



Ordinary Meeting of Council

**Wednesday 24 June 2020
4.00pm
Council Chambers
209 Comur Street, Yass**

PRAYER:

All Stand:

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

All say together:

Almighty God, we ask your blessing upon this Council.

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

FUTURE MEETINGS

July 2020

Wednesday 22nd

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

Page No.

Webcasting

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

Acknowledgement of Country

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

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Nil

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13. Confidential Matters

Nil

Close of Meeting Time

Chris Berry
GENERAL MANAGER



Minutes of the Ordinary Meeting of Council

Wednesday 27 May 2020

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

Presentations to Council – Items on the Meeting Agenda

SPEAKERS VIA ZOOM

6.4 – Development Application DA190211 – Importation of Material for Internal Access Roads, 33 Hillview Drive, Murrumbateman

Noel McCann

Natalie Weglarz

Council Meeting - The Mayor declared the meeting open at 4.16 pm.

Present

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

Also present were the General Manager – Chris Berry, Acting Director of Planning & Environment – Liz Makin, Interim Director of Infrastructure & Assets – Steven Beasleyb, Director of Corporate & Community – Mark Eady (via ZOOM) and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

RESOLVED that Item 9.2 Local Government NSW Membership, be dealt with in Closed Session in accordance with section s10(A)(2)(a) of the Local Government Act as the discussion will refer to personnel matters concerning particular individuals (other than councillors) of a confidential nature that would, if disclosed prejudice the matter in an open meeting would be, on balance, contrary to the public interest.

(McManus/Furry) 71

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

AGAINST: Nil

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Abbey declared a non-significant, non-pecuniary conflict of interest in Item No 6.3 – Development Consent No DA190157 – Residential Subdivision, 141B Rossi Street, Yass and stated that she believed her interest would preclude her from voting.

Reason: Councillor Abbey declared an interest as she is the owner of a neighbour property.

Councillor Turner declared a non-significant, non-pecuniary conflict of interest in Item 6.6 – 2019/20 Community Grants Round 2, and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Turner declared an interest as he is a presenter on Yass FM100.3, who were an applicant for this round of funding.

Councillor Reid declared a significant, non-pecuniary conflict of interest in Item 6.6 – 2019/20 Community Grants Round 2, and stated that he believed his interest would preclude him from voting.

Reason: Councillor Reid declared an interest as he is a member of three of the Committees who have been recommended to receive funding.

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

Reason: Councillor Jones declared an interest as she has a business contact with persons named in the report.

Councillor Frost made a statement that in relation to Item 6.6 – 2019/20 Community Grants Round 2, that he was a presenter on Yass FM.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 April 2020, resolution numbers 52-70 inclusive, be taken as read and confirmed.

(Jones/Turner) 72

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

AGAINST: Nil

5. Mayoral Minute

Nil

6. Director of Planning & Environment Reports

6.1 LOCAL STRATEGIC PLANNING STATEMENT

SUMMARY

Presenting the outcomes of community and agency consultation of the Local Strategic Planning Statement (LSPS) for the Yass Valley and to recommend adoption.

RESOLVED that the revised Local Strategic Planning Statement be adopted and made as required under s3.9 Environmental Planning & Assessment Act 1979.

(Jones/Frost) 73

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

AGAINST: Councillor N Furry

6.2 PLANNING PROPOSAL - 80 MURRUMBATEMAN ROAD, MURRUMBATEMAN

SUMMARY

Presenting a report on a draft Planning Proposal seeking an amendment to *Yass Valley LEP 2013* for 80 Murrumbateman Road, Murrumbateman. The draft Planning Proposal is lodged in conjunction with a Development Application for subdivision of the subject land however this will only be determined if the Planning Proposal is successful.

RESOLVED that :

- 1. Planning Proposal for 80 Murrumbateman Road (PP.2020.02) be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.***
- 2. Planning Proposal (PP.2020.02) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979.***

(Jones/McManus) 74

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

AGAINST: Nil

At 04:26 pm Councillor Abbey left the Chambers.

Councillor Nathan Furry, Deputy Mayor took the Chair

6.3 DEVELOPMENT CONSENT NO DA190157 - RESIDENTIAL SUBDIVISION, 141B ROSSI STREET, YASS

SUMMARY

Presenting a request for a review of the determination of Development Consent No DA190157 for a residential subdivision of 141B Rossi Street, Yass. Specifically the request seeks review of conditions imposed relating to the upgrade of a right of way and fencing.

