outlined earlier in this determination, the criteria for Regional Centre has been amended to include non-resident population as a criteria point.


71. This result is Byron Shire Council will be reclassified to Regional Centre.

72. Tweed Shire Council once again requested reclassification from Regional Centre to Regional Strategic Area on the following grounds:

- Proximity to Sydney via Gold Coast airport
- Proximity to Brisbane and Gold Coast
- Tweed being a major city centre and population centre for Northern Rivers Joint Organisation
- Tweed being the largest employer and strongest growth area in the Northern Rivers
- The construction of new state of the art Tweed Valley Hospital due to open in late 2023

73. Tweed Shire Council will be reclassified as a result of changes to Regional Strategic Area criteria outlined earlier in this determination.

74. Burwood Council requested to be reclassified from their current classification of Metropolitan Small to Metropolitan Medium. Council acknowledged that they do not currently meet the population criteria to be



placed into the requested category. The criteria as outlined in the 2022 Determination, Appendix 1 of the criteria that apply to categories states

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

75. If Burwood Council’s non-resident working population was included, the total population would be 53,435 well short of exceeding the population threshold for Metropolitan Medium.
76. Further examination demonstrates that Burwood council does not meet the broader criteria for Metropolitan Medium. Accordingly, Burwood Council will remain in current classification of Metropolitan Small.
77. The matters raised generally in submissions of Berrigan, Cowra, Inner West, Kur-ring-gai, Singleton and Temora Councils are outside of the scope of the Tribunal statutory functions, but in the view of the Tribunal are worthy of further consideration. These matters relate to the current remuneration principles and structures that apply to mayors and councillors in NSW and the potential impacts of these constraints. These are discussed further below.

Section 4 – 2023 Fees

78. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required by section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
79. Pursuant to section 146C (1) (a) of the IR Act, the current government policy on wages is expressed in the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014 (IR Regulation). The IR Regulation provides that public sector wages cannot increase by more than 3 per cent per annum and the tribunal therefore has the discretion to determine an increase of up to 3 per cent per annum.
80. Four (4) submissions received addressed the issue of the fees quantum increase. These submissions sought an increase of 2.5% or greater.
81. The LGNSW submission requested that the Tribunal increase fees by the maximum 3 per cent, but further argued that the maximum increase is *“inadequate and does not address the historic undervaluation of work performed by elected representatives and the substantial responsibility associated with local government.”*
82. LGNSW used economic and wage data to support their argument, that included:
- Consumer Price Index (CPI)
 - National and State Wage cases
 - Market comparability



83. LGNSW in their meeting with The Tribunal and Assessors, further emphasised that remuneration for Councillors and Mayors has been reduced in real terms due to impacts of inflation and capping of remuneration increases.
84. The Tribunal received a late submission from the USU, advocating for the maximum increase to be applied. The USU argued that all work carried out in local government needed to be fairly remunerated and reflect the rise in cost of living.
85. Whilst only five of the eighteen submissions received addressed the issue of quantum increase of fees, more than half of the submissions provided commentary on a range of remuneration issues.
86. Submissions suggested that the current remuneration structure is inadequate and requires further review. It has been suggested that the current remuneration structure does not adequately reflect:
- Role, responsibilities, and commitment required to perform functions successfully
 - Workloads
 - Complexity of role
 - Commitment and skills required
 - Fairness
87. Furthermore, it has been suggested that the low level of remuneration is a barrier to encouraging participation and diversity of candidates that reflects communities.



88. Associate Professor Jakimow of the Australian National University provided a detailed submission outlining the negative impacts of inadequate remuneration. The substance of the submission is that current remuneration levels do not adequately reflect the hours and complexity of work. Furthermore, low remuneration is a barrier to participation and diversity.

89. Associate Professor Jakimow argues that:


“inadequate pay has significant negative consequences: low quality local democracy, an unacceptable burden on councillors and their families, and poor councillor diversity.”

90. A number of submissions provided comparison data to demonstrate that the current remuneration principles and structure are not reflective of time, skills and competencies required to effectively perform the roles of councillor and mayor.

91. Comparisons were made to State and Federal parliamentary members, councillors and mayors in the Queensland and Victorian local government jurisdictions, average remuneration of a chairperson of a board, not for profit organisations and national minimum wage. The basis of the argument is that NSW mayor and councillors are paid below these organisations.

92. One submission noted that legislative change would be required to change remuneration model.

93. The Tribunal acknowledges issues raised in submissions regarding remuneration principles, structure and potential impacts. Many of these issues are worth serious consideration, they are however not currently



within the Tribunal's remit. The Tribunal concludes these matters should be given further investigation and consideration.

94. The Tribunal has considered key economic indicators, including the Consumer Price Index and Wage Price Index, and has determined that the full 3 per cent increase will apply to the minimum and maximum fees applicable to existing categories.
95. As an initial determination, the ranges for new categories are not subject to the wages policy. Future increases in those categories, as is the case for existing categories, will be subject to wages policy in accordance with section 242A(4) of the LG Act.
96. The minimum and maximum fees for the new categories have been determined having regard to the relativities of existing categories

Time for Fresh Thinking

97. Submissions made to the 2023 review and the Tribunal's own conclusions from evidence it has examined, suggest that there are significant issues underlying the concerns raised about mayor and councillor remuneration. It is apparent to the Tribunal that those issues which include a lack of diversity in representation, changing nature of work required to be undertaken and changed community expectations cannot be easily resolved under the existing framework. In the Tribunal's view, there would be merit in a comprehensive review of the framework for mayor and councillor remuneration.
98. The criteria under which the Tribunal makes these determinations has




been in existence since 1994 and at that time NSW had 177 Councils. Much has changed over the past 30 years, but the criteria has not.

99. As noted earlier in this determination the Tribunal and Assessors met with two Joint Organisation member representatives. While much of what was discussed has been dealt with in this determination it is worthy for the record to restate the view of LGNSW of the *“need for major reform”*.
100. Key themes and issues raised during discussions by mayors, councillors and general managers with the Tribunal and Assessors include:
- Changes to ways of working including expectations of increased use of social media and online platforms (“always on” expectations from constituents)
 - Impacts of future development
 - Impact of changes to legislation and regulation on workload
 - Serving constituents in regional centres, country areas regional areas, rural and remote areas
 - Remuneration principles
 - Natural Disasters including floods, fires, mice, locusts and tragedies generally
 - Confusion in roles and responsibilities – need for compulsory and consistent training of candidates prior to election and induction of those elected



- Popularly elected mayors and two-year mayoral terms and the role of the Deputy Mayor when a mayor is absent, as distinct from temporarily unavailable
- Questioning whether the guidelines by the Office of Local Government for the payment of expenses and the provision of facilities for mayors and councillors that were issued in 2009 are still fit for purpose. There appears to be significant variation in the interpretation of the guidelines and subsequent council policies
- The optional payment of superannuation being used for political purposes
- Paid parental leave for councillors
- Is remuneration holding back quality candidates or are behavioural issues – both in and out of meeting environment
- Parity in the payment differential in existing categories between councillors and mayors
- A possible alignment in categories of councillor to resident and ratepayer ratios and rateable property ratios
- Clarity in the payment of fees for chairpersons and voting members of Joint Organisations for additional workloads

101. Diversity was a strong theme heard by the Tribunal, both diversity of communities served and diversity of representation. We heard that



younger people, women, Aboriginal and Torres Strait Islander people and members of culturally and linguistically diverse communities among others, are underrepresented in many councils.

102. The Tribunal acknowledges that it is not within its authority to address many of the issues that were raised in submissions.

103. The Tribunal is not suggesting a fundamental review of the role of councillors and notes that people enter local government representation from a sense of civic service rather than for remuneration.

Conclusion

104. The Tribunal is of the view that a broader consideration is required of the matters raised in this determination. If the Minister decided to refer these matters under section 238 (2) of the LG Act the Tribunal would be willing to assist noting that it would require considerable consultation with the sector and access to suitable resources from Government.

105. The Tribunal's determinations have been made with the assistance of the Assessors Ms Kylie Yates, Gail Connolly PSM (in her role as Acting Deputy Secretary) and Mr Brett Whitworth.

106. It is the requirement of the Tribunal that in the future all submissions have council endorsement.

107. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.

108. Determination 2 outlines the maximum and minimum fees paid to



councillors and mayors and members and chairpersons of county councils
as per section 241 of the LG Act.

109. The Tribunal acknowledges and thanks the secretariat for their excellent
research and support in completing the 2023 determination.

Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2023

General Purpose Councils – Metropolitan

Principal CBD (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (1)

- Central Coast

Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed
- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly



Regional Rural (12)

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (18)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Hilltops
- Inverell
- Leeton
- Moree Plains
- Murray River
- Muswellbrook
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra

- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2023

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2023 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	29,610	43,440
Major CBD	19,760	36,590
Metropolitan Major	19,760	34,590
Metropolitan Large	19,760	32,590
Metropolitan Medium	14,810	27,650
Metropolitan Small	9,850	21,730

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Principal CBD	181,210	238,450
Major CBD	41,960	118,210
Metropolitan Major	41,960	106,960
Metropolitan Large	41,960	94,950
Metropolitan Medium	31,470	73,440
Metropolitan Small	20,980	47,390



General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	19,760	34,330
Major Strategic Area	19,760	34,330
Regional Strategic Area	19,760	32,590
Regional Centre	14,810	26,070
Regional Rural	9,850	21,730
Rural Large	9,850	17,680
Rural	9,850	13,030

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Major Regional City	41,960	106,960
Major Strategic Area	41,960	106,960
Regional Strategic Area	41,960	94,950
Regional Centre	30,820	64,390
Regional Rural	20,980	47,420
Rural Large	15,735	37,925
Rural	10,490	28,430



County Councils

Councillor/Member Annual Fee (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	1,960	10,870
Other	1,960	6,490

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2023

Category	Minimum	Maximum
Water	4,200	17,850
Other	4,200	11,860

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

Viv May PSM

Local Government Remuneration Tribunal

Dated 27 April 2023

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

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

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

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



Major CBD

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

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

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

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



Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

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

Metropolitan Large

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

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

Other features may include:

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

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



Metropolitan Medium

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

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

Other features may include:

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

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



Metropolitan Small

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

Other features which distinguish them from other metropolitan councils include:


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

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

Major Regional City

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

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development

- 
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
 - have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
 - have significant natural and man-made assets to support diverse economic activity, trade and future investment
 - typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

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

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

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

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW

- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

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

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.



Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

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



Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

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

County Councils - Other

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

SENSITIVE NSW GOVERNMENT



**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL
POLLS AND CONSTITUTIONAL REFERENDA**

Section 296(3) Local Government Act 1993

between

Yass Valley Council

and

the Electoral Commissioner

Based on the standard s. 296(3) LG Act contract prepared by Crown Solicitor's Office

SENSITIVE NSW GOVERNMENT

**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL POLLS AND
CONSTITUTIONAL REFERENDA**

This Contract is between the following parties:

Council: Yass Valley Council
209 Comur St
Yass NSW 2582

AND

Electoral Commissioner: Mr John Schmidt
New South Wales Electoral Commission
231 Elizabeth Street, Sydney NSW 2000

1. Background and objectives

- 1.1. Section 296(2) of the LG Act provides that a council can enter into an election arrangement (including by contract) with the Electoral Commissioner to administer elections of the council as provided by s. 296 of that Act.
- 1.2. Section 296(3) of the LG Act provides that an election arrangement for the Electoral Commissioner to administer all Elections of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.
- 1.3. Section 18 of the LG Act has the effect that s. 296 applies to a Council Poll and a Constitutional Referendum, with such modifications as may be necessary, in the same way as that section applies to an election. Section 296(3) of the LG Act, as applied and modified by section 18, provides that a Council Poll and/or Constitutional Referendum arrangement for the Electoral Commissioner to administer all Council Polls and/or Constitutional Referenda of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.
- 1.4. The Council has resolved pursuant to section 296(3) of the LG Act (as applied and modified by s. 18 in the case of Council Polls and Constitutional Referenda) to enter into an election arrangement with the Electoral Commissioner for the Electoral Commissioner to administer all Elections, Council Polls and Constitutional Referenda for the Council and to do so by contract.
- 1.5. The Electoral Commissioner is committed to providing Election, Council Poll and Constitutional Referendum services efficiently, economically, fairly, impartially and with integrity.
- 1.6. The Council and the Electoral Commissioner agree that each will endeavour to fulfil the objectives and the terms and conditions of this Contract in good faith.

SENSITIVE NSW GOVERNMENT

2. Definitions

2.1. In this Contract, except where the context otherwise requires:

2024 Ordinary Election means the ordinary election of councillors which is to be held on the second Saturday of September 2024 in accordance with s. 287 of the LG Act, or on such day as ordered by the Minister in accordance with section 288 or Part 6A of Chapter 10 of the LG Act.

Business Day means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales; or not subject to the Christmas shut-down period as determined annually by the New South Wales Department of Premier & Cabinet for public sector agencies.

Commencement Date means the commencement date of this Contract as defined in clause 3.

Confidential Information means:

- a) any information exchanged between the parties before, on or after the date of this Contract regarding the business or other affairs of either party that is not publicly available;
- b) this Contract (subject to clause 12)
- c) any information that is marked confidential by either party; and
- d) any information disclosed to, or accessed by, or acquired by, the parties during the course of this Contract that is by its nature confidential.

Constitutional Referendum or **Constitutional Referenda** means a constitutional referendum as referred to in Chapter 4, Part 3, Division 2 of the LG Act.

Contract means this contract and includes any schedules to this contract, as varied from time to time in accordance with this Contract.

Council means the local government council that is specified as a party to this Contract on page 2.

Council Poll means a council poll as referred to in Chapter 4, Part 3, Division 1 of the LG Act.

Countback Election means a countback election referred to in Chapter 10, Part 5 of the LG Act.

Election means an election as defined in the Dictionary of the LG Act but does not include the first election for an area after its constitution (see section 296(7) of the LG Act) or an election of the mayor or deputy mayor by the councillors (see section 296(8)). For avoidance of doubt and for the purpose of this Contract, the reference in the Dictionary to "a by-election to fill a casual vacancy" extends to a Countback Election to be held instead of a by-election.

Electoral Commissioner means the Electoral Commissioner for New South Wales who is appointed under section 11 of the *Electoral Act 2017* (NSW).

Force Majeure Event means any event or circumstance beyond a party's control that could not have been reasonably prevented by the party. A Force Majeure Event includes (but is not limited to) acts of God, natural disasters, pandemic, endemic, fire, storm, flood, tempest, acts or threats of war or terrorism and riots.

Intellectual Property Rights means all intellectual and industrial property rights throughout the world, whether created before, on or after the date of execution of this Contract including copyright, trade marks, designs, patents, semiconductor or circuit layout rights, trade, business or company names or other proprietary rights, whether or not registered or registrable and any rights to registration of such rights.

SENSITIVE NSW GOVERNMENT

LG Act means the *Local Government Act 1993* (NSW).

Services means those services defined in clause 4.

Service Agreement means a service agreement as referred to in clause 4.

Term means the term of this Contract as defined in clause 3.

Termination Date means the termination date of this Contract as defined in clause 3.

2.2. Except where the context otherwise requires:

- (a) the singular includes the plural and vice versa.
- (b) a reference to a party includes its successors and permitted assigns.
- (c) a reference to a document includes all amendments or supplements to that document.
- (d) a reference to a clause, party, schedule or attachment is a reference to a clause, party, schedule or attachment to this Contract.
- (e) a reference to legislation is a reference to that legislation as amended, consolidated, re-enacted or replaced, and includes any subordinate legislation.
- (f) where a word or phrase is defined in this Contract, any other grammatical form of the word or phrase has a corresponding meaning.
- (g) where a party is required to act in good faith in the performance of this Contract, that will be read as a requirement to act:
 - (i) honestly;
 - (ii) reasonably, having regard to the terms of this Contract; and
 - (iii) co-operatively, by doing everything properly and reasonably within the control of that party to perform its or their obligations under this Contract.

3. Term and termination

3.1. The parties acknowledge that, in accordance with s. 296(6) of the LG Act:

- a) this Contract can be terminated by the Council or the Electoral Commissioner at any time after the 2024 Ordinary Election by giving written notice of termination; and
- b) if this Contract is not terminated by either party after the 2024 Ordinary Election, the Contract is automatically terminated 18 months before the ordinary election of councillors that immediately follows the 2024 Ordinary Election.

3.2. The parties agree that for the purposes of providing notice of termination in accordance with s. 296(6) of the LG Act, at least four weeks written notice of termination will constitute reasonable notice and that the notice will specify the date of termination.

3.3. This Contract commences on the day that it is signed by the parties (the "Commencement Date"). In the event that this Contract is signed by the parties on different dates, this Contract commences on the date that it is signed by the last party.

3.4. This Contract terminates:

- a) on the date of termination specified by a party in a notice issued pursuant to clause 3.2; or

SENSITIVE NSW GOVERNMENT

- b) if no such notice is issued, 18 months before the date of the ordinary election of councillors that immediately follows the 2024 Ordinary Election;
the "Termination Date".
- 3.5. The duration of this Contract is from the Commencement Date until the Termination Date (the "Term").
- 3.6. Clauses in this Contract dealing with Term and termination, Costs and payment of Costs, indemnity, dispute resolution and any other provision which by its nature should survive termination, survive the termination of this Contract.
- 3.7. Upon termination of this Contract, each party must, within 7 days of receiving a request from the other party or as otherwise agreed, return any Confidential Information of the other party and any other material owned by, or licensed to, the other party (including any copies).

4. Services and service details

Services

- 4.1. The Electoral Commissioner will provide the services of administering all:
 - a) Elections of the Council; and
 - b) Council Polls and Constitutional Referenda of the Council;during the Term of this Contract (the "Services").

Service details for the 2024 Ordinary Election

- 4.2. The parties agree that the Electoral Commissioner will administer the 2024 Ordinary Election in accordance with the service details specified in Schedule 1 of this Contract relevant to the 2024 Ordinary Election.
- 4.3. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2024 Ordinary Election, the parties agree that the Electoral Commissioner will administer the 2024 Ordinary Election, together with the Council Poll and/or Constitutional Referendum, in accordance with the service details specified in Schedule 1 of this Contract relevant to the 2024 Ordinary Election, Council Poll and/or Constitutional Referendum, as the case may be.

Service details for other Elections, Council Polls and/or Constitutional Referenda

- 4.4. The services to be provided by the Electoral Commissioner for each Election (other than the 2024 Ordinary Election), Council Poll and Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2024 Ordinary Election) will be as specified in a Service Agreement. A Service Agreement may specify the service details for more than one of those events.
- 4.5. Prior to the administration of an Election (other than the 2024 Ordinary Election), Council Poll or Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2024 Ordinary Election), the parties will in good faith negotiate and agree in writing to the terms of a Service Agreement.
- 4.6. The Service Agreement forms part of this Contract once agreed to in writing between the Council and the Electoral Commissioner.
- 4.7. The parties agree to use reasonable endeavours to negotiate and agree to a Service Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

5. Costs and payment of Costs

Costs for the 2024 Ordinary Election

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- 5.1. The parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2024 Ordinary Election (and the basis on which such costs may be varied) are as specified in Schedule 2 of this Contract.
- 5.2. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2024 Ordinary Election, the parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2024 Ordinary Election, together with the Council Poll and/or Constitutional Referendum, and the basis on which such costs may be varied are as specified in Schedule 2 of this Contract.

Costs for other Elections, Council Polls and/or Constitutional Referenda

- 5.3. At the same time that a Service Agreement is prepared and negotiated in accordance with clause 4.5, the parties must also in good faith negotiate and agree in writing to the costs that will be charged and invoiced by the Electoral Commissioner to administer the relevant Election, Council Poll and/or Constitutional Referendum ("Costs Agreement"). A Costs Agreement may specify the costs for more than one of those events.
- 5.4. A Costs Agreement may also make provision for the agreed basis on which those Costs may be varied.
- 5.5. A Costs Agreement forms part of this Contract once agreed to in writing between the Council and the Electoral Commissioner.
- 5.6. The parties agree to use reasonable endeavours to negotiate and agree to a Costs Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

Payment of costs

- 5.7. The Council agrees to pay all costs as invoiced by the Electoral Commissioner provided that such costs are as agreed in a Costs Agreement or as specified in Schedule 2 of this Contract.
- 5.8. The Council must make payment via Electronic Funds Transfer (EFT) to NSW Electoral Commission within 30 days of receipt of each invoice.
- 5.9. The Electoral Commissioner's payment details are as follows:
New South Wales Electoral Commission, ABN 94 828 824 124
231 Elizabeth Street, SYDNEY NSW 2000
Phone (02) 9290 5431 Fax (02) 9290 5991
Account Name: NSW Electoral Commission Commercial AC
Account Details: BSB 032-001, Account 204116

6. Notice of casual vacancy or resolution

- 6.1. The Council agrees to notify the Electoral Commissioner of any event giving rise to a casual vacancy or resolution to conduct an Election exclusively by postal voting, a Countback Election, Council Poll or Constitutional Referendum as soon as possible and in any event no later than within 7 days of the event.

Note: clause 285 of the *Local Government (General) Regulation 2021* requires the general manager of the Council to give notice of a casual vacancy to, among other persons, the Electoral Commissioner within 7 days.

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7. GST

- 7.1. For the purposes of this clause, a term or expression that is defined in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) (the “GST Act”) has the same meaning as in the GST Act.
- 7.2. All amounts payable under this Contract are exclusive of GST unless otherwise stated.
- 7.3. If a party (“Supplier”) is or becomes liable to pay GST in connection with any supply made under this Contract and the amount of GST is not included in the amount payable under this Contract:
 - a) the Supplier may add to the price of the supply an amount equal to the GST payable on the supply (“GST Amount”); and
 - b) the other party will pay the Supplier the price for the supply in accordance with this Contract plus the GST Amount.
- 7.4. Any invoice rendered by a party that includes a GST Amount must conform with the requirements for a tax invoice as set out under the GST Act.

8. Failure, voiding or postponement of an Election

- 8.1. The parties acknowledge that s. 318 of the LG Act provides (amongst other things) that if an election for a civic office is not held when it is due, fails or is later declared void, the returning officer is to hold another election as if a casual vacancy had occurred in the civic office. Further, the parties acknowledge that sections 288 and 293 provide for a delay in elections whilst Part 6A of Chapter 10 of the LG Act provides for the postponement of elections, in each case by order published in the Gazette.
- 8.2. In the event that an Election (including the 2024 Ordinary Election) is not held when it is due or fails or is later declared void as described in s. 318 of the LG Act, or delayed by order under sections 288 or 293, or is postponed by order under Part 6A of Chapter 10 of the LG Act the Council agrees to pay all costs as invoiced by the Electoral Commissioner in relation to the administering of the Election.
- 8.3. For the avoidance of doubt, in the event that the 2024 Ordinary Election is delayed by order made under sections 288 or 293, or is postponed by order under Part 6A of Chapter 10 of the LG Act, the parties will in good faith negotiate and agree in writing to a variation of the service details in Schedule 1 and the costs as specified in Schedule 2 of this Contract.

9. Indemnity

Indemnification of the Council

- 9.1. The Electoral Commissioner will indemnify and keep indemnified the Council against liability or loss that may be suffered or incurred by the Council arising directly as a result of, or in connection with, the provision of the Services to the extent that the same is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions.
- 9.2. The Electoral Commissioner's liability to indemnify the Council under clause 9.1 will be reduced proportionally to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

Indemnification of the Electoral Commissioner

- 9.3. The Council will indemnify and keep indemnified the Electoral Commissioner against:

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- (a) any liability or loss that may be suffered or incurred by the Electoral Commissioner arising directly or indirectly as a result of, or in connection with, the Electoral Commissioner providing the Services; and
 - (b) any liability for legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral Commissioner in circumstances where the Electoral Commissioner is a party to, is subpoenaed or is otherwise required to participate in any court or tribunal proceedings as a result of, or in connection with, the Electoral Commissioner providing the Services.
- 9.4. The indemnity in clause 9.3 will not have operation in circumstances where the liability or loss is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions except to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

10. Insurance

- 10.1. The Council acknowledges that the Electoral Commissioner is covered by the Treasury Managed Fund ("TMF"), which is a self-insurance scheme in respect of New South Wales Government departments and agencies. The TMF provides cover worldwide in respect of workers' compensation according to NSW statute and liability including public liability, products liability and professional indemnity.

11. Dispute resolution

- 11.1. The Council and the Electoral Commissioner will attempt to settle any dispute that may arise out of or in connection with this Contract in accordance with this Dispute Resolution clause before resorting to court proceedings.
- 11.2. If the Council or the Electoral Commissioner claims that a dispute has arisen, the claimant must give written notice of the dispute to the other party ("Dispute Notice"). The Dispute Notice must adequately identify and give details of the dispute.
- 11.3. The Council and the Electoral Commissioner agree to continue to perform their obligations under this Contract if there is a dispute between the parties.
- 11.4. Subject to clause 11.5, in the event that a Dispute Notice is served, the dispute resolution process will be followed in the order set out below:
- (a) the representative of the Council and the representative of the Electoral Commissioner as specified in clause 15 will try to resolve the dispute in good faith by direct negotiation within 5 Business Days after the Dispute Notice is served or such other period as may be agreed in writing;
 - (b) if the representatives of the Council and the Electoral Commissioner do not resolve the dispute, the dispute will be referred to the Electoral Commissioner and the General Manager of the Council, or their nominees for that purpose, who will try to resolve the dispute in good faith by direct negotiations within 5 Business Days after it is referred to them or such other period as may be agreed in writing; and
 - (c) if the Electoral Commissioner and the General Manager of the Council do not resolve the dispute, the parties will negotiate in good faith to determine an appropriate form of alternative dispute resolution to resolve the dispute which may include mediation, arbitration or expert determination.
- 11.5. In the event that a dispute relates to the calculation or incurring of legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral

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Commissioner as referred to in clause 9.3(b) (a “Costs Dispute”), the parties agree that instead of negotiating in accordance with cl. 11.4(c), the parties will:

- (a) seek the recommendation of the President of the Law Society as to a costs expert who is to make a determination with regard to the Costs Dispute; and
- (b) appoint the expert recommended by the President of the Law Society to determine the Costs Dispute.

The parties agree that the determination made by such expert will be final and binding.

- 11.6. Nothing in this clause 11 prevents the Council or the Electoral Commissioner from seeking urgent interlocutory relief.

12. Confidentiality

- 12.1. Each party (the “Recipient Party”) agrees not to disclose the Confidential Information of the other party (the “Disclosing Party”) to any person except:
- (a) on a confidential basis to the officers, employees, contractors or agents of the Recipient Party who require the information for the purposes of performing this Contract;
 - (b) on a confidential basis to the Recipient Party’s legal or professional advisers;
 - (c) with the consent of the Disclosing Party; or
 - (d) if required to do so by law (including the *Government Information (Public Access) Act 2009* (NSW)), government policy or in connection with legal proceedings.

13. Intellectual property

- 13.1. The Council acknowledges that it holds no Intellectual Property Rights in relation to any documents or other materials provided to the Council by the Electoral Commissioner, staff employed to enable the Electoral Commission to exercise its functions or any contractors or agents of the Electoral Commissioner or Electoral Commission.

14. Notices

- 14.1. A notice under the Contract must be:
- (a) in writing, directed to the representative of the other party as set out in clause 15; and
 - (b) forwarded to the address, facsimile number or the email address of that representative as set out in clause 15.
- 14.2. A notice under the Contract will be deemed to be received:
- (a) in the case of delivery in person – when delivered to the recipient’s address for service and a signature is received as evidence of delivery;
 - (b) in the case of delivery by post – within 4 Business Days of posting;
 - (c) in the case of delivery by facsimile on a Business Day – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient; or
 - (d) in the case of delivery by email on a Business Day – on receipt of confirmation by the sender that the recipient has received the email.

15. Party representatives

- 15.1. The representative on behalf of the Council is:

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Name	
Position	
Address	
Direct Dial	
Mobile	
Facsimile	
Email	

- 15.2. The representative on behalf of the Electoral Commissioner is:

Name	Steve Robb
Position	Director Customer Service & Relationship Management, Elections Division
Address	231 Elizabeth Street, SYDNEY NSW 2000
Direct Dial	02 9290 5431
Facsimile	02 9290 5991
Email	steve.robbs@elections.nsw.gov.au

- 15.3. If the representative on behalf of the Council or the Electoral Commissioner varies, this must be communicated in writing to the other party, which may be by email.

16. Force majeure

- 16.1. Neither party will be liable for any failure to carry out obligations under this Contract if the failure was caused by a Force Majeure Event. If a Force Majeure Event affects a party's performance of this Contract, the party must provide prompt notice of this to the other party and use its best endeavours to overcome the disruption as quickly as possible and resume its obligations under this Contract.

17. Miscellaneous

- 17.1. The Council or the Electoral Commissioner may alter this Contract only by the written agreement of both the Council and the Electoral Commissioner.
- 17.2. No failure or delay by the Electoral Commissioner to enforce any part of this Contract will operate as a waiver of the Council's breach. Any waiver by the Electoral Commissioner of a breach of this Contract must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.
- 17.3. If any provision of this Contract is prohibited, void, voidable, illegal or unenforceable, that part is severed from this Contract and the remainder of the Contract will retain its full force and effect.
- 17.4. This Contract contains the entire agreement between the parties. Any prior arrangements, agreements, representations or undertakings are superseded.
- 17.5. This Contract may be executed in counterparts, which will together constitute one agreement.
- 17.6. This Contract is governed by the laws in force in the State of New South Wales.

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Execution

Executed as a contract

SIGNED BY _____,
General Manager of, _____
_____,
ABN _____ in the
presence of:

Signature of Witness

Signature of General Manager

Print name of Witness

Date

SIGNED BY John Schmidt, Electoral
Commissioner for New South Wales Electoral
Commission in the presence of:

Signature of Witness

Signature of Electoral Commissioner

Print name of Witness

Date

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SCHEDULE 1 –Service details for the 2024 Ordinary Election

The parties agree that the Electoral Commissioner will administer the 2024 Ordinary Election in accordance with the service details specified in table A below, and any changes to Schedule 1 may occur if the parties agree in writing that the change(s) should be made.

A. Service details

	Item	Description of Services
1	Enrolment	<ul style="list-style-type: none"> Create composite authorised rolls for the area or wards concerned. Create other electoral roll products as agreed by the NSW Electoral Commission in accordance with legislation
2	Client council liaison	<ul style="list-style-type: none"> Liaise with Council and/or real estate agent(s) to identify, locate and secure suitable premises for use as the Returning Officer Office (RO Office) Liaise with Council and/or real estate agent(s) to identify, locate and secure suitable premises for use as pre-poll voting venues Liaise with Council regarding election processes, timing and requirements
3	Data management	<ul style="list-style-type: none"> Create and manage databases of: <ul style="list-style-type: none"> Electors Polling places RO Office and pre-poll offices Declared institution venues Polling place and RO Office staffing Elector participation projections
4	Election staffing	<ul style="list-style-type: none"> Determine polling place and RO Office staffing requirements Implement recruitment campaign for NSW Electoral Commission staff Employ and manage NSW Electoral Commission staff Set up and staff NSW Electoral Commission Expression of Interest (EOI) helpdesk Employ head office Returning Officer support staff Engage and train relevant election staff Conduct post-election NSW Electoral Commission staff evaluation
5	Financial services	<ul style="list-style-type: none"> Engage temporary NSW Electoral Commission election staff and contractors Engage NSW Electoral Commission election material suppliers and contingent worker suppliers
6	Venue procurement	<ul style="list-style-type: none"> Identify and secure all polling places Identify and secure the RO Office Identify and secure a pre-poll venue (unless the RO Office is also appointed as a pre-poll venue) Identify and contact all declared institutions Identify and secure centralised count centres <p>Number and location of polling places</p> <p>Where possible, the same number of polling places and the same polling place venues as were used for the previous election will be used.</p> <p>Election staffing at venues</p>

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		<p>The Returning Officer will appoint the optimum number of staff for each polling place based on the NSW Electoral Commission's polling place staffing model.</p> <p>Venue security</p> <p>Where commercial or standalone premises are used as the RO Office, the NSW Electoral Commission will engage overnight security once used ballot papers are on the premises from election night to the declaration of the results.</p> <p>The pre-poll venue</p> <p>There will be at least one (1) pre-poll venue in the local government area. The NSW Electoral Commission may decide to procure additional pre-poll venue(s) if required and will confirm the arrangement(s) within a reasonable period of time after the procurement of the additional venue(s) have been finalised between the Electoral Commissioner and the landlord(s). The additional pre-poll venue(s) will be an additional cost to Council.</p>
7	Postal voting	<ul style="list-style-type: none"> • Manage postal vote applications • Design, process and mail postal vote packs
8	Counting and results	<ul style="list-style-type: none"> • Engage and train temporary counting staff • Configuration and set up of count data management system <p>The service details in this Schedule do not extend to the recount of the ballot papers or a countback election, should either or both be required.</p>
9	Logistics	<ul style="list-style-type: none"> • Pack and deliver office and cardboard material for RO Office and polling places • Engage courier service for RO Office and polling place equipment and other election materials • Supply of hire furniture for RO Office and polling places • Engage warehousing services required for election material • Engage mailing and distribution services for election material
10	Media, communications & advertising	<p>Statutory announcements</p> <p>The NSW Electoral Commission is responsible for the accurate placement of a series of statutory messages to support the election.</p> <p>These messages include:</p> <ul style="list-style-type: none"> • Enrolment • Nominations • Notice of election/uncontested election • Results <p>These statutory announcements will appear within the regulated timeframe on the NSW Electoral Commission website. Additional announcements may appear in local newspapers at Council's discretion and Council's cost.</p> <p>Elector brochure option</p> <p>The NSW Electoral Commission can provide an elector brochure option at an additional cost to Council. Councils who wish to employ the use of a brochure should discuss options and costs with the NSW Electoral Commission.</p> <p>State-wide campaign</p> <p>The service details in this Schedule include a state-wide advertising campaign to support the election through press, TV, radio, social media and online including advertising targeted towards equal access to democracy for electors with disabilities, CALD electors and Aboriginal and Torres Strait Island electors.</p> <p>As part of the state-wide campaign, the NSW Electoral Commission will create and publish educational material on its website and consult with our reference groups including:</p> <ul style="list-style-type: none"> • Equal Access to Democracy (Electors with disability)

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		<ul style="list-style-type: none"> Electors from culturally and linguistically diverse communities (CALD) <p>Where appropriate, the NSW Electoral Commission will respond to media enquiries concerning the administration of the 2024 Ordinary Election.</p> <p>Voter awareness and education resources will be available in a minimum of seven key languages on the NSW Electoral Commission website.</p>
11	IT Infrastructure & applications support	<ul style="list-style-type: none"> Provide and instal equipment in RO offices Provide and install equipment in NSWEC centralised count centre Provide and install equipment in NSW Electoral Commission call and email escalation centre
12	Call centres	<ul style="list-style-type: none"> Recruit and train call centre staff Engage an outsourced professional call centre
13	Ballot paper production, allocation & distribution	<ul style="list-style-type: none"> Design, develop and print ballot papers Create secure copies of ballot papers Process and secure delivery of ballot papers to Returning Officers Organise storage of used ballot papers until the completion of the relevant retention period, after which they may be destroyed.
14	Nominations & How-to-Vote	<ul style="list-style-type: none"> Process candidate nominations Provide candidate enquiry line Process registrations of how-to-vote material <p>Where Council has agreed to receive candidate nominations, Council will provide sufficient staff to be trained by the NSW Electoral Commission to receive nominations and forward them onto the Electoral Commissioner for assessment.</p>
15	External reporting & evaluation	<ul style="list-style-type: none"> Develop post-election surveys of election stakeholders Conduct surveys, undertake analysis, write and distribute post-election reports
16	Election business systems	<ul style="list-style-type: none"> Develop, test and document all business systems to be used during the course of the election Develop, test and support software for displaying election results on the Virtual Tally Room (VTR)
In order to provide the services detailed in this Schedule efficiently and economically, the Electoral Commissioner may decide that a number of services may be utilised by other local government councils who have resolved to enter into an election arrangement with the Electoral Commissioner.		

B. Additional information

1	The election method is attendance (face-to-face) voting with the addition of postal and pre-poll voting.
2	Voting at an election is set out in the LG Act, in particular Chapter 10, Part 3 of the LG Act, as well as in the regulations made under the LG Act.
3	The Electoral Commissioner is head of the NSW Electoral Commission Staff Agency. The Staff Agency may assist the Electoral Commissioner and the NSW Electoral Commission in exercising their functions.

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**SCHEDULE 2 - Costs and any agreed basis for variation of costs
for 2024 Ordinary Election**

1. The parties agree that:

- a) the costs to be charged and invoiced by the Electoral Commissioner for administering the 2024 Ordinary Election are specified in the table below and are based on prices provided by approved suppliers as at the Commencement Date, and
- b) the costs in the table below have been prepared on the information available as at the Commencement Date and may vary by the time an Election is to be held, and
- c) the Electoral Commissioner may vary such costs if:
 - i. a variation is in accordance with this Contract, or
 - ii. there is any change to the law that impacts on the administration of the election, or
 - iii. there is any change to the service details specified in Schedule 1, or
 - iv. there is any change to prices after the Commencement Date or there is any change to an approved supplier or price provided by an approved supplier; and
- d) the estimate of costs in this Schedule does not include costs associated with a recount of ballot papers and/or a Countback Election, if either or both are required those costs will be calculated separately and are payable by Council; and
- e) the estimated costs in this Schedule are limited to the service details in Schedule 1, any additional costs associated with the provision of services not already accounted for in Schedule 1 will be calculated separately and are payable by Council; and
- f) the Council shall be informed of any material costs variance as soon as practicable.

2024 Local Government Election - Cost Estimate
as at 30th January 2023
Yass Valley Council

Projects / Deliverables	Amount
<i>Ballot Papers</i>	2,505
<i>Call Centre</i>	4,277
<i>Counting and Results - Centralised</i>	-
<i>Counting and Results - Declaration Voting</i>	2,503
<i>Event Staffing</i>	88,798
<i>Information Technology</i>	4,570
<i>Logistics</i>	8,707
<i>Postal Voting Services</i>	5,618
<i>Venues</i>	30,754
<i>Voter Awareness</i>	7,336
<i>Financial Services</i>	978
<i>Constitutional Referendum</i>	-
<i>Council Poll</i>	-
TOTAL (excluding GST)	156,044
GST	15,604
TOTAL (including GST)	171,648

Note

This estimate is based on the Council election being fully contested

Shared resources will be utilised where practical



Instrument of Delegation to the Mayor

25 May 2023

Instrument of Delegation to the Mayor

1. Preamble

This document outlines the role of the Mayor of Yass Valley Council ("Council"), as per section 226 of the *Local Government Act 1993* ("the Act"), and specifies the powers, functions, duties and functions delegated from Council's governing body pursuant to section 377 of the Act.