RESOLVED that :

- 1. The bitumen seal requirement of the Right of Way is necessary to address an impact of the development and is a valid condition. The request for removal is not supported.***
- 2. The width of the Right of Way be reduced from 7m to 4.5m and the requirement for a cul-de-sac is removed.***
- 3. The boundary fencing standard for the subdivision to be rural fencing with netting and plain wire top.***

(Frost/Reid) 75

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

AGAINST: Nil

At 04:35 pm Councillor Abbey returned to the Chambers.

6.4 DEVELOPMENT APPLICATION DA190211 - IMPORTATION OF MATERIAL FOR INTERNAL ACCESS ROADS, 33 HILLVIEW DRIVE, MURRUMBATEMAN

SUMMARY

Presenting the assessment of Development Application No. DA190211 for the importation of 55,000m³ of material at "Hillview", 33 Hillview Drive, Murrumbateman. The proposal is referred to Council as it attracted 11 submissions. Conditional Approval is recommended.

RESOLVED that :

- 1. Conditional Development Consent be issued for the importation of material and construction of internal access roads at "Hillview", 33 Hillview Drive, Murrumbateman following:**
 - *The Applicant suitably demonstrating that the proposed development does not trigger entry into the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016.*
 - *The Applicant suitably demonstrating how they have undertaken due diligence for the protection of Aboriginal objects.*
- 2. The Development Consent restricts the standard of internal access road construction to generally 4.5m x 300mm and an overall maximum volume of material that can be imported to 40,000m³ and the need for an Engineering Construction design for internal roads is not required.**

(Harker/McManus) 76

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

AGAINST: Nil

6.5 DEVELOPMENT APPLICATION NO. DA200046 - CARPORT, 30 LUTE STREET, GUNDAROO

SUMMARY

Presenting the assessment of Development Application DA200046 for the erection of a carport at 30 Lute Street, Gundaroo. The proposal is referred to Council as the location of the carport is forward of the building line set by the dwelling house, however there is justification for a variation to Council's setback policy. Approval is recommended.

RESOLVED that Condition Development Consent be issued for Development Application DA200046 for a carport at 30 Lute Street, Gundaroo.

(Burgess/Furry) 77

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

AGAINST: Nil

At 04:53 pm Councillor Reid left the Chambers.

6.6 2019/20 COMMUNITY GRANTS ROUND 2

SUMMARY

A report recommending grants to be made through Round 2 of Council's 2019/20 Community Grants Program.

RESOLVED that the following grants be made under council's 2019/20 Community Grants Program:

Organisation	Grant amount	Purpose
Murrumbateman Progress Association Inc	\$4,000	Purchase of portable aluminium grandstands for use at sporting and entertainment events
Murrumbateman Village Markets Committee – MPA Inc	\$1,650	Upgrade of the interior and exterior lighting of the Recreation Ground Food Shed to facilitate evening use
Murrumbateman Menshed Committee – MPA Inc	\$4,000	Installation of reverse cycle air conditioning
Gundaroo Soldiers Memorial Hall Management Committee Inc	\$3,000	Replacement of general and emergency lighting and installation of wall-mounted fans
Gundaroo Website Subcommittee – GCA Inc	\$2,000	Development of a website covering all community organisations, activities and businesses in the Gundaroo district
Gundaroo Memorials Subcommittee – GCA Inc	\$2,200	Planting of a memorial avenue of 40 trees and associated site preparation
1st Yass Scout Group – SAA	\$4,000	Painting of the exterior of the Scout Hall building
1st Yass Scout Group – SAA	\$4,000	Removal and replacement of internal asbestos panels and an awning sheet
Yass Community Radio Association Inc	\$1,500	Upgrade of equipment to secure transmission capability of the radio station
Netball Association Inc	\$2,300	Storage cage for netball equipment to be located in a shared amenities building

(McManus/Burgess) 78

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

AGAINST: Nil

At 04:56 pm Councillor Reid returned to the Chambers.