1.1. Role of the Mayor

Section 226 of the Act defines the role of the Mayor as follows:

- (a) to be the leader of the Council and a leader in the local community,*
- (b) to advance community cohesion and promote civic awareness,*
- (a) to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities,*
- (b) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council,*
- (c) to preside at meetings of the Council,*
- (d) to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with the Act,*
- (e) to ensure the timely development and adoption of the strategic plans, programs and policies of the Council,*
- (f) to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council,*
- (g) to promote partnerships between the Council and key stakeholders,*
- (h) to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,*
- (i) in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the Council and the local community,*
- (j) to carry out the civic and ceremonial functions of the mayoral office,*
- (k) to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,*
- (l) in consultation with the Councillors, to lead performance appraisals of the General Manager,*
- (m) to exercise any other functions of the Council that the Council determines.*

1.2. Non-delegable Functions

Section 277 of the Act specifies those Council functions that cannot be delegated, be that to the Mayor, General Manager or any other person or body:

- (1) A Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council under this or any other Act, other than the following—*
 - (a) the appointment of a General Manager,*
 - (b) the making of a rate,*
 - (c) a determination under section 549 as to the levying of a rate,*
 - (d) the making of a charge,*
 - (e) the fixing of a fee,*

Instrument of Delegation to the Mayor

- (f) *the borrowing of money,*
- (g) *the voting of money for expenditure on its works, services or operations,*
- (h) *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) *the acceptance of tenders to provide services currently provided by members of staff of the Council,*
- (j) *the adoption of an Operational Plan under section 405,*
- (k) *the adoption of a financial statement included in an annual financial report,*
- (l) *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) *the fixing of an amount or rate for the carrying out by the Council of work on private land,*
- (n) *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,*
- (o) *the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) *the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) *a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) *a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) *this power of delegation,*
- (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the Council.*

2. Interpretation and Definitions

- (a) This Instrument of Delegation should be construed as operating in a manner which is valid and within the powers conferred on the Council under the *Local Government Act 1993*.
- (b) This Instrument of Delegation is not intended to limit the Chief Executive Officer's ability to carry out such other functions and exercise such other powers as the Council may determine from time to time or as may be functions under the *Local Government Act 1993*.
- (c) In this Instrument of Delegation, unless otherwise stated or indicated:

Term	Definition
the Act	means the <i>Local Government Act 1993</i> .
Chief Executive Officer	means the General Manager of Yass Valley Council appointed pursuant to section 334 of the Act.
Code of Conduct	means the document within the meaning of section 440 of the Act adopted by Council and which incorporates the provisions of

Instrument of Delegation to the Mayor

	the <i>Model Code of Conduct for Local Councils in NSW</i> as prescribed by the Regulation.
Code of Meeting Practice	means the document within the meaning of section 360 of the Act adopted by Council and which incorporates the provisions of the <i>Model Code of Meeting Practice for Local Councils in NSW</i> as prescribed by the Regulation.
Council	means Yass Valley Council.
Council Committee	means a committee established by the Council comprising only of Councillors.
Council meeting	means a meeting of the Council.
Decisions of Council	means decisions resolved by the governing body from time to time.
Deputy Mayor	means the Deputy Mayor of Yass Valley Council elected pursuant to section 231 of the Act.
Mayor	means the Mayor of Yass Valley Council elected pursuant to section 225 of the Act.
Policies	means policies adopted by Council from time to time.
Procedures for the Administration of the Code of Conduct	means the document within the meaning of section 440AA of the Act adopted by Council and which incorporates the provisions of the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> as prescribed by the Regulation.
Recess Period	means a period of time where Council has, by resolution, specifically determined a break in Council's ordinary meeting schedule. A Recess Period does not include the time between: <ul style="list-style-type: none"> • Council meetings (an extraordinary meeting can be called under the Code of Meeting Practice), or • Council terms (that is, the period between the day of the last ordinary meeting of Council and the date of declaration of a newly elected Council).
the Regulation	means the <i>Local Government (General) Regulation 2021</i> .
Senior Staff	means those positions within Council's organisation structure determined by Council to be Senior Staff pursuant to section 332 of the Act.
Urgent works	means works requiring immediate attention and decision-making in the event of:

Instrument of Delegation to the Mayor

	<ul style="list-style-type: none">• Natural disasters and emergencies, including pandemics and epidemics, and other events effecting the implementation of Council's Business Continuity Plan,• Significant public liability issues,• Work Health and Safety risk, or• Incidents involving Council-owned or -operated property.
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Instrument of Delegation to the Mayor

3. Delegations

In accordance with and subject to section 377 of the Act, Council delegates to the Mayor, on an ongoing basis, the following powers, authorities, duties and functions of Council subject to the specified conditions and limitations:

Provision	Item Delegated	Conditions & Limitations
Powers and Duties under the <i>Local Government Act 1993</i>	To give effect to the law, Council's adopted policies, resolutions and directions, provided that such delegation is not sub-delegated without the specific approval of the Council or as prescribed under the <i>Local Government Act 1993</i> .	
Powers and Duties under Other Legislation	If, under any legislation other than the <i>Local Government Act 1993</i> , a function is conferred or imposed on the Mayor of Council, the function is taken to be conferred or imposed on the Council and the Mayor of the Council has delegated authority to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that legislation.	
Management of Council Meetings and Business	<ul style="list-style-type: none"> (a) To preside at and chair all meetings of the Council and Public Meetings convened by the Council at which the Mayor is present, unless the Council otherwise appoints another person to perform this function. (b) To call and schedule meetings of Council Committees, briefings of Councillors and inspections by Councillors. (c) To request the Chief Executive Officer to include items on the agendas for all meetings of Council and Council Committees, subject to the <i>Local Government Act 1993</i> and the <i>Local Government (General) Regulation 2021</i> and any other Act of 	Subject to any applicable provisions of the Code of Meeting Practice.

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
	<p>Parliament, noting that if the Council has, by resolution, determined that a specific item should be placed on its agenda, the function exercised under this delegation must be exercised in accordance with that resolution.</p> <p>(d) Pursuant to the Code of Meeting Practice, exercise the power of expulsion from meetings of the Council.</p>	
Negotiations on Behalf of Council	In conjunction with the Chief Executive Officer, to participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of land and buildings, noting that no contractual agreement is to be entered into without a resolution of Council, unless the contractual agreement is authorised by a separate delegation.	No contractual agreement is to be entered into without a resolution of Council, unless the contractual agreement is authorised by a separate delegation.
External Relations and Representations	<p>(a) To act as the official spokesperson of the elected Council.</p> <p>(b) To represent the Council, in conjunction with the Chief Executive Officer, in deputations to Government inquiries and other forums where it is appropriate that the Mayor should present the Council's position.</p> <p>(c) To determine who should represent Council on external organisations, committees and inter-agency working parties, where Council has not determined a representative.</p> <p>(d) To determine who should represent Council at civic, ceremonial and social</p>	Should the Mayor determine that a staff member should represent Council at a civic, ceremonial or social function in lieu of a Councillor; the Mayor must first consult with the Chief Executive Officer.

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
	functions, where the Mayor and Deputy Mayor are unable to attend.	
Public Statements and Media Releases	To make public statements on matters of official Council attitude or interpretation of Council policy and issue media releases in respect of Council resolutions and decisions, subject to prior consultation with the Chief Executive Officer.	The Mayor must consult with the Chief Executive Officer prior to the publication of a media release in respect of Council resolutions and decisions.
Sign Correspondence and Execute Documents	To sign correspondence and other documents in relation to the Office of the Mayor.	<p>(a) Correspondence relating to the day-to-day management of Council are matters that remain with the Chief Executive Officer to sign.</p> <p>(b) Execution of any documents under Council Seal must be carried out in compliance with Clause 400 of the <i>Local Government (General) Regulation 2021</i>.</p>
Councillor Attendance at Seminars and Conferences	To consider and, in consultation with the Chief Executive Officer, approve Councillors' requests to attend seminars and conferences in accordance with Council's Councillor Expenses and Facilities Policy, where consideration and approval of such requests at a full meeting of the Council is not possible.	<p>(a) Consistent with the Council's Councillor Expenses and Facilities Policy, consideration and approval of such requests should occur at a full meeting of the Council, where possible.</p> <p>(b) Such requests must be approved jointly by the Mayor and Chief Executive Officer, as required under the <i>Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW</i> prescribed under section 23A of the <i>Local Government Act 1993</i>.</p>

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
Urgent Works	To authorise expenditure of up to \$40,000 on urgent work which has not been provided for in the Council's Operational Plan.	Expenditure authorised must be reported to the next scheduled Ordinary Meeting of the Council.
Claims Against Council	With the concurrence of the Chief Executive Officer, approve the settlement of claims against Council, in excess of \$150,000 but not exceeding \$500,000, where the Mayor and Chief Executive Officer are both satisfied that the Council's interests would be best served by avoiding the matter being determined by a court, other person or body.	Claims approved must be reported to the next scheduled Ordinary Meeting of the Council.
General Authority of Council During a Recess Period	Where there are grounds to support that a decision of the elected Council cannot be delayed during a Recess Period, to exercise the powers, authorities, duties and functions of the elected Council other than: (a) Those powers, authorities, duties and functions reserved by the elected Council in accordance with section 377 of the <i>Local Government Act 1993</i> . (b) Those powers, authorities, duties and functions delegated to the General Manager.	This authority is effective from 12.00am Midnight on the day of the last Ordinary Meeting prior to the Recess Period, up to the time of commencement of the first Ordinary Meeting at the conclusion of the Recess Period, subject to: (a) Such delegations are to be exercised following receipt by the Mayor of reports or other business papers in a form similar to the form of reports or other business papers normally submitted to Council or a Council Committee for resolution. (b) Those reports or other business papers are to be circulated to all Councillors at least three (3) business days prior to the exercise of the delegations. (c) Where written objections by three Councillors on any one item are received by the Mayor,

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
		<p>stating relevant reasons for objection, the item is to be deferred until the next meeting of Council.</p> <p>(d) Any such decisions made by the Mayor pursuant to such delegation is to be reported to the next meeting of Council.</p> <p>This clause does not limit the Mayor's authority pursuant to section 226(d) of the <i>Local Government Act 1993</i> to exercise in the cases of necessity, the policy-making functions of Council's governing body between Council meetings.</p>
Performance Management	<p>(a) To exercise the powers, authorities, duties and functions of Council under the Chief Executive Officer's Contract of Employment, having regard to any functions of a Performance Review Panel or policy in effect.</p> <p>(b) To provide oversight of and monitor the Chief Executive Officer in the exercise of the Chief Executive Officer's powers, duties and functions.</p> <p>(c) To receive complaints about the Chief Executive Officer and manage those complaints in accordance with the Code of Conduct and Procedures for the Administration of the Code of Conduct, and any other policy in effect.</p> <p>(d) To consider and approve or otherwise determine applications for leave submitted by the Chief Executive Officer, provided that the leave period does not exceed six (6) weeks in</p>	<p>Subject to any applicable provisions of the <i>Guidelines for the Appointment and Oversight of General Managers</i> prescribed under section 23A of the <i>Local Government Act 1993</i>.</p>

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
	<p>duration, noting that leave applications by the Chief Executive Officer in excess of six (6) weeks are to be referred to Council for determination.</p> <p>(e) To approve the attendance of the Chief Executive Officer at any seminar, conference or course provided that it is within the adopted Budget. If it falls outside the existing adopted Budget, approval may only be granted in extenuating or urgent circumstances and with the concurrence of the Deputy Mayor.</p> <p>(f) To accept the resignation of the Chief Executive Officer.</p> <p>(g) To approve the appointment of a Senior Staff employee to act as Chief Executive Officer from time to time, as may be required in the absence of the Chief Executive Officer, if not already appointed by the Council under the <i>Local Government Act 1993</i>, noting that such appointment is to be referred to the next scheduled Ordinary Meeting of the Council for endorsement.</p> <p>(h) To consult with the Chief Executive Officer on the appointment and dismissal of Senior Staff.</p>	
Certificates of Australian Citizenship	To present Certificates of Australian Citizenship to applicants after applicants have pledged the Oath or Affirmation of Allegiance, as provided by the <i>Australian Citizenship Act 2007</i> .	

Instrument of Delegation to the Mayor

Provision	Item Delegated	Conditions & Limitations
Civic Honours	To present civic honours, including Australia Day Awards, on behalf of Council.	

Instrument of Delegation to the Mayor

4. Acknowledgement of Delegations by Mayor and Deputy Mayor

The powers, authorities, duties and functions contained in this Instrument of Delegation:

- (a) have been delegated by the governing body of Yass Valley Council on **25 May 2023** by **Resolution [Enter following meeting]**, and
- (b) must be exercised in accordance with any applicable Act of Parliament, and
- (c) must be exercised in accordance with any resolution of policy, procedure or budget adopted from time to time by the Council, and
- (d) have been received, read and accepted by:

.....
Chris Berry
Mayor

.....
Cr Name Surname
Deputy Mayor

On: / / 2023

On: / / 2023



Instrument of Delegation to the Chief Executive Officer

25 May 2023

1. Preamble

This document outlines the role of the General Manager ("Chief Executive Officer") of Yass Valley Council ("Council"), as per section 335 of the *Local Government Act 1993* ("the Act"), and specifies the powers, functions, duties and functions delegated from Council's governing body pursuant to section 377 of the Act.

1.1. Role of the Chief Executive Officer

Section 335 of the Act provides that the Chief Executive Officer has the following functions:

- (a) *to conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council,*
- (b) *to implement, without undue delay, lawful decisions of the Council,*
- (c) *to advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the Council,*
- (d) *to advise the Mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council,*
- (e) *to prepare, in consultation with the Mayor and the governing body, the Council's Community Strategic Plan, Community Engagement Strategy, Resourcing Strategy, Delivery Program, Operational Plan and Annual Report,*
- (f) *to ensure that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,*
- (g) *to exercise any of the functions of the Council that are delegated by the Council to the General Manager,*
- (h) *to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the Council,*
- (i) *to direct and dismiss staff,*
- (j) *to implement the Council's Workforce Management Strategy,*
- (k) *any other functions that are conferred or imposed on the General Manager by or under this or any other Act.*

1.2. Non-delegable Functions

Section 277 of the Act specifies those Council functions that cannot be delegated, be that to the Chief Executive Officer, Mayor or any other person or body:

- (1) *A Council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the Council) any of the functions of the Council under this or any other Act, other than the following—*
 - (a) *the appointment of a General Manager,*
 - (b) *the making of a rate,*
 - (c) *a determination under section 549 as to the levying of a rate,*
 - (d) *the making of a charge,*
 - (e) *the fixing of a fee,*
 - (f) *the borrowing of money,*
 - (g) *the voting of money for expenditure on its works, services or operations,*

- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- (i) the acceptance of tenders to provide services currently provided by members of staff of the Council,*
- (j) the adoption of an Operational Plan under section 405,*
- (k) the adoption of a financial statement included in an annual financial report,*
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- (m) the fixing of an amount or rate for the carrying out by the Council of work on private land,*
- (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work,*
- (o) the review of a determination made by the Council, and not by a delegate of the Council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- (p) the power of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) this power of delegation,*
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the Council.*

2. Interpretation and Definitions

- (a) This Instrument of Delegation should be construed as operating in a manner which is valid and within the powers conferred on the Council under the *Local Government Act 1993*.
- (b) This Instrument of Delegation is not intended to limit the Chief Executive Officer's ability to carry out such other functions and exercise such other powers as the Council may determine from time to time or as may be functions under the *Local Government Act 1993*.

3. Delegation Sources

- *Ageing and Disability Commissioner Act 2019*
- *Annual Holidays Act 1944*
- *Boarding Houses Act 2012*
- *Building Products (Safety) Act 2017*
- *Cemeteries and Crematoria Act 2013*
- *Cemeteries and Crematoria Regulation 2022*
- *Child Protection (Working With Children) Act 2012*
- *Child Protection (Working With Children) Regulation 2013*
- *Children (Protection and Parental Responsibility) Act 1997*

- *Children's Guardian Act 2019*
- *Civil and Administrative Tribunal Act 2013*
- *Community Land Development Act 2021*
- *Companion Animals Act 1998*
- *Contaminated Land Management Act 1997*
- *Conveyancing Act 1919*
- *Crown Land Management Act 2016*
- *Dams Safety Act 2015*
- *Disability Inclusion Act 2014*
- *District Court Act 1973*
- *Electricity Supply Act 1995*
- *Employment Protection Act 1982*
- *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*
- *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Fines Act 1996*
- *Fire and Emergency Services Levy Act 2017*
- *Fire Brigades Act 1989*
- *Fisheries Management Act 1994*
- *Fluoridation of Public Water Supplies Act 1957*
- *Food Act 2003*
- *Forestry Act 2012*
- *Forestry Regulation 202*
- *Gas and Electricity (Consumer Safety) Act 2017*
- *Government Information (Public Access) Act 2009*
- *Graffiti Control Act 2008*
- *Greater Cities Commission Act 2022*
- *Greyhound Racing Act 2017*
- *Growth Centres (Development Corporations) Act 1974*
- *Health Records and Information Privacy Act 2002*
- *Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)*

- *Heavy Vehicle National Law (NSW) 2013*
- *Heritage Act 1977*
- *Housing Act 2001*
- *Independent Commission Against Corruption Act 1988*
- *Independent Pricing and Regulatory Tribunal Act 1992*
- *Industrial Relations Act 1996*
- *Land Acquisition (Just Terms Compensation) Act 1991*
- *Library Act 1939*
- *Library Regulation 2018*
- *Local Court Act 2007*
- *Local Government (General) Regulation 2021*
- *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- *Local Government Act 1993*
- *Local Government and Other Authorities (Superannuation) Act 1927*
- *Local Land Services Act 2013*
- *Major Events Act 2009*
- *Motor Vehicle Sports (Public Safety) Regulation 2010*
- *National Parks and Wildlife Act 1974*
- *NSW Long Service Leave Act 1955*
- *NSW Road Transport Act 2013*
- *NSW Sydney Water Act 1994*
- *Ombudsman Act 1974*
- *Pesticides Act 1999*
- *Pesticides Regulation 2017*
- *Pipelines Act 1967*
- *Plumbing and Drainage Act 2011*
- *Poisons and Therapeutic Goods Regulation 2008*
- *Privacy and Personal Information Protection Act 1998*
- *Protection of the Environment Operations (Clean Air) Regulation 2022*
- *Protection of the Environment Operations Act 1997*
- *Public Health (Tobacco) Act 2008*
- *Public Health Act 2010*
- *Public Health Regulation 2022*

- *Public Interest Disclosures Act 1994*
- *Public Spaces (Unattended Property) Act 2021*
- *Public Spaces (Unattended Property) Regulation 2022*
- *Public Works and Procurement Act 1912*
- *Reconstruction Authority Act 2022*
- *Residential Tenancies Regulation 2019*
- *Restricted Premises Act 1943*
- *Road Transport (General) Regulation 2021*
- *Roads Act 1993*
- *Rural Fires Regulation 2013*
- *Service NSW (One-Stop Access to Government Services) Act 2013*
- *Small Business Commissioner Act 2013*
- *State Emergency Service Act 1989*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Records Act 1998*
- *Strata Schemes (Freehold Development) Act 1973*
- *Strata Schemes (Leasehold Development) Act 1986*
- *Strata Schemes Development Regulation 2016*
- *Strata Schemes Management Act 2015*
- *Strata Schemes Management Regulation 2016*
- *Supreme Court Act 1970*
- *Surveying and Spatial Information Act 2002*
- *Swimming Pools Act 1992*
- *Swimming Pools Regulation 2018*
- *Tattoo Parlours Act 2012*
- *Taxation Administration Act 1996*
- *Transport Administration Act 1988*
- *Trees (Disputes Between Neighbours) Act 2006*
- *Trustee Act 1925*
- *Valuation of Land Act 1916*
- *Valuation of Land Regulation 2012*
- *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017*
- *Water Management Act 2000*
- *Water Supply (Critical Needs) Act 2019*

- *Wilderness Act 1987*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*
- *Workers Compensation Act 1987*
- *Workplace Surveillance Act 2005*

4. Delegations

Ageing and Disability Commissioner Act 2019		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Ageing and Disability Commissioner Act 2019</i> Exercising all functions of “Council” under the Act that may legally be delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Annual Holidays Act 1944		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Annual Holidays Act 1944</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Boarding Houses Act 2012		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Boarding Houses Act 2012</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Building Products (Safety) Act 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Building Products (Safety) Act 2017</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .
Various	Delegation of Secretarial functions	A delegate of the Secretary (Council) may sub-delegate a function if

Building Products (Safety) Act 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
	Exercise of all of the functions of the Secretary delegated to Council.	authorised in writing to do so by the Secretary. If the Secretary delegates functions subject to conditions or limitations, any sub-delegation by the delegate is taken to be subject to the same conditions and limitations, and any further conditions or limitations imposed by the delegate.
Section 74	Appointment of Authorised Officers Appointing any person (including a class of persons) as an authorised officer.	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.
Section 74	Appointment of Authorised Officers Revoking or amending an appointment of an authorised officer by instrument in writing	The Council may only delegate this function if it has been delegated this function of the Secretary pursuant to section 89 of the Act.

Cemeteries and Crematoria Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Cemeteries and Crematoria Act 2013</i> Exercise of all functions of Council under the Act that may be legally delegated Notes: Councils have functions under the Act as a “Council”, “government agencies”, “cemetery operators” and “Crown cemetery operators” (where the Council is the Crown Land Manager of a Crown cemetery). As “Crown cemetery operator”, a Council may delegate any of its functions (other than the power of delegation) to any other person or body: s.75	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Cemeteries and Crematoria Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Regulation 4O	Voluntary surrender or suspension of licence Applying to the Cemeteries Agency for a cancellation or suspension of its licence.	
Regulation 4P	Review by Cemeteries Agency Applying to the Cemeteries Agency for a review a decision by the Cemeteries Agency of a kind listed at reg. 4P(1) of the Regulation.	
Regulation 4Q	Review by NCAT Applying to the NSW Civil and Administrative Tribunal for an administrative review of a decision by the Cemeteries Agency of a kind listed at reg. 4Q(1) of the Regulation.	

Child Protection (Working With Children) Act 2012		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Child Protection (Working With Children) Act 2012</i> Exercise of all functions of Council under the Act that may legally be delegated. Notes: Council is an “employer” and also a “government agency”.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Child Protection (Working With Children) Regulation 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the Child Protection (Working With Children) Regulation 2013	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Child Protection (Working With Children) Regulation 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
	<p>Exercise of all functions of Council under the Regulation that may legally be delegated.</p> <p>Notes: Council is an “employer” and also a “government agency”.</p>	

Children (Protection and Parental Responsibility) Act 1997		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Children (Protection and Parental Responsibility) Act 1997</i></p> <p>Exercise of all functions of Council under the Act that may legally be delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Children’s Guardian Act 2019		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Children’s Guardian Act 2019</i></p> <p>Exercise of all functions of the “head of a relevant entity” under the <i>Children’s Guardian Act 2019</i> that may be legally delegated pursuant to s.65 of the <i>Children’s Guardian Act 2019</i> and s.388(1) of the <i>Local Government Act 1993</i></p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Civil and Administrative Tribunal Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Civil and Administrative Tribunal Act 2013</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Community Land Development Act 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Community Land Development Act 2021</i></p> <p>Exercising all of the functions of Council under the Act that can legally be delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Companion Animals Act 1998		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Companion Animals Act 1998</i></p> <p>Exercising all of the functions of Council under the Act that can legally be delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Contaminated Land Management Act 1997		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Contaminated Land Management Act 1997</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Conveyancing Act 1919		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Conveyancing Act 1919</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>

Crown Land Management Act 2016		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Crown Lands Management Act 2016</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Dams Safety Act 2015		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Dams Safety Act 2015</i> Exercise of all functions of Council under the Act that may be legally delegated. (Councils are public authorities under the Act)	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Disability Inclusion Act 2014		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Disability Inclusion Act 2014</i> Exercise of all functions of Council under the Act that may be legally delegated. (Council has functions as a 'public authority' and an 'eligible entity' under the Act)	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

District Court Act 1973		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>District Court Act 1973</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Electricity Supply Act 1995		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Electricity Supply Act 1995</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Employment Protection Act 1982		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Employment Protection Act 1982</i> Exercise of all functions of Council under the Act that may be legally delegated. Notes: Council has functions as an “employer” pursuant to s.4 of the Act and s.5 of the <i>Industrial Arbitration Act 1940</i> .	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Environmental Planning and</i>	

Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
	<p><i>Assessment (Development Certification and Fire Safety) Regulation 2021</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Environmental Planning and Assessment Act 1979		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Environmental Planning and Assessment Act 1979</i></p> <p>Exercise of all functions of Council under the <i>Environmental Planning and Assessment Act 1979</i> that may be legally delegated, including all functions of Council under all State Environmental Planning Policies, except the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p> <p>Delegation of functions to be exercised in respect of community land are limited by Division 2 of Part 2 of the <i>Local Government Act 1993</i>.</p> <p>Council can only directly delegate to the General Manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The General Manager can sub-delegate to Council employees or other persons or bodies: section 378(2).</p>

Environmental Planning and Assessment Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Environmental Planning and Assessment Regulation 2021</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Fines Act 1996		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Fines Act 1996</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Fire and Emergency Services Levy Act 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the Fire and Emergency Services Levy Act 2017 Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Fire Brigades Act 1989		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the Fire Brigades Act 1989 Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Fisheries Management Act 1994		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Fisheries Management Act 1994</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Fluoridation of Public Water Supplies Act 1957		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Fluoridation of Public Water Supplies Act 1957</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Food Act 2003		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Food Act 2003</i></p> <p>Exercising all of the functions of Council that may be legally delegated under the Act.</p> <p>(Council has responsibilities under the Food Act 2003 only where Council is appointed as an “enforcement agency” by the NSW Food Authority: see sections 4 and 111.)</p>	<p>Council cannot delegate any of the functions listed ins section 377(1) of the <i>Local Government Act 1993</i>.</p> <p>Council may only delegate to members of Council staff where it has written authorisation to do so from the NSW Food Authority: section 109E.</p>

Forestry Act 2012		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Forestry Act 2012</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p> <p>Notes: Council has functions as a “government agency” and a “land manager” (if appointed by the Minister as a land manager under s.57).</p> <p>Council can also delegate its functions as a “land manager” to a Public Service employee (as defined in s.3 of the <i>Government Sector Employment Act 2013</i>): s.57(6).</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Forestry Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Forestry Regulation 2022</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p> <p>Notes: Council has functions as a “government agency” and a “land manager” (if appointed by the Minister as a land manager under s.57 of the Act).</p> <p>Council can also delegate its functions as a “land manager” to a Public Service employee (as defined in s.3 of the <i>Government Sector Employment Act 2013</i>): s.57(6).</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Gas and Electricity (Consumer Safety) Act 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Gas and Electricity (Consumer Safety) Act 2017</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	<p>Council cannot delegate any of the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>
Various	<p>Delegation of functions</p> <p>Exercising any functions of the Minister or the Secretary delegated to the Council pursuant to s.74 of the <i>Gas and Electricity (Consumer Safety) Act 2017</i>, other than the power to delegate under that section.</p>	<p>Council may sub-delegate to an authorised person or body any function delegated by the Minister or Secretary if Council the authorised in writing to do so by the Minister or Secretary (as the case may be).</p>

Government Information (Public Access) Act 2009		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Government Information (Public Access) Act 2009</i></p>	<p>Council cannot delegate any of the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Government Information (Public Access) Act 2009		
Provision	Power and Functions Delegated	Conditions and Limitations
	Exercise of all functions of Council under the Act that may be legally delegated.	

Graffiti Control Act 2008		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Graffiti Control Act 2008</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Greater Cities Commission Act 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the Greater Cities Commission Act 2022 Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Greyhound Racing Act 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Greyhound Racing Act 2017</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Growth Centres (Development Corporations) Act 1974		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Growth Centres (Development Corporations) Act 1974</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Health Records and Information Privacy Act 2002		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Health Records and Information Privacy Act 2002</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)</i></p> <p>Exercise of all functions of Council road manager under the <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation (NSW)</i> that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Heavy Vehicle National Law (NSW) 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Heavy Vehicle National Law (NSW) 2013</i></p> <p>Exercise of all functions of a road authority or road manager under the <i>Heavy Vehicle National Law (NSW) 2013</i>.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Heavy Vehicle National Law (NSW) 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
	Notes: Council can delegate these functions only if it is the relevant road manager for the purposes of the <i>Heavy Vehicle National Law (NSW)</i> .	

Heritage Act 1977		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Heritage Act 1977</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Housing Act 2001		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Housing Act 2001</i> Exercise of all functions of Council and public authority under the <i>Housing Act 2001</i> that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Independent Commission Against Corruption Act 1988		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Independent Commission Against Corruption Act 1988</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Independent Pricing and Regulatory Tribunal Act 1992		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i></p> <p>Exercise of all functions of a government agency under the <i>Independent Pricing and Regulatory Tribunal Act 1992</i> that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Industrial Relations Act 1996		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Industrial Relations Act 1999</i></p> <p>Exercising all the functions of an employer under the Act and the Regulations.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Land Acquisition (Just Terms Compensation) Act 1991		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p> <p>Specifically, Council cannot delegate the function of deciding to compulsorily acquire land or other property: section 377(1)(h) of the <i>Local Government Act 1993</i>.</p>

Library Act 1939		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Library Act 1939</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the Local Government Act 1993.

Library Regulation 2018		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Library Regulation 2018</i> Exercise of all functions of Council under the <i>Library Act 1939</i> that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Local Court Act 2007		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Local Court Act 2007</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Local Government (General) Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Local Government (General) Regulation 2021</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> . Council can only directly delegate to the General Manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The General Manager can sub-delegate to Council employees or other persons or bodies: section 378(2).

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Local Government Act 1993		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - exercise of all functions under the <i>Local Government Act 1993</i></p> <p>Exercise of all functions of Council under the Act that may be lawfully delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1).</p> <p>Council can only directly delegate to the General Manager or another "person or body" (e.g. a committee) but not Council employees: section 377(1). The General Manager can sub-delegate to Council employees or other persons or bodies: section 378(2).</p> <p>Despite s377(1), Council may delegate its functions relating to the granting of financial assistance if certain conditions are met: s377(1A)</p>

Local Government and Other Authorities (Superannuation) Act 1927		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Local Government and Other Authorities (Superannuation) Act 1927</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Local Land Services Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Local Land Services Act 2013</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Major Events Act 2009		
Provision	Power and Functions Delegated	Conditions and Limitations
Various, Sections 15, 20	General delegation – all functions under the <i>Major Events Act 2009</i> Exercise of all functions of a government agency under the <i>Major Events Act 2009</i> that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Motor Vehicle Sports (Public Safety) Regulation 2010		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Small Motor Vehicle Sports (Public Safety) Regulation 2010</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

National Parks and Wildlife Act 1974		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>National Parks and Wildlife Act 1974</i> Exercise of all functions of Council under the Act that may be legally delegated. (Council has functions as a ‘public authority’ under the Act)	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

NSW Long Service Leave Act 1955		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Long Service Leave Act 1955</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

NSW Road Transport Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation Exercise of all the functions of Council under the Act that may be legally delegated. Notes: Under section 142, the Council has functions under the Act as the 'appropriate roads authority' in relation to roads within its local government area	Council cannot sub-delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

NSW Sydney Water Act 1994		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Sydney Water Act 1994</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Ombudsman Act 1974		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Ombudsman Act 1974</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Pesticides Act 1999		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation Exercise of all functions given to Council in its capacity as a public authority under the <i>Pesticides Act 1999</i> that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Pesticides Regulation 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation Exercise of all functions of a public authority under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Pipelines Act 1967		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Pipelines Act 1967</i> Exercise of all functions of a public authority under the <i>Pipelines Act 1967</i> that may legally be delegated, and all functions of an owner under the Act that may legally be delegated, but the latter only in relation to lands owned by or vested in the Council, or lands and Crown lands owned by or vested in the Council on behalf of the Crown.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Plumbing and Drainage Act 2011		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Plumbing and Drainage Act 2011</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Plumbing and Drainage Act 2011		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>Delegation</p> <p>Exercising functions of the plumbing regulator delegated to the Council.</p>	<p>The sub-delegation of any function delegated to the Council by the plumbing regulator can only be to the General Manager of the Council or executive officer of the joint organisation or a person engaged as a contractor by the Council or joint organisation whom the Council or joint organisation considers has the necessary skills, knowledge or experience to exercise the function. (s 21)</p>

Poisons and Therapeutic Goods Regulation 2008		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Poisons and Therapeutic Goods Regulation 2008</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Privacy and Personal Information Protection Act 1998		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Privacy and Personal Information Protection Act 1998</i></p> <p>Exercise of all functions of a “public sector agency” and “investigative agency” under the Act that may be legally delegated.</p> <p>Notes: A Council is a “public sector agency” per para (f) of the definition of public sector agency in s.3 of the Act.</p> <p>A Council is also, therefore, an “investigative agency” per para (b) of its definition in s.3.</p>	<p>Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i>.</p>

Protection of the Environment Operations (Clean Air) Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Protection of the Environment (Clean Air) Regulation 2021</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Protection of the Environment Operations Act 1997		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Protection of the Environment Operations Act 1997</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Health (Tobacco) Act 2008		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Public Health (Tobacco) Act 2008</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Health Act 2010		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Public Health Act 2010</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Health Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Public Health Regulation 2022</i></p> <p>Exercise of all functions of Council under the Regulation that may be legally delegated.</p> <p>Notes: Council has functions as a “local government authority”, a “public authority”, and, if it is exercising water supply functions under Chapter 6, Part 3, Division 2 of the <i>Local Government Act 1993</i>, a “supplier of drinking water”.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Interest Disclosures Act 1994		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Public Interests Disclosures Act 1994</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Spaces (Unattended Property) Act 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Public Spaces (Unattended Property) Act 2021</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Spaces (Unattended Property) Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Public Spaces (Unattended Property) Regulation 2022</i></p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Public Spaces (Unattended Property) Regulation 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
	Exercise of all functions of Council under the Regulation that may be legally delegated.	

Public Works and Procurement Act 1912		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Public Works and Procurement Act 1912</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Reconstruction Authority Act 2022		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>NSW Reconstruction Authority Act 2022</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Residential Tenancies Regulation 2019		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Residential Tenancies Regulation 2019</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Restricted Premises Act 1943		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Restricted Premises Act 1943</i></p> <p>Exercise of all functions of a local Council under the <i>Restricted Premises Act 1943</i> that may legally be delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Road Transport (General) Regulation 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – exercise of all functions under the Regulation relating to parking</p> <p>Exercising all functions of Council in relation to parking under the Regulation that may legally be delegated.</p> <p>Notes: Council has functions as a ‘parking authority’ in relation to parking within its local government area at Part 5 of the Regulation</p>	Council cannot sub-delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Roads Act 1993		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation - all functions under the <i>Roads Act 1993</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p> <p>Notes: All of the functions of Council under the Act in its capacity as a “roads authority” do not need to be delegated. Under section 253, “employees”, “agents” and “independent contractors” of a roads authority have express power to carry out any of its functions. Council is the roads authority for all public roads in its area other than any freeway or Crown road and any public road for which some other public authority is</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Roads Act 1993		
Provision	Power and Functions Delegated	Conditions and Limitations
	declared by the regulations to be the roads authority.	

Rural Fires Regulation 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Rural Fires Regulation 2013</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Service NSW (One-Stop Access to Government Services) Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Section 7	Delegating customer service functions to the CEO of Service NSW after the Council, by resolution, approved the delegation	Council cannot delegate a customer service function to the CEO of Service NSW unless approved by resolution within the Council beforehand.
Section 8	Entering into an agreement with the CEO of Service NSW providing for the CEO to exercise a non-statutory customer service function after the Council, by resolution, has approved the agreement.	Council cannot enter into an agreement with the CEO of Service NSW unless the agreement has been approved by a resolution of the Council beforehand.

Small Business Commissioner Act 2013		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Small Business Commissioner Act 2013</i> Exercise of all functions of Council under the Act that may be legally delegated. (Council has functions as a ‘government agency’ under the Act)	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

State Emergency Service Act 1989		
Provision	Power and Functions Delegated	Conditions and Limitations
Section 24C	Giving information to the Commissioner Giving information to the Commissioner of the State Emergency Service to enable the Minister to prepare the estimated SES expenditure.	

State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> Exercise of all functions of a public authority under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> that may legally be delegated, to the extent that the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> applies to the Council or to the Council's area of operations.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

State Records Act 1998		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>State Records Act 1998</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Strata Schemes (Freehold Development) Act 1973		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Strata Schemes (Freehold Development) Act 1973</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Strata Schemes (Leasehold Development) Act 1986		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Strata Schemes (Leasehold Development) Act 1986</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Strata Schemes Development Regulation 2016		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Strata Schemes Development Regulation 2016</i> Exercise of all functions of Council under the Regulations that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Strata Schemes Management Act 2015		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Strata Schemes Management Act 2015</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Strata Schemes Management Regulation 2016		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Strata Schemes Management Regulation 2016</i> Exercise of all functions of Council under the Regulations that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Supreme Court Act 1970		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Supreme Court Act 1970</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Surveying and Spatial Information Act 2002		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Surveying and Spatial Information Act 2002</i> Exercise of all functions of a public authority under the <i>Surveying and Spatial Information Act 2002</i> that may legally be delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Swimming Pools Act 1992		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation - all functions under the <i>Swimming Pools Act 1992</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Swimming Pools Regulation 2018		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Swimming Pools Regulation 2008</i></p> <p>Exercise of all functions of Council under the Swimming Pools Regulation that may be legally delegated. Including approving applications, giving notice of Council’s decision, establishment and implementation of a strategy for community engagement and issuing non-compliance certificates</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Tattoo Parlours Act 2012		
Provision	Power and Functions Delegated	Conditions and Limitations
Section 36	<p>General delegation – all functions under s.36 of the <i>Tattoo Parlours Act 2012</i></p> <p>Exercise of all functions of a “relevant agency” under the s.36 of the <i>Tattoo Parlours Act 2012</i> that may legally be delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Taxation Administration Act 1996		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Taxation Administration Act 1994</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Transport Administration Act 1988		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Transport Administration Act 1998</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Trees (Disputes Between Neighbours) Act 2006		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Trees (Disputes Between Neighbours) Act 2006</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Trustee Act 1925		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Trustee Act 1925</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Valuation of Land Act 1916		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Valuation of Land Act 1916</i> Exercise of all functions of Council under the Act that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Valuation of Land Regulation 2012		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Valuation of Land Regulation 2012</i> Exercise of all functions of Council under the Regulation that may be legally delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017</i></p> <p>Exercise of all functions of Council under the Regulations that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Water Management Act 2000		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Water Management Act 2000</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated, including in the Council's capacity as a "landholder" where relevant.</p> <p>Notes: For the purpose of this Act, the Council is a landholder where it is owner of the land or the lawful occupier of land and in respect of land that comprises a public road vested in, or under the control or management of the Council or land which comprises the site of a work that is, or is proposed to be, constructed for the local Council.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Water Supply (Critical Needs) Act 2019		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Water Supply (Critical Needs) Act 2019</i></p> <p>Exercise of all functions of Council under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Water Supply (Critical Needs) Act 2019		
Provision	Power and Functions Delegated	Conditions and Limitations
Section 8	<p>Authorisation of Minister to carry out water supply development</p> <p>Applying to the Planning Secretary for an authorisation to carry out the development described in Schedule 2 of the <i>Water Supply (Critical Needs) Act 2019</i>.</p>	

Wilderness Act 1987		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Wilderness Act 1987</i></p> <p>Exercise of all functions of a statutory authority under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Work Health and Safety Act 2011		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Work Health and Safety Act 2011</i></p> <p>Exercise of all functions of a person conducting a business or undertaking under the Act that may be legally delegated.</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Work Health and Safety Regulation 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	<p>General delegation – all functions under the <i>Work Health and Safety Regulation 2017</i></p> <p>Exercise of all functions of a person conducting a business or undertaking</p>	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Work Health and Safety Regulation 2017		
Provision	Power and Functions Delegated	Conditions and Limitations
	under the Regulation that may be legally delegated.	