7. Director of Infrastructure & Assets Reports

7.1 WALKER PARK - FACILITIES UPGRADE PROJECT

SUMMARY

Funding under the Community Sport Infrastructure Grant was secured to undertake improvements at Walker Park. Part of the improvements is constructing a covered grandstand including a commentator's box to be constructed on level one at Walker Park.

This report provides the final design endorsed by the main sporting codes within Yass Valley of rugby union, soccer, touch football and rugby league.

RESOLVED that the final design of the covered grandstand including two virtual commentators' boxes to be constructed on level one at Walker Park be approved.

(Furry/McManus) 79

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

AGAINST: Nil

7.2 YASS WATER TREATMENT PLANT UPGRADE PROJECT: PREPARATION OF DETAILED DESIGN AND BUSINESS CASE - PREFERRED UPGRADE OPTION

SUMMARY

This report provides a progress update on the Options Assessment carried out for the Yass Water Treatment Plant Upgrade Project: Preparation of Detailed Design and Business Case and seeks direction on the preferred upgrade option.

RESOLVED that :

- 1. The progress made with the Options Assessment Report in the Yass Water Treatment Plant Upgrade Project: Detailed Design and Business Case Preparation be noted.***
- 2. The design and construction of a new water treatment plant option with the estimated project cost of \$31.9 million including contingency to address the drinking water quality challenges and community expectations be endorsed as Council's preferred option as it addresses the colour, odour and hardness water quality issues and minimises the risk to the town water supply during construction of the upgrade.***
- 3. Funding from State and Federal governments be sought.***
- 4. DPIE Water and NSW Health Water Unit be advised of Council's preferred option and the reasons behind this decision.***
- 5. Council notes that a new water treatment plant would allow for the incorporation of alternate technologies and capacity and seeks early advice from the consultants of the potential for incorporating these technologies into the detailed design options.***

(Frost/Furry) 80

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

AGAINST: Nil

8. Director of Corporate & Community Reports

8.1 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with the Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 30 April 2020. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RESOLVED that Investment Report as at 30 April 2020 be received and it be noted that the summary has been prepared in accordance with the Act, the Regulations and Council's Investment Policy.

(Turner/Furry) 81

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

AGAINST: Nil

8.2 THIRD QUARTER BUDGET REVIEW STATEMENT 2019/20

SUMMARY

This report represents the 3rd Quarterly Budget Review Statement (QBRs) for the period 1 January 2020 to 31 March 2020 in the financial year ending 30 June 2020.

RESOLVED that :

- 1. The 3rd Quarterly Budget Review Statement adjustments as detailed in the attachments be adopted and the relevant income and expenditure budget adjustments be approved.***
- 2. In accordance with Clause 203(2)(a) Local Government (General) Regulation, Council's financial position as at 31 March 2020 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.***

(Frost/Reid) 82

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

AGAINST: Nil

9. General Manager Reports

At 05:10 pm Councillor Jones left the Chambers.

9.1 INDEPENDENT OMBUDSMAN

SUMMARY

To provide an update on the Independent Ombudsman service to review several unresolved complaints.

RESOLVED that the report on the Independent Ombudsman service be noted.

(Furry/Reid) 83

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

AGAINST: Nil

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

10. Notice of Motion

Nil

11. Questions with Notice

Nil

12. Minutes and Recommendations of Council Committees

12.1 MINUTES OF THE RESCUE COMMITTEE MEETING

RESOLVED that the minutes of the Rescue Committee meeting held on 5 May 2020 be noted.

(McManus/Turner) 84

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

AGAINST: Nil

13. Confidential Matters

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

9.2 Local Government NSW Membership

Item 9.2 is confidential in accordance with section s10(A)(2)(a) of the Local Government Act because it refers to personnel matters concerning particular individuals (other than councillors) of a confidential nature that would, if disclosed prejudice the matter in an open meeting would be, on balance, contrary to the public interest.

McManus/Furry 85

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

AGAINST: Nil

Closed Council commenced at 5.15pm

9.2 LOCAL GOVERNMENT NSW MEMBERSHIP

SUMMARY

Consideration is required to determine the value of continuing membership in Local Government NSW.