Workers Compensation Act 1987		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions of “self-insurer” under the <i>Workers Compensation Act 1987</i> Exercise of all functions of a “self-insurer” under the Act that may legally be delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> . The functions of a "self-insurer" can only be delegated if the Council is a "self-insurer" for the purposes of the Act (see s.3).
Various	General delegations – all functions of “employer” under the <i>Workers Compensation Act 1987</i> Exercise of all functions of an “employer” under the Act that may legally be delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

Workplace Surveillance Act 2005		
Provision	Power and Functions Delegated	Conditions and Limitations
Various	General delegation – all functions under the <i>Workplace Surveillance Act 2005</i> Exercise of all functions of a Council in its capacity as an “employer” under the Act that may legally be delegated.	Council cannot delegate the functions listed in section 377(1) of the <i>Local Government Act 1993</i> .

5. **Acknowledgement of Delegations by Chief Executive Officer**

The powers, authorities, duties and functions contained in this Instrument of Delegation:

- (a) have been delegated by the governing body of Yass Valley Council on **25 May 2023** by **Resolution [Enter following meeting]**, and
- (b) must be exercised in accordance with any applicable Act of Parliament, and
- (c) must be exercised in accordance with any resolution of policy, procedure or budget adopted from time to time by the Council, and
- (d) have been received, read and accepted by:

.....
Chris Berry
Chief Executive Officer

On: / / 2023



XX-XX-XX

Councillor Induction and Professional Development Policy

Purpose

The purpose of this Councillor Induction and Professional Development Policy ("this Policy") is to demonstrate Yass Valley Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* ("the Act").

Scope

This Policy applies to all Councillors of Yass Valley Council, including the Mayor.

Definitions

Term	Meaning
the Act	means the <i>Local Government Act 1993</i> .
Chief Executive Officer	means the General Manager of Yass Valley Council appointed pursuant to section 334 of the Act.
Code of Conduct	means the document within the meaning of section 440 of the Act adopted by Council and which incorporates the provisions of the <i>Model Code of Conduct for Local Councils in NSW</i> as prescribed by the Regulation.
Council	means Yass Valley Council.
Mayor	means the Mayor of Yass Valley Council elected pursuant to section 225 of the Act.

Policy Statement

A. Statement of Commitment

Yass Valley Council ("Council") is committed to developing an induction and ongoing professional development program for the Mayor and Councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the Mayor and each Councillor will have a professional development plan that identifies specific gaps in their capabilities (i.e. their knowledge, skills and attributes) and identify professional development activities to build these capabilities.

B. Induction Program

Council will develop an induction program for new and returning Councillors as well as a supplementary program for the Mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so.

The induction program will cover:

- An orientation to Council facilities and the Yass Valley local government area,



- An overview of the key issues and tasks for the new Council including Council's Community Strategic Plan, Delivery Program, Operational Plan, Resourcing Strategy and Community Engagement Plan,
- The legislation, rules, principles and political context under which local councils operate,
- The roles and responsibilities of Councillors and the Mayor,
- Council's organisational structure, Workforce Management Strategy and the roles and responsibilities of the Chief Executive Officer and Council staff,
- What Council does and how it operates, including an overview of Integrated Planning and Reporting, land-use planning, natural resource management, financial management and asset management by Council,
- Key Council policies and procedures Councillors must comply with including the Code of Conduct,
- The role of Council meetings and how to participate effectively in them,
- The support available to the Mayor and Councillors and where they can go to get more information or assistance, and
- Information on the process for taking the Oath of Office and electing the Mayor at the first Council meeting.

In the case of the Mayor, the program will also cover:

- How to be an effective leader of the governing body and the Council,
- The role of the Chair and how to chair Council meetings,
- The Mayor's role in integrated planning and reporting,
- The Mayor's role and responsibilities under the Code of Conduct,
- The Mayor's role and responsibilities in relation to the Chief Executive Officer's employment,
- The Mayor's role at regional and other representative bodies, and
- The Mayor's civic and ceremonial role.

The Mayor and Councillors must have a working knowledge and understanding of these areas by the end of the induction program.

The induction program will also include team building activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure Mayors and Councillors:

- Identify how they would like to work together as a team and identify a common vision for the governing body,
- Build relationships with each other based on trust and mutual respect that facilitate collaboration,
- Contribute to a positive and ethical culture within the governing body,
- Work towards consensus as members of the governing body for the benefit of the community,
- Develop respectful negotiation skills and manage alternative views within the governing body without damaging relationships,
- Understand what supports or undermines the effective functioning of the governing body,
- Respect the diversity of skills and experiences on the governing body, and
- Communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.

Activities should also help the Mayor, as the leader of the governing body, to:

- Act as a stabilising influence and show leadership, and
- Promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The Mayor and Councillors, including those re-elected to office, must attend all induction sessions. Council will evaluate the induction program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.



C. Ongoing Professional Development Program

An individual ongoing professional development plan will be developed for the Mayor and each Councillor to address any gaps in the capabilities (i.e. the knowledge, skills and attributes) needed to effectively fulfil their role.

Each professional development plan will span the Council's term, and identify professional development activities that the Mayor or Councillor will participate in. Professional development activities will be prioritised according to need and approved by the Chief Executive Officer where Council funds are required in accordance with Council's *Councillor and Expenses and Facilities Policy*. The Mayor and Councillors are expected to complete all the activities included in their professional development plan.

Professional development activities will, wherever possible, follow the 70/20/10 principle. The 70/20/10 principle requires that:

- 70 per cent of learning activities are provided via learning and developing from experience – for example, on-the-job training, self-directed learning, developmental roles, problem solving, exposure and practice
- 20 per cent of learning activities are provided via learning and training through others – for example, personal or professional networks, coaching, mentoring, feedback, memberships and professional associations, and
- 10 per cent of learning activities are provided via learning and developing through structured programs – for example, training courses, external or in-house workshops, seminars, webinars and other e-learning and briefing sessions conducted by the Council, external training providers or industry bodies.

The timing of professional development activities for the Mayor and Councillors will be designed in such a way so as to not overload Councillors with learning activities in the early part of Council's term. The timing will reflect what knowledge and skills Councillors and the Mayor need at various points in Council's term to undertake their roles.

The Mayor and Councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

D. Responsibilities

The Mayor and each Councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The Mayor and all Councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the Council.

The Director Corporate and Community is responsible for planning, scheduling and facilitating induction and professional development activities for the Mayor and Councillors in consultation with the Chief Executive Officer.

The Chief Executive Officer has overall responsibility for Council's induction and professional development program.

E. Budget

An annual budget allocation will be provided to support the induction and professional development activities undertaken by the Mayor and Councillors. Expenditure will be monitored and reported quarterly.

F. Approval of Training and/or Expenses

Professional development activities that require Council funds are to be approved by the Chief Executive Officer in accordance with Council's *Councillor Expenses and Facilities Policy*.

G. Evaluation

Council will evaluate the professional development program at the end of each Council term to assess whether it was effective in assisting the Mayor and Councillors to develop the capabilities required to fulfil their civic roles.

H. Reporting

The Chief Executive Officer of Council will publicly report each year in Council's Annual Report:

- The name of the Mayor and each individual Councillor that completed Council's induction program (where an induction program has been delivered during the relevant year),



- The name of the Mayor and each Councillor who participated in any ongoing professional development program during the year,
- The number of training and other activities provided to the Mayor and Councillors during the year as part of a professional development program, and
- The total cost of induction and professional development activities and any other training provided to the Mayor and Councillors during the relevant year.

Responsibilities & Review

The Chief Executive Officer’s office will:

- Provide all necessary administrative support for the operation of this Policy, and
- Develop and document any procedures for the effective implementation of this Policy

References

This Policy is to be read in conjunction with the following:

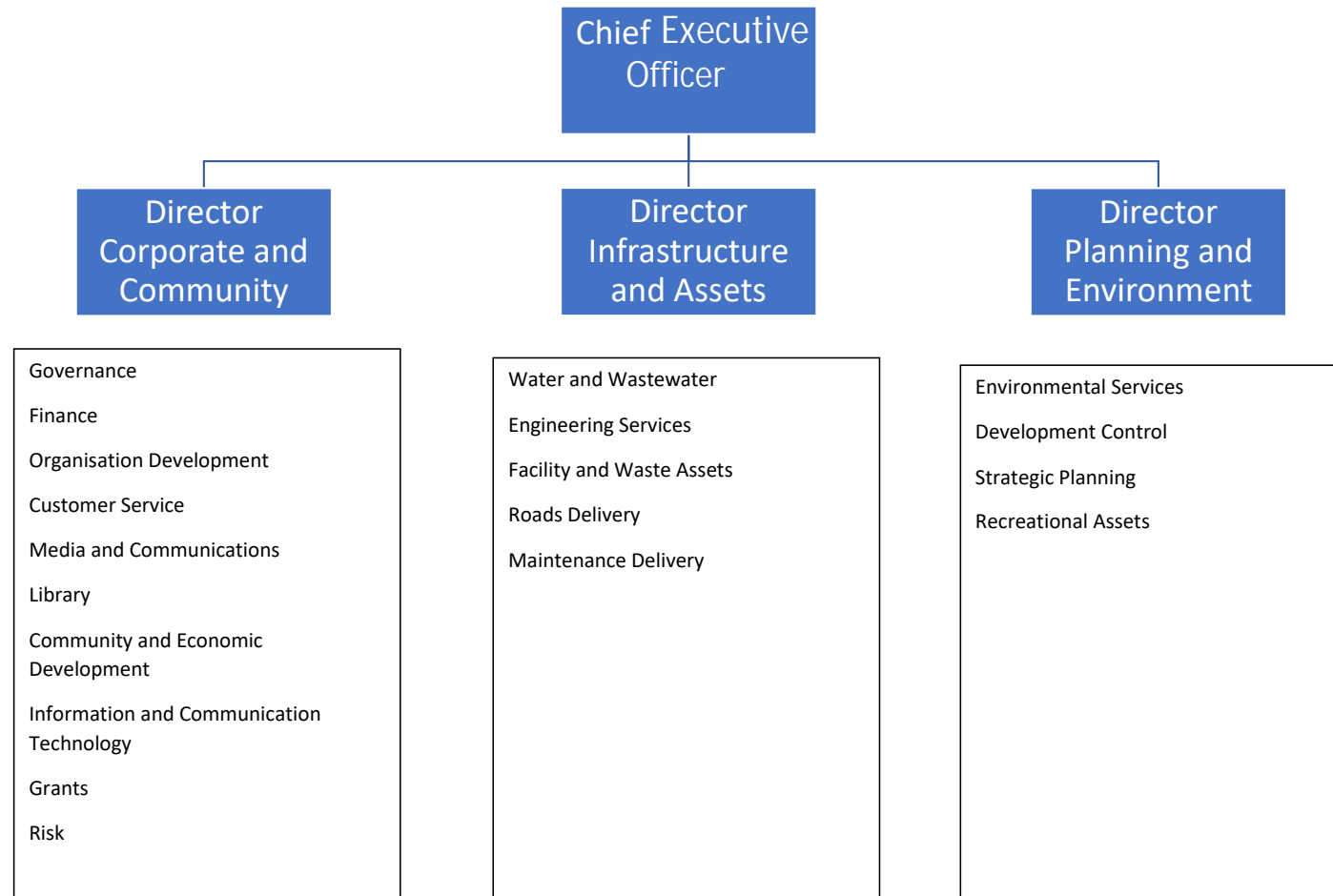
Legislation	Local Government Act 1993
Policies and procedures	Local Government (General) Regulation 2021
	Councillor Expenses and Facilities Policy

Approval History

Stage	Date	Comment	MagiQ Reference
Original	DD Month 2023	Adopted Ordinary Meeting	TBA

Ownership and Approval

Responsibility	Chief Executive Officer
Author	Manager Governance and Risk
Owner	Director Corporate and Community
Endorser	EMT
Approver	Council





Minutes of the Rescue Committee

Thursday 11 May 2023

9.30am

Yass Valley Council Chambers
209 Comur Street, Yass

Minutes of the Rescue Committee Committeeheld on 11 May 2023

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2. Confirmation of Minutes

3. Delegates Reports.....

4. Next Meeting.....

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Minutes of the Rescue Committee Committee held on 11 May 2023

Present

Matt Carroll – Deputy LEOCON (NSW Police), Rob Cunneen – (NSW SES), Dean Campbell, Chris Inglis (Fire Rescue NSW), Peter Alley (RFS) and Paul Lloyd (REMO NSWPF)

Also Present

Shirree Garland – Yass Valley Council

1. Apologies

Dave Cowell – LEOCON (NSW Police), Paul Vasey (VRA Rescue NSW Limited Binalong Rescue), Ben Hutchinson (Ambulance)

2. Confirmation of Minutes

COMMITTEE DECISION

That the minutes of the Rescue Committee held on 16 February 2023 be taken as read and confirmed.

3. Delegates Reports

Rural Fire Service

Peter Alley spoke to the attached report.

Fire Rescue NSW

Dean Campbell advising that it is business as usual, training is ongoing. Services, including ACT, all worked well together at recent fatality. They have undertaken 84 jobs this year, of which 24 were rescues. There have been nine fatalities this calendar year.

State Emergency Service

Rob Cunneen advised that he had no issues to report. Local units are all up and operational, no deficiencies have been reported.

NSW Ambulance

Ben Hutchinson advised, via phone, that he had attended an after action review following a recent fatality with it being noted that all agencies were praised at how well they worked together and there were no issues arising from the incident.

Ben also advised that there were no 4x4 vehicles in our area, however vehicles at Crookwell and Braidwood were available to be deployed.

REMO

Paul Lloyd advised that the State Rescue Policy was currently being reviewed, recommendations will be released shortly.

Paul also advised that the proposed multi-agency marine rescue at Burrinjuck is still intended to be run in the future, with both SES and police watercraft.

The Southern Region Control Room Committee is being re-formed, this will allow an avenue for communication issues to be discussed/reviewed.

Minutes of the Rescue Committee Committee held on 11 May 2023

VRA Rescue NSW Limited – Binalong Rescue

The VRA Rescue NSW Limited report was distributed, as attached.

Police

Matt Carroll raised the issue of the importance of crime scene preservation at crash scenes. As well as crime scene preservation, there is a need to identify casualties or deceased persons at scenes to ensure that appropriate resources are not being wasted where they could be used elsewhere at this scene. Recent quadruple fatality showed great interagency co-operation, including agencies from both NSW and ACT, at what was a very complex and traumatic scene.

Truck crashes are starting to again show a trend. Police are again looking to hold sessions to raise awareness of road safety at rest areas along the Hume. Coffee with a Copy will be held at the Service Centre tomorrow.

4. Next Meeting

Thursday 10 August 2023, at 9.30am in Yass Valley Council Chambers 209 Comur Street, Yass

The meeting closed at 9.53 p.m.

Minutes of the Rescue Committee Committee held on 11 May 2023



REPORT TO
Yass Valley Local Emergency Management Committee



Report Period: 16th February – 11th May 2023

ACTIVITY

LGA	Fire/Explosion	MVA	Hazardous Condition	Service Call	Good Intent	False Alarm	Other	Not Classified	Total
Yass Valley Shire	30	18	4	3	1	2	0	0	58
Goulburn Mulwaree	31	23	5	3	2	6	0	2	72
Upper Lachlan Shire	21	14	0	9	2	0	0	1	47
TOTAL LOCALLY									177

**There has been a number of out of area calls and they have not been included in this report

CAPABILITY

- › Operationally business as usual. Full staffing at Southern Tablelands

PLANNING

- › NextGen Bush Fire Risk Management Plan is ongoing.
- › Preparation for fleet servicing is under way and will start shortly.
- › Updating all RFS radios in the zone to the new state-wide profile and should be completed within the month.
- › Bush Fire Danger Period ceased on the end of March as normal.
- › Increase in bush/grass fire hazard complaints continue and are processed as they arrive.

TRAINING

- › ST District Training continues as per our zone calendar.

OTHER Nil

ACTION Nil



Report submitted by: Peter Alley
Date: 8/05/2023

Minutes of the Rescue Committee Committee held on 11 May 2023



**VRA RESCUE NSW Limited
Binalong Rescue**

Email: Binalong_secretary@vrarescue.org
Phone: 0410 564 520

11th May 2023

VRA Rescue NSW - Binalong LRC & LEMC Report

VRA Rescue NSW – Binalong has been steady since the last meeting.

Regional Coordinator Paul Marshall is continuing assisting where and when possible.

REMO Paul Lloyd resigning from the NSW Police.

VRA Rescue NSW Binalong members would like to wish Paul Lloyd all the very best on his new adventures. I am sure that I speak on behalf of all LRC & LEMC Members that Paul will be missed

VRA Binalong continue assisting Warby Motor sports trials at Tumut a trial run is scheduled for the end of May 2023 - this keeps moving – WIP.

Driver Reviver:

VRA Binalong opened Driver Reviver at Bookham over the Easter Long Weekend; it was a very busy time; travellers were very happy to see us there. Debra Scanes advised Insp David Cowell the dates and times they were opened.

Driver Reviver at Bookham will be open over the June Long Weekend; Debra Scanes will advise Insp David Cowell once dates and times have been confirmed.

Donation:

VRA Rescue NSW Binalong have been donated an Ark Angel and 6 life Jackets for Swift Water Rescue – these items have been ordered and the squad is waiting on delivery.

New Callout System:

Binalong are now being responded by RFSActive, this is working well.

Members are happy with this and have the backup from our call centre that is still active for admin purposes.

Call Outs:

- 1 – Call outs for Local First Aid – Multiple
- 2 – Call out to MVA on the Hume Highway South Bookham – Stood down
- 3 – Call out to MVA on the Hume Highway South of Bookham – Stood down
- 4 – Call out to MVA on Hume Highway – South of Bookham – assisted with patient and lighting etc.

Update:

- 1 – New GRN radios have been placed in the Rescue Truck and 4x4 this allows us to speak with other services
- 2 – A Second GRN Radio has been placed with the squad for more communications

*The Community Based Volunteer Emergency Service
WE ARE RESCUE*

Minutes of the Rescue Committee Committee held on 11 May 2023

Ongoing:

VRA Rescue NSW - Binalong are still not being responded to MVA's in the area? NOT Callout for a MVA North of Jugiong? Binalong can assist in multiple areas at a scene, they are professionally trained and hold the appropriate competency's especially when they are the closest and most appropriate. VRA Rescue NSW - Binalong should be responded to all MVA on the Hume Highway between Bowning and Jugiong on the Hume Highway no matter if anyone is trapped or not - they can be stood down. This is what used to happen - but over previous years this has stopped, and we would like to know why:

Bridge/ Road repairs on Ilalong Road? - Members of the community are still concerned with the length of time it is taking for the road repairs to be completed - This continues to delay all emergency services responding to incidents where property /lives are at risk, those living on this road are also frustrated.

If members are called by a member of the public or another emergency service to an incident, they will respond accordingly and notify the call centre and the relevant agencies.

Training:

VRA Binalong continue to train once a week alongside of their trainee members now going through their mandatory training starting with ROM before progressing to GLR operators' status - they are all progressing very well.

Cross training with NSW Police Rescue based in Goulburn is continuing.

SES Harden, Yass & Sutton & FRNSW Harden would like to participate in some cross training. It's been a bit busy to organise any cross training.

VRA Rescue NSW Binalong Members would be happy to participate in any cross-agency training - Members welcome anyone that would like to join us for a training evening, just send us an email or call the number above to organise.

We look forward to working alongside all emergency services, working together to assist those in need at any time in any situation. After all we are all training to look after those in need Working together to keep our communities safe.

Thank you.

Report prepared & submitted by Debra Scanes ESM
VRA Rescue NSW - Binalong President/ Secretary

Attendee: Paul Vasey
VRA Rescue NSW - Binalong LRC & LEMC Representative

*The Community Based Volunteer Emergency Service
WE ARE RESCUE*



Minutes of the Local Emergency Management Committee

Thursday 11 May 2023

10.00am

Council Chambers

209 Comur Street, Yass

Minutes of the Local Emergency Management Committee held on 11 May 2023

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Minutes of the Local Emergency Management Committee held on 11 May 2023

Present

Tony Stevens – LEMO, Nathan Cooke (Yass Valley Council), Matt Carroll – Deputy LEOCON, Dean Campbell (Fire Rescue NSW, Rob Cunneen (NSW SES), Rachel Elliott (Local Land Services), Wade (TfNSW), Sarah Little (SNSWLHD), Alexander Smith (DCJ), Wade Baverstock (TfNSW)(Teams), Superintendent Paul Condon (Hume Police District Commissioner)

Also Present

Shirree Garland – Yass Valley Council

1. Apologies

Chris Harris and Fiona Leech (Local Land Services), George Shepherd and Peter Alley (RFS), Dave Cowell (NSW Police – LEOCON), Ben Hutchinson (NSW Ambulance Service), Paul Vasey (VRA Rescue NSW Limited – Binalong Rescue)

2. Declarations of Interest

Nil

3. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Local Emergency Management Committee held on 16 February 2023 be taken as read and confirmed.

Matters Arising from Minutes

Illalong Road

Nathan Cooke advised that works were currently underway, planned to be opened early June (weather dependent).

COVID Testing Signs – Walker Park

Tony Stevens to follow up and arrange for the signs to be removed.

4. Correspondence

Paul Lloyd – advising his resignation. Tony Stevens, on behalf of the Committee thanked Paul for his work with the Committee over the last 13 years and wished him all the best for his future endeavours.

Colin Malone, Zone Commander SE Zone SES – Advising resignation from position of Zone Commander and advising appointment as Assistant Commissioner Metropolitan and South Operations.

Action: Letters of appreciation to be written to Paul Lloyd and Colin Malone.

3. Delegates Reports

Police

Matt Carroll raised the issue of the importance of crime scene preservation at crash scenes. Staffing levels are good, currently assisting Goulburn with staffing. Truck crashes are starting to again show a trend. Police are again looking to hold sessions to raise awareness of road safety at rest areas along the Hume. Coffee with a Cop will be held at the Service Centre tomorrow.

This is page 2 of 10 of the minutes of a meeting of
Yass Valley LEMC held on the above date

Minutes of the Local Emergency Management Committee held on 11 May 2023

Fire Rescue NSW

Dean Campbell advised it was business as usual. Emergency Management training was recently held at Harden, for new Constables and other agencies – explaining roles of each agencies etc. Very beneficial training which would be useful for all agencies and Council staff.

Health

Sarah Little advised that it was business as usual. Recently held HAZMAT Disaster training, multi-agency event with good attendance. Communication was identified as requiring some review following this training.

Agencies were reminded to remain vigilant coming up to winter – RAT testing, hand hygiene etc. RAT tests are available at the Hospital if required.

Workforce is good, with good contingency of both nurses and doctors. Currently working on a pilot program with Western District LHD to provide virtual doctors through a centralised service. This will ensure that there is always access to a doctor – first option is always to have a doctor on site where possible. Pilot set to commence 1 July.

SES

Rob Cunneen advised that there had been 16 jobs undertaken, 15 were storm related and one flood rescue. Colin Malone has moved onto new role. Tom Jury is the current acting Zone Commander. Local units are all up and operational, no deficiencies have been reported. Operational Readiness has been completed.

Local Land Services

Rachell Elliott advised that it was business as usual. Livestock Standstill Exercise is being held 23 May, Swaggers, 9.00am-3.00pm.

Action: Invitation to be forwarded to Committee Members.

DCJ – Welfare Functional Services – Southern District

Alexandra Smith spoke to the report as provided.

NSW Ambulance

Ben Hutchinson advised, via phone, that he had attended an after action review following a recent fatality with it being noted that all agencies were praised at how well they worked together and there were no issues arising from the incident.

Ben also advised that there were no 4x4 vehicles in our area, however vehicles at Crookwell and Braidwood were available to be deployed.

Transport for NSW

Wade Baverstock advised that preparations were in place for the upcoming Alpine season. Works on a cross over at Breadalbane will be commencing 22 May, with plans for bridge works on the Hume next year.

Council

Tony Stevens advised that Health had provide Council with RAT kits. Council will run a campaign, in consultation with Health, advising the community that they can be collected from our Administration Centre, the Library and the Visitor Information Centre.

Minutes of the Local Emergency Management Committee held on 11 May 2023

Sarah Little advised that there was no mandate to stay at home if you test positive to COVID, but you should wear a mask. All workplaces will however have their own staffing requirements. It is highly recommended that flu vaccinations and COVID booster shots be taken.

Tony advised that the Canberra Region Joint Organisation Resilience Blueprint has been completed. Blueprint team will continue to meet and update document as required.

Action: *Link to CRJO Resilience Blueprint document to be provided.*

VRA Rescue NSW Limited – Binalong Rescue

The VRA Rescue NSW Limited report was distributed, as attached.

Rural Fire Service

The Rural Fire Service report was distributed, as attached.

REMO

Paul Lloyd advised that this would be his last LEMC meeting. He has worked with the Committee for 13 years and is proud of the achievement of the Yass LEMC. He thanked members of the Committee for their assistance during this time.

Paul also advised that a working group had been formed with recommendations to the SECON on Police roles in an emergency. Meetings have been held with the Cross Border Commissioner with the aim of updating the MOU between the Chief Minister and the Premier to improve communications etc between both parties.

Hume Police District Commander

Superintendent Paul Condon advised the he had no issues to raise.

4. Next Meeting

Thursday 10 August 2023, at 10.00am in Council Chambers, 209 Comur Street, Yass

The meeting closed at 10.38 p.m.

Minutes of the Local Emergency Management Committee held on 11 May 2023



REPORT TO
Yass Valley Local Emergency Management Committee



Report Period: 16th February – 11th May 2023

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- › NextGen Bush Fire Risk Management Plan is ongoing.
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- › Increase in bush/grass fire hazard complaints continue and are processed as they arrive.

TRAINING

- › ST District Training continues as per our zone calendar.

OTHER Nil

ACTION Nil



Report submitted by: Peter Alley
Date: 8/05/2023

Minutes of the Local Emergency Management Committee held on 11 May 2023



**VRA RESCUE NSW Limited
Binalong Rescue**

Email: Binalong_secretary@vrarescue.org
Phone: 0410 564 520

11th May 2023

VRA Rescue NSW - Binalong LRC & LEMC Report

VRA Rescue NSW – Binalong has been steady since the last meeting.

Regional Coordinator Paul Marshall is continuing assisting where and when possible.

REMO Paul Lloyd resigning from the NSW Police.

VRA Rescue NSW Binalong members would like to wish Paul Lloyd all the very best on his new adventures. I am sure that I speak on behalf of all LRC & LEMC Members that Paul will be missed

VRA Binalong continue assisting Warby Motor sports trials at Tumut a trial run is scheduled for the end of May 2023 - this keeps moving – WIP.

Driver Reviver:

VRA Binalong opened Driver Reviver at Bookham over the Easter Long Weekend; it was a very busy time; travellers were very happy to see us there. Debra Scanes advised Insp David Cowell the dates and times they were opened.

Driver Reviver at Bookham will be open over the June Long Weekend; Debra Scanes will advise Insp David Cowell once dates and times have been confirmed.

Donation:

VRA Rescue NSW Binalong have been donated an Ark Angel and 6 life Jackets for Swift Water Rescue – these items have been ordered and the squad is waiting on delivery.

New Callout System:

Binalong are now being responded by RFSActive, this is working well.

Members are happy with this and have the backup from our call centre that is still active for admin purposes.

Call Outs:

- 1 – Call outs for Local First Aid – Multiple
- 2 – Call out to MVA on the Hume Highway South Bookham - Stood down
- 3 – Call out to MVA on the Hume Highway South of Bookham– Stood down
- 4 - Call out to MVA on Hume Highway – South of Bookham – assisted with patient and lighting etc.

Update:

- 1 – New GRN radios have been placed in the Rescue Truck and 4x4 this allows us to speak with other services
- 2 – A Second GRN Radio has been placed with the squad for more communications

*The Community Based Volunteer Emergency Service
WE ARE RESCUE*

Minutes of the Local Emergency Management Committee held on 11 May 2023

Ongoing:

VRA Rescue NSW - Binalong are still not being responded to MVA's in the area? NOT Callout for a MVA North of Jugiong? Binalong can assist in multiple areas at a scene, they are professionally trained and hold the appropriate competency's especially when they are the closest and most appropriate. VRA Rescue NSW - Binalong should be responded to all MVA on the Hume Highway between Bowning and Jugiong on the Hume Highway no matter if anyone is trapped or not – they can be stood down. This is what used to happen – but over previous years this has stopped, and we would like to know why:

Bridge/ Road repairs on Ilalong Road? – Members of the community are still concerned with the length of time it is taking for the road repairs to be completed – This continues to delay all emergency services responding to incidents where property /lives are at risk, those living on this road are also frustrated.

If members are called by a member of the public or another emergency service to an incident, they will respond accordingly and notify the call centre and the relevant agencies.

Training:

VRA Binalong continue to train once a week alongside of their trainee members now going through their mandatory training starting with ROM before progressing to GLR operators' status – they are all progressing very well.

Cross training with NSW Police Rescue based in Goulburn is continuing.

SES Harden, Yass & Sutton & FRNSW Harden would like to participate in some cross training. It's been a bit busy to organise any cross training.

VRA Rescue NSW Binalong Members would be happy to participate in any cross-agency training - Members welcome anyone that would like to join us for a training evening, just send us an email or call the number above to organise.

We look forward to working alongside all emergency services, working together to assist those in need at any time in any situation. After all we are all training to look after those in need Working together to keep our communities safe.

Thank you.

Report prepared & submitted by Debra Scanes ESM
VRA Rescue NSW – Binalong President/ Secretary

Attendee: Paul Vasey
VRA Rescue NSW - Binalong LRC & LEMC Representative

The Community Based Volunteer Emergency Service
WE ARE RESCUE

Minutes of the Local Emergency Management Committee held on 11 May 2023



**Communities
& Justice**

REPORT TO

Yass Valley Local Emergency Management Committee

DCJ– Welfare Functional Services – Southern District

Report Period: 1 Feb 2023 to 11 May 2023

- | | |
|----------------------|--|
| 1. ACTIVITY | Nil Activations |
| 2. CAPABILITY | Restructure of Resilience NSW role and duties are still being implemented once complete DCJ will advise REMC. |
| 3. PLANNING | Newly formed DCJ – Welfare currently reviewing and updating all documentation. |
| 4. TRAINING | REMO has supplied new training schedule for 2023, with courses covering Introduction to Emergency Management, Operation of Evacuation Centres, etc. EOI's were sent out to Disaster Welfare staff for various roles and staff are completing training. |
| 5. OTHER | State WelFAC requested Audit of Evacuation Centres, with the updated reports due by 30-APR-2023. There was an updated format and included input from Council, WelFAC and Ag & Animal FAC. |
| 6. ACTION | NIL |

Submitted By: Alexandra Smith

Date 10 May 2023



Minutes of the Sustainability Advisory Committee

Thursday 20 April 2023

6.00pm

Council Chambers

209 Comur Street, Yass

Minutes of the Sustainability Advisory Committee held on 20 April 2023

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Minutes of the Sustainability Advisory Committee held on 20 April 2023

Present

Cr Adrian Cameron (Chair), Alex Tewes, Luke McAlary, Peter Davidson, Alison Elvin, Caitlin Nelson, Nicole Elliott (6.19pm - via Teams)

Also Present

Chris Berry – Chief Executive Officer (via Teams), and Shirree Garland – Corporate Planning & Executive Support Officer

Meeting opened at 6.05pm

Acknowledgement of Country

1. Apologies

Ana Wardle

2. Declarations of Interest

Nil

3. Confirmation of Minutes

COMMITTEE DECISION

That the minutes of the Sustainability Advisory Committee held 31 January 2023 be taken as read and confirmed.

Tewes/Elvin

Action: *Minutes to be circulated to all members for review following meeting, prior to being presented to Council.*

4. Reports

4.1 DRAFT SUSTAINABILITY POLICY & SUSTAINABILITY ASSESSMENT FRAMEWORK

SUMMARY

In light of the Council decision in February 2023 to simply note the recommendations from the Committee on the draft Sustainability Policy and Sustainability Assessment Policy, this report suggests a way forward to revise the draft Sustainability Policy and for the Committee use the Sustainability Assessment Framework as a means of setting its priorities.

COMMITTEE RECOMMENDATION

That the revised Sustainability Policy and the Sustainability Assessment Framework, circulated to members offline, be endorsed and both documents be presented to Council for endorsement.

McAlary/Nelson

Minutes of the Sustainability Advisory Committee held on 20 April 2023

4.2 PROGRAM OF CURRENT AND FUTURE POLICY AND STRATEGIC REVIEWS

SUMMARY

To present an update on a program of current and future policy and strategic reviews.

COMMITTEE DECISION

That the report on the development of a program of current and future policy and strategic reviews be noted.

Elliott/Davidson

**4.3 REGIONAL WASTE & SUSTAINABLE MATERIALS STRATEGY 2022-2027 AND
REGIONAL WASTE & SUSTAINABLE MATERIALS STRATEGY 2022-2027 ACTION PLAN**

SUMMARY

Council has referred the *Regional Waste & Sustainable Materials Strategy 2022-27* and *Action Plan* developed through the Canberra Region Joint Organisation to the Committee for comment.

COMMITTEE RECOMMENDATION

That the comments of the Committee members be provided to Council on the Regional Waste & Sustainable Materials Strategy 2022-27 and Action Plan and the strategy and action plan be recommended for Council endorsement.

McAlary/Nelson

4.4 FOGO THRESHOLD QUESTIONS PAPER

SUMMARY

The Sustainability Advisory has identified it can assist Council in the transition to a FOGO collection in a number of areas. Firstly, the scope and design of a scheme appropriate to Yass Valley. Further it may be able to assist in developing applications for grant funding and, finally, in engaging the community once Council has settled upon a preferred approach. As a first step in this task the Committee has developed a draft paper which, amongst other things, sets out relevant threshold questions for resolution.

COMMITTEE DECISION

That:

- 1. The threshold questions paper be further refined by Council staff.*
- 2. A joint workshop involving Committee members, relevant staff and Councillors be held to work through threshold questions.*
- 3. Subject to the outcome of that workshop, a strategy be developed for broader engagement with the general public and relevant community stakeholders on threshold issues.*

Nelson/Davidson

Minutes of the Sustainability Advisory Committee held on 20 April 2023

4.5 ELECTRIC VEHICLE CHARGING FEASIBILITY STUDY

SUMMARY

To inform the Committee of an EV Feasibility Study being offered to Council in the Canberra Region Joint Organisation. The study will enable Councils to identify suitable charging and obtain a better understanding of key cost and technical parameters of the technology.

COMMITTEE DECISION

That:

- 1. The report of the Electric Vehicle Charging Feasibility Study be noted and Council's involvement in the project be endorsed.*
- 2. Progress reports on the study be presented to future meetings of the Committee.*

Tewes/Elvin

4.6 ENVIRONMENTAL UPGRADE FINANCING

SUMMARY

Environmental Upgrade Financing is an innovative financing mechanism made under NSW Legislation which allows building owners to repay a loan for upgrades through a Local Council charge on land. The feasibility of Council actively supporting such a financing mechanism is considered worth further investigation, both in terms of its environmental benefit and economic development potential.

COMMITTEE RECOMMENDATION

That:

- 1. The opinion of the Economic Development Advisory Committee be sought as to the possible level of demand for environmental upgrade financing in Yass Valley.*
- 2. Subject to that advice, Council consider further actions to investigate the feasibility of operating an Environmental Upgrade Finance Program in the Yass Valley including an assessment of its legal implications and any financial risks.*

McAlary/Elliott

Minutes of the Sustainability Advisory Committee held on 20 April 2023

4.7 TOWN POWER 2GW REGIONAL RENEWABLE ENERGY PROJECTS

SUMMARY

A proposal for new solar PV and battery storage projects has been received and the company is seeking to identify any Council interest.

COMMITTEE DECISION

That the proposed new solar PV and battery project known as "Tower Power" be noted.

McAlary/Elliott

Action: *A Working Group be formed to investigate options for options for renewable energy and battery storage*

5. Confidential Matters

Nil

6. Next Meeting

Thursday 18 May 2023, at 6.00pm in Council Chambers 209 Comur Street, Yass

The meeting closed at 7.05 p.m.

Policy: Revised SUSTAINABILITY POLICY

SP-POL-06

Division: Planning

Responsible Officer: Strategic Planning Manager

1. INTRODUCTION

Council has established a vision in the *Yass Valley Community Strategic Plan 2042* to “build and maintain sustainable communities while recognising and respecting the environment and First Nations people of this country”.

The establishing of sustainable communities for Yass Valley includes the provision of “social, environmental and economic sustainability, social connections, civic leadership, environmental health and economic prosperity, which can be maintained to meet current and future needs”.

2. POLICY OBJECTIVES

This policy seeks to:

- (i) Establish short and medium term work priorities for the Sustainability Advisory Committee to improve the sustainability of Yass Valley consistent with a ‘framework assessment’ approach.
- (ii) Formalise policy development and service design practices within Council to ensure the proper early consideration of sustainability and climate change mitigation and adaptation in all decision making.
- (iii) Establish a longer-term research and engagement agenda for improving the sustainability of Yass Valley.