RESOLVED that:

1. ***Council continues its membership of Local Government NSW, noting concerns with:***
 - a. ***General representation of rural Councils and issues within LGNSW***
 - b. ***The quality of services, training and support from LGNSW***
 - c. ***The scope of services, training and support from LGNSW***
 - d. ***Discussion be held with the President of LGNSW***
2. ***Council makes representation to appropriate regional bodies regarding the above.***

(Furry/Harker) 86

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

AGAINST: Nil

RESOLVED that the meeting move into Open Council.

(Harker/Turner) 87

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

AGAINST: Nil

Open Council resumed at 5.53 pm

RESOLVED that the recommendations in Closed Council be adopted.

(Frost/Furry) 88

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

AGAINST: Nil

The meeting closed at 5.54pm.

.....

Rowena Abbey

Mayor

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

SUMMARY

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

RECOMMENDATION

That:

1. *Draft Planning Proposal (PP.2016.02) be endorsed and forwarded to the Minister for Planning & Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979*
2. *Planning Proposal Coolawin (PP.2016.02) be adopted if no significant objections are received after the public exhibition of the Planning Proposal pursuant to the conditions of Gateway determination in accordance with s3.34(2)(c) Environmental Planning & Assessment Act 1979*
3. *The Gundaroo Masterplan be revised/amended to include the subject land to accommodate rural residential development*

FINANCIAL IMPLICATIONS

Resources for assessment of planning proposals are provided for in the current Operational Plan.

POLICY & LEGISLATION

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

REPORT

1. Introduction

A draft Planning Proposal was submitted in early 2016 to rezone 'Coolawin', 208 Sibley Road, Gundaroo from RU1 Primary Production to RU5 Village, R5 Large Lot Residential, E3 Environmental Management and SP2 Infrastructure zones with a proposal to reduce the minimum lot size from 40 ha to 1,500m² for the RU5 Village lots. The proposal had an expected yield of approximately 20 lots.

At the time, Council was considering the two planning proposals to the north and south of the village. During the consultation process for those planning proposals, concerns were raised by the community and NSW government agencies regarding the potential for groundwater contamination from on site sewage disposal. As a solution, the proponent identified land for a possible sewerage treatment plant (STP) to connect existing development within the village and proposed future dwellings.

Due to community opposition at the time and lack of government funding for a public reticulated sewerage system in Gundaroo, Council decided not to proceed with a public STP. The proponent has submitted a revised draft Planning Proposal.

2. Planning Proposal

The revised draft Planning Proposal (refer **Separate Enclosure**) is seeking to amend the zoning and minimum lot size for part of the site at 208 Sibley Road, Gundaroo.

The subject site is located to the immediate north of Gundaroo village with frontage to Gundaroo Road and the Yass River to west. McLeods Creek passes through the southern part of the subject land.



Location of the subject site

The 'Coolawin' dwelling and outbuildings are located to the north of the subject site. The land to the east is part of the 'Kyeema' development, an existing dwelling is located to the south on Rosamel Street and land to the west is agricultural.

The subject land is zoned RU1 Primary Production with a minimum lot size of 40ha under the *Yass Valley LEP*. The draft Planning Proposal is intended to amend the LEP by:

- Rezoning the land from RU1 Primary Production to R5 Large Lot Residential
- Reducing the minimum lot size from 40ha to 2ha

The draft Planning Proposal would enable the creation of five large residential lots of varying sizes ranging between 2ha and 4ha.

2.1 Site Analysis

Ecological Value

The environmental report accompanying the revised draft Planning Proposal advises that the majority of the subject site has a history of regular cultivation. The vegetation across the remaining southern portion of the subject site has also been highly modified.

McLeod's Creek extends through the southern portion of the site and contains three Hawthorn trees. It is noted that a number of weeds are present, including Serrated Tussock, Scotch Thistle, and Fleabane.

The visual assessment of the site confirms that no critical habitat listed under the *NSW Biodiversity Conservation Act 2016*, *Commonwealth Environment Protection & Biodiversity Conservation Act 1999* is present on the subject site.