3. POLICY SCOPE

This policy applies to all Councillors and Staff and is intended to integrate sustainable practice into Council’s decision making and operations to satisfy the vision articulated in the *Community Strategic Plan 2042* and ensure proper utilisation of the skills and expertise of Council’s Sustainability Advisory Committee.

4. POLICY PROVISION

Council’s Sustainability Advisory Committee has developed a *Sustainability Assessment Framework* against which it has assessed the current sustainability of the Yass Valley and Council to the extent that this is possible given available data. In following this approach, the *Sustainability Assessment Framework* has allowed the Committee to ascertain the areas where the gap in Council’s current efforts to support the sustainability of Yass Valley and be sustainable itself are most evident. It has also helped in the identification of where Council can best focus its attention in closing that gap, taking into account Council’s potential to act and its ability to influence outcomes.

Four priority areas for action have been established based upon this analysis and the Committee’s Terms of Reference. They are:

PRIORITY AREAS FOR ACTION	
Food and Garden Organics Service (FOGO)	All NSW Councils are required by 2030 to establish a food and organics collection service. There are issues of design upon which the Sustainability Advisory Committee will provide advice and the Committee will also assist in identifying possible grant funding and in engaging and educating the community about the new service.
Electric Vehicles	EN2.1 of Council’s <i>Delivery Program</i> states that Council will investigate and implement the use of electric and low emission powered vehicles as part of its commercial and operational fleet. Council subsequently considered a policy on Electric Vehicles in June 2022 identifying the opportunities and obstacles in moving towards the procurement of a share of electric vehicles in its fleet and plant.

	The Sustainability Advisory Committee will provide advice on how to overcome these obstacles and in the calculation of potential financial and emission savings through an accelerated shift to EVs and appropriate configuration of the EV fleet.
Engagement with other Advisory Committees and Bodies	The Terms of Reference of the Sustainability Advisory Committee include that it work to embed sustainability in Council policies, practices and services. The Terms also state that the Committee should engage and take advice from others to identify new and innovative ways of building sustainable practice across Yass Valley and within Council. Accordingly, the Committee will commence a formal program of active engagement with Council's other Advisory Committees and relevant Council staff to ensure they understand the role and direction of the Committee and the intent of this policy.
Design of an approach to engaging the community on a possible future climate change action plan	Further to engaging with Council's Advisory Committees and other bodies, the Sustainability Advisory Committee will design a process to develop a community-led (Council-supported) Climate Change Action Plan and, subject to approval, commence those engagement activities.

Consistent with the Sustainability Advisory Committee's Terms of Reference, and the objective of formalising the proper consideration of sustainability in policy development practices, the Committee will continue to develop and refine the benchmarks and measures within the *Sustainability Assessment Framework* and provide an updated assessment of the sustainability of Yass Valley and Council every 12 months.

Council will also use the *Sustainability Assessment Framework* in their policy development and service design work and give proper consideration to the impact of their decisions upon the particular measures and benchmarks contained within the framework document.

Council will also adopt the practice of early engagement of the Sustainability Advisory Committee in all relevant strategic discussions, policy development and service design work in order that sustainability is given consideration upfront in the design of all Council's policies, plans and services. This will facilitate the embedding of financial, environmental, social and cultural sustainability into Council's operation, i.e. through up-front and early engagement, as opposed to the end of the policy development process.

Finally, while progressing the above identified priority areas for action and taking an active role in policy formulation, the Sustainability Advisory Committee will focus its longer-term research and engagement efforts, with a view to further reporting to Council on the potential value of particular initiatives and, where appropriate, integrating action upon them into Council's planning processes.

5. REVIEW

This policy will be reviewed following each general election of Council. The associated *Sustainability Assessment Framework* will be updated by the Sustainability Advisory Committee on an annual basis.

6. LEGISLATION AND LEGAL FRAMEWROK

This policy is to be read in conjunction with the following:

- s8 Local Government Act 1993
- s1.3 Biodiversity Conservation Act 2016
- s22 Biosecurity Act 2015
- s1.3 Environmental Planning & Assessment Act 1979
- Protection of the Environment Operations Act 1997
- Water Management Act 2000
- Waste Avoidance & Resource Recovery Act 2001

- *Environmental Protection & Biodiversity Conservation Act 1999 (C'wlth)*
- *Integrated Planning and Reporting Framework*
- *Yass Valley Community Strategic Plan 2042*

7. DEFINITIONS

For the purposes of this revised Policy, the definition of sustainability as detailed in the *Community Strategic Plan 2042* is adopted by Council. Namely, that sustainability considers *social, environmental and economic connections, civic leadership, environmental health and economic prosperity to be maintained in the interests of meeting current and future needs.*

Consistent with NSW legislation and the previous *Environmental Sustainability Policy*, Council's consideration of sustainability is also guided by:

- The precautionary principle***—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
 - Careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment*
 - An assessment of the risk-weighted consequences of various options*
- Inter-generational equity***—namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations
- Conservation of biological diversity and ecological integrity***—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration
- Improved valuation, pricing and incentive mechanisms***—namely, that environmental factors should be included in the valuation of assets and services, such as:
 - Polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - The users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - Environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems*

In addition, Council and the sustainability Advisory Committee will undertake improved community engagement in developing shared outcomes.

8. RESPONSIBILITIES

Council and all staff undertaking decision making on behalf of Council are required to take into account the provisions of this policy.

This includes use of the *Sustainability Assessment Framework* in policy development and service design work and consideration of the impact of decisions upon the measures and benchmarks within the *Framework*. Also, that staff engage the Sustainability Advisory Committee early in all relevant strategy discussions, policy development and service design work in order that sustainability is given consideration upfront in the design of all Council's policies, plans and services.

9. HISTORY

<i>EMT Review Date</i>	<i>Report to Council</i>	<i>Minute No.</i>	<i>Exhibition Period</i>	<i>Adoption</i>	<i>Rescission Date</i>
12/06/2014	25/06/2014	122 131	26/6-31/7/2014	01/08/2014	
11/09/2019	23/10/2019	245	N/A	23/10/2019	
<i>Sustainability Advisory Committee Review</i>	<i>Report to Council</i>	<i>Minute No.</i>	<i>Exhibition Period</i>	<i>Adoption</i>	<i>Rescission Date</i>
7 Nov 2022	N/A	N/A	N/A	N/A	N/A
31 Jan 2023	23 Feb 2023	26	N/A	N/A	N/A
20 April 2023	25 May 2023				

9.2 Minutes of the Sustainability Advisory Committee held on 20 April 2023
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FRAMEWORK FOR ADDRESSING SUSTAINABILITY IN THE YASS VALLEY (APRIL 2023)

PART ONE

Sustainability Element	Sub-element	Relevant Council Activity	Benchmarks / Assessment Point (Data Source)	Results	Relative Status	Trend	Data Quality	COMMENT
ECONOMIC	<ul style="list-style-type: none"> - Employment - Income Growth - Business Activity - Education & Training levels - Equity (Income Distribution) 	Land use management policies, Tourism & economic development activities, Revenue policy, Fees & charges, Community services & subsidises	Participation rate (15 years or over in FT or PT work) (Census 2021)	66.8%. NSW Regional average 56.4%	GOOD	STABLE	HIGH	9,226 residents employed in the year ending June 2021. Of these, 4,002 jobs located in LGA.
			Unemployment rate (Census 2021)	2.8%. NSW Regional average 4.6%	GOOD	STABLE	HIGH	Unemployment rate has steadily increased from 1.8% in 2010, however, it remains significantly under the regional, state and national averages. The rate has also increased sharply since Sept 2021 possibly as a result of COVID-19 impacts.
			Individual income (Census 2021)	34.5% of Yass Valley individual income earners are in the highest quartile (\$1,521 and over per week) and 20.9% in the lowest quartile (\$0 to \$384 per week). NSW Regional results are 19.3% and 24.8% respectively.	GOOD	STABLE	HIGH	The outcome is poor arguably in the context of the more equitable income distribution pattern evident in the NSW Regional results and the comparative wealth of the LGA. Eg. the average taxable income is \$68,053 compared to Large Rural council average taxable income of \$53,624.
			Registered businesses (ABS Business Register)	2,076. Large Rural council average 1,501	GOOD	IMPROVING	HIGH	24 additional construction related businesses created since 2020. 16 additional financial and insurance related businesses created since 2020. 11 additional health care and social support businesses since 2020. 6 less arts and recreation related businesses since 2022
			Business entries – exits (ABS Yass Region Summary)	54 net entries in 2021 (244 entries and 190 exits)	N/A	IMPROVING	HIGH	Net result in 2018 of 2; 49 in 2019, 6 in 2020
			Gross regional product (National Economics (NIEIR) - Modelled series)	\$621m as at 30 June 2021	N/A	WORSENING	HIGH	Annual change has been more sharply felt in Yass Valley over COVID than NSW. 2020 was the largest impact with -8.53% growth, the lowest ever since data collection records in 2001. Agriculture, Forestry and Fishing most productive industry sector, generating \$91 million in 2020/21, making up 21.97% of GRP for the region. Construction followed with \$46.2m GRP, or 11.2%
			Local worker qualifications (Census 2021)	27.2% Bachelor degree or higher. NSW Regional average of 17.8% 34.2% of local workers have no qualification. NSW Regional average of 39.1%	GOOD	IMPROVING	HIGH	In 2011 21.3% of persons had a Bachelor degree or higher and 40.3% held no qualification.

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SOCIAL			ATSI Not in Employment, Education or Training (ABS Region Summary)	32.1% not engaged and 15% partially engaged.	N/A	IMPROVING	HIGH	The 2011 result saw 33.1% not engaged and 22.1% partially engaged. While no directly comparable data for non-ATSI is available, in 2021, 6.2% of 15-to 24-year-olds in Yass Valley were disengaged with employment and education, compared to 10.5% in NSW Regional.
			Tourism expenditure (National Economics (NIEIR) - Modelled series)	In 2020/21 the total tourism sales in the Yass Valley were \$35.2m, the total value added was \$18.4 million.	N/A	WORSENING	HIGH	In comparison with 2015/16 employment in the sector (direct and indirect) has dropped 116; sales dropped by \$28.8m and value added has dropped by \$18.5m
			Visitor nights (Tourism Research Australia)	547,820 domestic visitor nights in 2020/21. 312,031 domestic day trips in 2020/21.	N/A	STABLE	HIGH	Nights has varied over the last few years but still not achieved the peak of 2017/28. Day trips appear to be on the decline since first recorded in 2017/18 with 459,999
			Gini coefficient / Income distribution (ABS Personal Income in Australia 2015/16 to 2019/20)	2019/20 coefficient of 0.469 compared to NSW average of 0.5	N/A	STABLE	HIGH	The coefficient in 2011-16 Small Area Estimates was marginally better at 0.464. It should be noted that income distribution results are more equitable in the LGA's surrounding Yass Valley except for QPRC.
	<ul style="list-style-type: none"> - Family - Housing - Health - Transport 	Land use management policies, Open space management, Streetscape, Fees & charges, Asset creation, maintenance & management, Procurement practices, Community services & subsidies, Community groups & NGO support activities	Personal Wellbeing Index (UC 2022 Regional Wellbeing Survey)	70.2 compared to NSW Regional result of 72.9 and 74.5 in ACT	MODERATE	N/A	LOW	The data is derived from a sample of 140 in the Hilltops, Upper Lachlan and Yass Valley LGA's. Confidence interval of 3.7. There is no historical data upon which to determine trend.
			DV related assault (Bureau of Crime Statistics and Research)	35 incidents in 2021. LGA ranking of 106 in 2021	GOOD	WORSENING	HIGH	The 24 Month Trend shows a 20.7% increase. The 60-month trend is stable and the recent upwards trend may be related to the COVID lockdowns.
			Socio Economic Index of Advantage and Disadvantage (2016 ABS)	Index result of 1062 which is 20 th of NSW LGA	GOOD	N/A	HIGH	The majority of surrounding LGA's have lower index scores, eg. Hilltops at 932, Cootamundra-Gundagai at 926 and Upper Lachlan at 987. There is insufficient historical data upon which to determine trend.
			Family composition – One parent with children (Census 2021)	8.4% in 2021 compared to NSW Regional average of 10.9%	GOOD	WORSENING	HIGH	2016 Census result was 7.7% and 2011 result of 7.8% Note that the number of one parent families with dependent children has grown from 296 in 2011 to 308 in 2016 and 358 in 2021.
			Lone person households (Census 2021)	18.8% in 2021 compared to NSW Regional NSW average of 26.1%	GOOD	STABLE	HIGH	2016 result of 18.7% and 2011 result of 18.3%
			Government rent assistance levels (Population Health Profile)	10.4% of private dwelling in 2021. South East NSW Primary Health Network average of 18.5%	GOOD	N/A	HIGH	Trend not determined as historical data not sourced.
			Homelessness (Population Health Profile)	2.8% in 2016. South East NSW Primary Health Network average of 3.2%	GOOD	N/A	MODERATE	Trend not determined as historical data not sourced.

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ENVIRONMENTAL			ATSI Dwelling needing additional bedroom (Census 2021)	5.6% compared to overall average in LGA of 2%.	POOR	IMPROVING	HIGH	Reduced from 17.3% in 2011
			Rent greater than 30% of income (atlas.id.com.au)	26.2% in 2021 compared to NSW Regional average of 36%	GOOD	N/A	HIGH	While the Yass Valley Council area had a lower proportion of households paying >30% on rent, it is important to note that this varied across the LGA. Proportions ranged from a low of 6.5% in Gundaroo and District to a high of 30.4% in Yass.
			Mortgage greater than 30% of income (atla.id.com.au)	10.8% in 2021 compared to NSW Regional average of 12.7%	GOOD	N/A	HIGH	While the Yass Valley Council area had a lower proportion of households paying >30% of income on a mortgage, it is important to note that this varied across the LGA. Proportions ranged from a low of 7.1% in Gundaroo and District to a high of 14.0% in ACT peri-urban area.
			Needing assistance with core activities (Census 2021)	5.4% compared to NSW Regional average of 6.8%	GOOD	WORSENING	HIGH	Increased from 4.1% in 2011
			Long term health condition (Census 2021)	36.4% in 2021 compared to Regional NSW average of 37%	MODERATE	N/A	HIGH	Historical data not available to determine trend
			Travel to work means (Census 2021)	66.2% travelled to work in a private vehicle and 0.9% took public transport. NSW Regional average travelling in a private vehicle is 68.4%	MODERATE	STABLE	HIGH	In 2021, there were 81 people who caught public transport to work in Yass Valley, compared with 6,137 who drove or travelled as a passenger in private vehicles.
			Employment self-containment (economy.id.com.au)	In 2021, 38.8% of the Yass Valley's resident workers were employed locally.	N/A	STABLE	HIGH	In 2016 38.2% of resident workers were employed locally
	<ul style="list-style-type: none"> - Land - Water - Air - Biodiversity - Resource use - Climate 	Land use management policies, Waste collection, recycling & reuse, Water & sewage, Wood heaters, Asset creation, maintenance & management, Procurement practices, Weed control, tree and vegetation planting & protection (including roadsides) Grass maintenance (including mowing), Open spaces management, Climate adaptation activities	Greenhouse emissions (snapshotclimate.com.au)	444,000 t Co2e in 2020/21	NA	STABLE	HIGH	Snapshotclimate.com.au reported 452k in 2018/19 with a slight fall in 2019/20 to 439k. Further iterations of the data will allow comparison of YV outcomes to those of other LGAs.
			Protected land area (ABS Yass Region Summary)	27,938 ha in 2020.	N/A	STABLE	HIGH	27,375 ha in 2016. The measure is of limited value as it does not provide any insight as to the condition of the protected lands.
			Open public space (OLG Comparative Data 2020/21)	256 ha of Open Public Space in 2020/21. Large Rural council average is 300.7 ha.	N/A	STABLE	HIGH	256 ha in 2019/20.
			Rainfall (BoM)	2019 total of 433.4mm compared to average annual of 716.3mm for Yass (Derringullen).	N/A	WORSENING	HIGH	It is not possible to establish a local area trend based upon recordings from the limited number of stations within the LGA. However, the 2021 YVC Climate Risk Assessment predicts up to a 3% reduction in rainfall along with a greater intensity of storms and floods.
			Hot days (BoM)	8 days in 2021 above 35 degrees.	N/A	WORSENING	HIGH	The 2021 YV Climate Risk Assessment predicts up to 8 more hot days a year and 13 fewer cold nights.
			Water daily usage (YVC)	AWAITING DATA FROM COUNCIL				

9.2 Minutes of the Sustainability Advisory Committee held on 20 April 2023
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			River/dam quality testing (Waterwatch Catchment Health Indicator Program Report 2021)	CMM12 Good; CMM13 Fair; YAS1 Fair; YAS2 Fair; YAS3 Fair; YAS4 Good	MODERATE	IMPROVING	HIGH	Three reaches presented similar scores to 2020, and three showed improvements with two of these moving from fair to good. Overall, better flows in 2021 helped to improve turbidity, nitrates, and electrical conductivity levels in the Yass catchment.
			Boil water alerts (YVC)	AWAITING DATA FROM COUNCIL				
			Landfill amounts (EPA)	5874 tonnes disposed to landfill in 2020/21	N/A	WORSENING	HIGH	Disposal to landfill has increased from 3,020 in 2017/18 to 4,346 in 2018/19 to 6,729 in 2019/20. This is contrary to the claim in Council's 2021 End of Term report that there has been a "steady reduction in waste to landfill in the past 3 years".
			Organic Waste - % of tonnes collected (EPA/OLG)	7.2% in 2020/21. Large Rural council average is 20.4%	POOR	WORSENING	HIGH	YVC percentage of tonnes collected in 2014/15 was 31.3% compared to Large Rural council average of 10.6% in 2014/15
			Residual Waste to Total Waste (EPA / OLG)	68.6% in 2020/21 compared to Large Rural council average of 57.4%	POOR	IMPROVING	HIGH	The 2019/20 residual waste percentage was 73.4%
			Recycling rate (EPA / OLG)	Recycling rate of 47.3% in 2020/21 compares to NSW average of 44%	MODERATE	IMPROVING	HIGH	The 2019/20 recycling rate was 33.8%
			Environmental disaster damage bill/Insurance premium (YVC)	AVAILABLE DATA NOT PROVIDED				
			Solar panel installation (Clean Energy Regulator Sept 2022)	35% estimated installations per dwelling. Estimated capacity of 20,698 kWh	GOOD	IMPROVING	HIGH	Estimated rates for surrounding LGA's are 28.4% for Upper Lachlan, 32.8% for Hilltops, 32.2% Cootamundra-Gundagai, 30.1% QPRC and 35% Snowy Valleys.
			Threatened species and communities (NSW OEH 2022)	74 species of flora, fauna or ecological communities are vulnerable; 35 are endangered; and 6 are critically endangered in the Inland Slopes IBRA sub-region.	N/A	N/A	LOW	The available data lists species across the Inner Slopes which extends from Wellington in the North to Albury in the South and provides no trend analysis. Other potentially more telling indicators in the future could be the number and size of voluntary conservation agreements entered into and / or flora and fauna reserves.
			EVs registered (ABS Yass Region Summary)	11 in 2020 out of total 16,449 registrations.	POOR	IMPROVING	HIGH	Nationally the percentage of total EV registrations in is higher (0.15% in 2021) but as a benchmark this includes metropolitan locations which is not appropriate.
			EV charging points (YVC)	4 as of 2022. 1 proposed.	N/A	N/A	HIGH	It is noted that a number of LGA's have projections as to expected requirements in coming years which would provide a useful benchmark for YVC.
			Weed volumes and / or eradication (YVC)	650 inspections per annum and 80 estimated follow-up / compliance inspections 1700 kms in LGA identified as High Risk. 149 funded High Risk site	N/A	N/A	HIGH	At present activity data measures are available only, with no available data for the assessment of outcomes.

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CULTURAL	<ul style="list-style-type: none"> - Opportunity - Participation - Sustaining social capacity & connectedness - Diversity and Inclusion - Recreation - Representation 	Libraries, Events, Public art, Asset creation, maintenance & management, Procurement practices, Fees & charges, Community services & subsidies, Heritage services, Support for Indigenous groups & organisations	Library usage (YVC)	20/21 Library visits 30,392 20/21 Library members 5363 20/21 Circulation 63290 Circulation per capita is 3.57. Large Rural council average is 3.54	MODERATE	WORSENING	HIGH	Visitations, membership and circulation have all fallen since 2019/20
			Pool usage (YVC)	21/22 Member Visits 10,572 21/22 New Memberships 471 21/22 Class attendees 288	N/A	WORSENING	HIGH	20/21 Member visits were 18,915; New Memberships were 471 and Class attendees numbered 2088. Care must be taken in discerning any overall trend given year-to-year weather variations and the impacts of COVID.
			Population diversity – Born overseas (Census 2021)	10.9% in 2021 compared to NSW Regional average of 12.2%	N/A	STABLE	HIGH	The majority of persons born overseas are from English speaking countries. The total number born overseas has increased marginally from 10.1% in 2001.
			ATSI population (Census 2021)	3.2%	N/A	N/A	HIGH	ATSI share of population has increased from 2% in 2011 to 2.5% in 2016
			Volunteering (Census 2021)	22.2% engaged in some form of voluntary work in 2021. Regional NSW average was 15.5%	GOOD	WORSENING	HIGH	The percentage has fallen from 26.8% in 2011 and 29% in 2006
			Heritage items (NSW State Inventory and YVC LEP 2013 Schedule 5)	10 items on the State Heritage Register within the LGA; 285 items listed in LEP Heritage schedule; 4 heritage conservation areas; 4 Aboriginal places of heritage significance; and 14 Archaeological sites.	N/A	N/A	POOR	The listing of sites provides little indication as to their condition, appropriateness, usage etc.

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FRAMEWORK FOR ADDRESSING SUSTAINABILITY IN THE YASS VALLEY COUNCIL (APRIL 2023)

PART TWO

Sustainability Element	Sub-element	Relevant Council Activity	Benchmarks / Assessment Point (Data Source)	Results	Relative Status	Trend	Data Quality & Relevance	COMMENT
FINANCIAL	<ul style="list-style-type: none"> - Budget & Delivery - Asset policy & management plans - Revenue development - Expenditure controls 	Annual budgeting process, Long Term Financial planning, Revenue strategy, Reporting and audit, Asset management decisions, Continuous improvement processes	Budgeted (3rd quarter adjusted) v Actual Operating Results before Capital (3rd Quarter Budget Review 20/21 and Annual Financial Statements and Budget Review Reports for 20/21, 19/20 and 18/19)	Original budgeted surplus in 2020/21 of \$536k. 3 rd Quarter predicted surplus result of \$1.6m. Actual audited deficit result of \$2.2m.	N/A	STABLE	HIGH	In 2019/20 there was a gap between predicted result in 3 rd quarter and actual result of \$2.47m. In 2018/19 there was a gap between predicted result in 3 rd quarter and actual result of \$186k
			Delivery Program Results (6 monthly Council Report (Aug 22) and Annual Report 20/21)	80% reported as being 'On Track'. 12% reported as requiring 'Monitoring'. 8% reported as 'Needs Work'	N/A	STABLE	POOR	In 20/21 Annual Report it was stated for July to December 2020 that: 68% were 'On Track' 18% required 'Monitoring'. 9% 'Needs Work' and 5% were 'On Trend'. The number of completed delivery program actions is a possible proxy measure as to whether outcomes are being achieved. However, it should be noted that there is limited rigour in Council's current suite of performance indicators (none are numeric) and Delivery Program measures are project-related and do not assess ongoing service delivery.
			Building & infrastructure Renewal Ratio (OLG benchmark is >=100%) (Annual Financial Statements 20/21 OLG Comparative Data 20/21)	134.3% (as per Financial Statements) 124.3% (as per OLG Comparative Data). Large Rural council average for 2020/21 is 136%.	MODERATE	WORSENING	HIGH	Long Term Financial Plan (LTFP) predicts fall below benchmark from 2023/24 to 74.59% and remaining below benchmark into the future.
			Infrastructure Backlog Ratio (OLG benchmark is <=2%) (Annual Financial Statements 20/21 OLG Comparative Data 20/21)	1.23%. Large Rural council average for 2020/21 is 4.3%	GOOD	WORSENING	HIGH	YVC performance is likely to be significantly below benchmark based upon the figures within the latest asset management plans and the Long-Term Financial Plan.
			Asset Maintenance Ratio (OLG benchmark is >=100%) (Annual Financial Statements 20/21 OLG Comparative Data 20/21)	100.3%. Large Rural council average for 2020/21 is 97.2%	GOOD	WORSENING	HIGH	See above

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			Capital Works Program Completion Rate (Council Revote and Carry-Forward Report (Aug 22) and Annual Reports 20/21 and 19/20)	21/22 CWP program totalling \$16m. Actual expenditure \$12m	N/A	STABLE	POOR	20/21 CWP program totalling \$30m. Actual expenditure of \$18.5m. 2019/20 CWP program totalling \$21.7m. Actual expenditure of \$8.9m Factors that have impacted adversely on the completion of capital works program include COVID and flooding, and accounting practices used historically by YVC make the true picture difficult to ascertain. Nevertheless, the continued non-completion of the program will lead to further deterioration in YVC's asset position
			Own Source Revenue (OLG benchmark is >=60%) (Annual Financial Statements 20/21 OLG Comparative Data 20/21)	51.5% in 2020/21. Large Rural council average in 2020/21 is 54.4%	POOR	IMPROVING	HIGH	LTFP predicts steady increase well over benchmark.
			Outstanding Rates and Charges (OLG benchmark is <=10%) (Annual Financial Statements 20/21 OLG Comparative Data 20/21)	6.25% in 2020/21. Large Rural council average in 2020/21 is 7.7%	GOOD	STABLE	HIGH	While outstanding rates and charges have varied over time with changing economic conditions, they appear stable and are commonly below the benchmark.
			Operating Performance Ratio (OLG benchmark is >=0%) ((Annual Financial Statements 20/21 OLG Comparative Data 20/21)	-1.35%. Large Rural council average for 2020/21 is -3.3%	POOR	WORSENING	HIGH	Result was above benchmark from 2017/18 to 2019/20. LTFP predicts fall below benchmark from 2022/23 and not meeting benchmark again until 2026/7
			Competitive Grant Revenue (YVC)	NO AVAILABLE DATA				A report to Council was provided on grants for the 1 st quarter of 2022/23. Upon the collection of further data and refinement of reporting an appropriate indicator may be formulated in the future.
			Audit Program Delivery and Implementation (YVC)	NO AVAILABLE DATA				Papers and minutes of the ARIC are not published and there is no evidence of regular reporting to Council on the achievement of audit program.
			Service Reviews and Implementation (YVC)	NO AVAILABLE DATA				There is no current organisational program despite this being a requirement under the OLG IP&R Guidelines.
			Carbon production and reductions (YVC)	NO AVAILABLE DATA				
			Internal waste volumes and recycling rates (YVC)	AWAITING DATA FROM COUNCIL				
			Fuel usage and electricity costs (YVC)	AWAITING DATA FROM COUNCIL				
ENVIRONMENTAL	<ul style="list-style-type: none"> - Energy usage - Fleet / Plant - Asset choices - Emissions - Waste 	Procurement practices, Water usage, Waste & recycling practices, Asset management decisions						

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GOVERNANCE (SOCIAL / CULTURAL)	<ul style="list-style-type: none"> - Democratic practice, including transparency, reporting and open access - Workplace culture - HR strategy - Risk management - Community engagement & participation - Service delivery 	Organisational structure, Staff engagement and development, Workforce profile and succession planning, Probity controls and processes, Information access, Consultative processes, Support and advice for volunteer organisations & NGO's (including grant opportunities, fundraising, succession planning, advertising & networking) Support for Indigenous groups and organisations	Workforce age profile (YVC)	28% of the workforce is over 55 years and 38% under 35 years	N/A	N/A	HIGH	The age profile of YVC workforce presents a significant risk.
			Staff turnover rate (YVC)	AVAILABLE DATA NOT PROVIDED				YVC's Workforce Management Plan 2022-26 does not provide turnover data. Length of Service data shows approximately half the workforce has less than 5 years' service.
			Workforce skills audit (YVC)	NO AVAILABLE DATA				Workforce Management Plan 2022-26 references possible skill shortage issues but provides no detail.
			Staff satisfaction survey results (YVC)	AVAILABLE DATA NOT PROVIDED				
			Worker Compensation premium (YVC)	AVAILABLE DATA NOT PROVIDED				
			Community engagement activity (YVC)	NO AVAILABLE DATA				Council reports livestream statistics for Council meetings.
			Complaints data (YVC)	0 Code of Conduct complaints	N/A	STABLE	HIGH	This measure concerns formal Code of Conduct complaints to the OLG. A more useful indicator would be to develop a measure of complaints – as opposed to service requests – made directly to Council.
			GIPA Act compliance and reporting (YVC)	2 applications received in 2021/22	N/A	STABLE	POOR	Data in Annual Report data and online register are inconsistent. Only formal requests are recorded and reported, when the option is available to also record and report informally granted access requests.

KEY FINDINGS – YASS VALLEY SUSTAINABILITY STATUS	
Economic	<p>There is a broadly positive economic outlook for Yass Valley compared to most parts of regional NSW with comparatively high levels of employment, education and business activity. However, First Nations people and other marginalised groups are not doing as well on these metrics. Additionally, the large percentage of the Yass Valley population that commutes to the ACT presents particular infrastructure and community-building challenges. Indicators specific to tourism, while not definitive, suggest that there may be some adverse trends in this area, although the ongoing impacts of the COVID pandemic makes it difficult to draw any firm conclusion at this time.</p> <p>The capacity of Council to influence these forces in the short to medium term through its policies and practices is limited, recognising that it nonetheless has an active role to play in supporting local economic enterprise and in the provision of targeted services. Council also needs to recognise in its policies and service offerings the economic benefit of acting on climate change now and how it can support and grow related innovative and forward-thinking businesses.</p>
Social	<p>In respect of family composition, health, transport and housing issues, generally positive outcomes for most Yass Valley residents evident in the data are undermined by poor outcomes for some groups. This is most clearly manifest in respect of housing choice and transport options, and often poorer health outcomes for First Nations people, the elderly and isolated.</p> <p>While Council policy and practice can significantly influence land supply and housing, the ability of Council to impact upon unsustainable outcomes in most areas of social wellbeing in the short and medium term is limited. Where effort is made, it needs to be appropriately targeted. In this regard more can be done to establish and enhance existing community spaces and venues, along with promoting events and opportunities for the community to come together.</p>
Environmental	<p>To the extent that they have been measured, the state of Yass Valley's land, water and biodiversity is poor and require significant investment to be sustainable into the future. This can best be supported by Council in the medium to longer term through appropriate land use policies, management practices and investment in such things as weed and pest control and eradication and land and habitat rehabilitation. Preventing further environmental degradation and encouraging sustainable land management practices can be expected to significantly reduce future rehabilitation investment.</p> <p>Performance in recycling and reuse is comparatively poor as well, and it is in this area where Council can have a direct and immediate impact given its specific responsibility for such matters. A shift in focus which recognises the 'waste hierarchy' and the role of waste prevention in the first instance is required. An appreciation of the 'circular economy' and keeping items in their highest state for as long as possible needs to be better promoted and understood within the community and within Council's itself. Finally, learning from First Nation approaches to sustainability needs to be better understood and considered across Yass Valley and within Council.</p>

KEY FINDINGS – YASS VALLEY COUNCIL SUSTAINABILITY STATUS (CONT)	
Cultural	<p>Historically, Council's investment in cultural (including sport and recreation) services has been limited in comparison with many other Local Councils, although the 2022/23 budget has seen an increased emphasis on such things as support for events and the Arts. The redevelopment of the library as part of the Crago Mills Project also constitutes a significant step and the <i>Open Spaces Strategy</i>, once finalised, may translate into increased investment and improved outcomes.</p> <p>In short, the opportunity to participate is increasing within Yass Valley and it would be sensible to continue this steady investment and monitor whether it is impacting on participation rates and the creation of a more diverse and culturally engaged Yass Valley community. Appropriate support for First Nation cultural practices also need to be considered in the design and funding of Council's support services.</p>
Financial	<p>Council has performed comparatively well in recent years against key State Government financial benchmarks. The Long-Term Financial Plan for Council however projects significant weaknesses in Council future financial position irrespective of any mitigating impact from proposed asset sales and projected growth in rateable properties.</p>
Environmental	<p>There is limited recorded data that has been made available to the Sustainability Advisory Committee in respect of Council's own environmental performance. Aging infrastructure, particularly buildings and other assets, suggest nevertheless that performance is likely to be sub-optimal in relation to energy, fuel costs, water usage etc. There is potential to start benchmarking Council on such matters or establish useful 'proxy' measures in the future pivoting off the existing <i>Asset Management Plans</i>. Council also has no active overarching strategy to lessen its environmental footprint but rather is taking isolated and limited actions in a few areas which is not translating into outcomes to the extent it can be discerned from the limited data.</p>
Governance	<p>Again, there is limited recorded data which has been made available to the Sustainability Advisory Committee regarding matters such as workplace culture, human resources approach, workplace safety, etc. although the 2022 <i>Workforce Strategy</i> has some data and the recently adopted <i>Workplace Health & Safety Plan</i> includes several potentially revelatory performance indicators. Council's democratic practice and its approach to community engagement also meet statutory requirements but are not consistent with best practice in Local Government today and the level of transparency in Council operations is poor based upon anecdotal evidence.</p>

RESEARCH ACTIVITIES	
A Renewable Energy Hub	A range of Local Councils across Australia and internationally have established renewable energy hubs. These typically involve the creation of battery storage capacity, the introduction of shared solar and micro-grids. They also generally involve some level of collaboration and partnership between community, private business and government. The possible application of the various models of energy hubs in Yass Valley, particularly in our local villages, warrants further investigation. The creation of renewable energy hubs in the design of new developments is equally worthy of consideration with models from the ACT worth further investigation.
Active Transport	Council is seeking a licence to use the Yass Spur Line as an active transport corridor. The construction of an active transport corridor along the old spur line will connect north and south Yass across the Yass River by a cycle and pedestrian route linking sports fields, parks and playgrounds, commercial areas, multiple schools, and new developments. Additional options for further active transport corridors are currently being considered in the <i>Open Space Strategy</i> currently under preparation. The strategy will provide a basis to support currently lobbying efforts for funding of the Yass Spur Line and any other options identified.
Stormwater Management and Wetlands	An identified risk in Council's 2021 <i>Climate Change & Natural Disaster Risk Assessment</i> document is the overburdening of stormwater systems, water courses and flood sinks. The recommended control in response to this risk is improved stormwater capture and usage. Change in this regard will also involve likely works to improve and possibly expand wetlands in Yass Valley, with concomitant biodiversity and water quality benefits. Attention also needs to be given to demand management of potable supplies, consistent with the <i>Water Source Strategy</i> , and potential significant damage to energy infrastructure leading to loss of reliable power supply from severe weather events. Further investigation as to options and their appropriateness for Yass Valley is considered a useful focus of further research by the Committee.
A Circular Economy	It has been argued to date within Council that the limited scale of Yass Valley's waste collection and geographical constraints make an expanded range of recycling and reuse services commercially unviable. As Yass Valley's population increases this may well change. Equally there may be alternative models in operation elsewhere in Australia or internationally that can be followed and further investigation is warranted as to how Yass Valley can adopt and follow the principles of the 'circular economy' both in support of better environmental outcomes and sustainable economic development.
Net Zero target and accreditation	Some 100 Local Councils across Australia have made formal declarations regarding the global climate emergency and an increasing number of Local Councils, including various NSW Regional Councils, have established net zero emission targets accordingly. One of the first in 2013 was the small Victorian Council of Colac Otway but more recently in our area is Parkes Shire Council, which in April 2022 set a target of achieving net zero with a stretch target of 100% reduction in direct emissions by 2030 and 100% offset of indirect emissions by 2030. Investigation is warranted into the basis upon which such targets are set and the potential costs and benefits of action, including the value of seeking formal accreditation of carbon neutrality under the Australian Government's <i>Carbon Neutral Standard</i> .



Minutes of the Youth Council Meeting

Monday 8 May 2023

Zac's Place

Minutes of the Youth Council Meeting held on 8 May 2023

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Minutes of the Youth Council Meeting held on 8 May 2023

Present

Blake Hollingsworth, Imogen Bradley, Jyelee Bogan, Phoebe Cooke, Hunter Hass, Mitch,

Also Present

Cr Cayla Pothan; Georgia Patmore, Manager Community & Economic Development; Melinda Cooke, Senior Project Officer Rec Assets; and Robyn Zwar, Events Coordinator

1. Apologies

Lynette Safranek - Director Corporate & Community

2. Declarations of Interest

3. Confirmation of Minutes

Minutes from previous meeting was confirmed by Cr Cayla Pothan

4. Staff Reports

4.1 SKATE PARK

SUMMARY

Council's Senior Project Officer Rec Assets provided an update of the Skate Park project and informed the members that next meeting there will be a discussion around the choice of seats and other elements of the Skate Park which the members can vote on.

4.2 FUNDRAISING ACTIVITIES

SUMMARY

The Youth Council members discussed holding BBQ's bimonthly, around the community on Saturday mornings to raise money for charities and to showcase the Youth Council to encourage more members. BBQ's will be held in Comur Street, Yass and in the villages. Roster of youth councillors will be developed at the next meeting. Suggestion that we have balloons, banners, music and hopefully Youth Council clothing will be available by the first event. The BBQs will aim to raise funds for charities that support local youth, as well as other Youth Council activities.

COMMITTEE DECISION

That Council approve:

- *The Youth Council to hold bi-monthly BBQ around the Yass Valley local government area, with the first BBQ to be held on Saturday 17 June in Yass, and*
- *The purchase of Youth Council banners, tops and/or jumpers for members from the current Elected Members 2022/23FY budget.*

Minutes of the Youth Council Meeting held on 8 May 2023

4.3 PRESENTATION

Yass HeadSpace will be presenting at the June 2023 meeting.

4.4 FUTURE ITEMS FOR DISCUSSION

Cr Cayla Pothan discussed the possible opportunity the Youth Council may have with working collaboratively with the Public Arts Committee to look at painting a bus shelter close to the Yass High School.

4.5 MEETING PROCEDURES

To be discussed at the June meeting.

4.6 GENERAL BUSINESS

SUMMARY

The Youth Council members were asked if they would like to participate in the Riverbank Park opening. They would be asked to wear animal costumes to walk around the playground during the opening. To be funded by the budget that has been allocated to the Event. The costumes will be shown to the Youth at the next meeting for their approval.

COMMITTEE DECISION

That Council approve:

- *The Youth Councillors participating in the Riverbank Park opening, and*
- *Purchase costumes for the event from the Riverbank Park budget.*

6. Next Meeting

Monday 5th June 2023, at 6.00pm in Council Chambers 209 Comur Street, Yass.

The meeting closed at 7.15 pm