Aboriginal Heritage

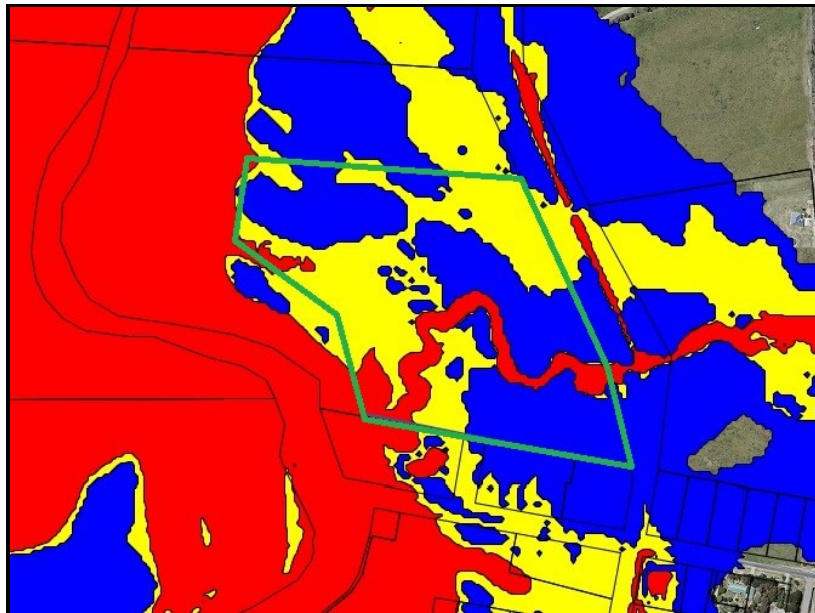
The Aboriginal Heritage Due Diligence Assessment Report supporting the proposal indicates that the subject site has not been registered in the Aboriginal Heritage Information Management System. However, the terrain features within the subject site indicates that it has the potential to contain Aboriginal Heritage objects.

A field survey identified the presence of one Aboriginal artefact scatter and two areas of potential archaeological deposits (PAD). Both PADs have the potential to contain additional artefacts and subsurface deposits.

At the Development Application stage, if it is considered that development may have an impact in these areas, an Aboriginal Cultural Heritage Assessment will be required to be carried out by a qualified archaeologist and an Aboriginal Heritage Impact Permit may also be required from the of the Department of Planning, Industry & Environment (Biodiversity and Conservation Division).

Flood Prone Land

Most of the subject land is identified as flood prone land and the risk categories are identified in the diagram below wherein the blue colour is low risk, yellow is a medium risk and red is high risk flooding.



Flood risk hazard for the site

To ensure dwellings are not impacted by a flood, the appropriate flood control measures can be determined as part of the subdivision design and future dwelling assessments. Based on the current conceptual layout, locating dwellings closer to Gundaroo Road will avoid the areas of High and Medium risk, and the proponent has indicated some minor earthworks could be considered for flood mitigation if required.

Riparian Land and Groundwater Vulnerability

The subject land is identified in the *Yass Valley LEP* as being affected by Riparian Lands and Watercourses and Groundwater Vulnerability Map of the YVLEP as the Yass River is located to the west, and McLeod's Creek passes through the southern part of the subject land. Any development will be required to be located to avoid impact on riparian land and water quality of the river and creek. It should be noted that the land adjacent to the Yass River has been excluded from the draft Planning Proposal to address any concerns about additional riparian rights.

3. Strategic Planning Assessment

The draft Planning Proposal is consistent with the recommendations of the *South East & Tablelands Regional Plan 2036* and the *Yass Valley Settlement Strategy 2036*.

The draft Planning Proposal is consistent with the following directions set in the Regional Plan:

- *Direction 25: Focus Housing Growth in Locations that Maximise Infrastructure and Services*
The proposal would provide for housing in proximity to Gundaroo village with its existing services and community facilities.
- *Direction 24: Deliver Greater Housing Supply and Choice*
The proposal will add to the diversity of residential lots in Gundaroo. It will provide land for large lot residential development.
- *Direction 8: Protect Important Agricultural Land*
While the proposal would remove some land from agricultural use, it would not be a significant area. The subject proposal would allow a transition from village zoned land to rural zoning to reduce the potential for land use conflict.

The draft Planning Proposal is consistent with the *Yass Valley Settlement Strategy* that limited growth can be accommodated in Gundaroo, particularly as it is only proposed to create five additional lots.

While it is recognised that this site was not identified within the Gundaroo Masterplan, the original Planning Proposal was for 20 lots, most of which were proposed as village sized lots in conjunction with a sewerage treatment plant site. This revised Planning Proposal is considered much more appropriate and able to respond to the site constraints relating to the Yass River and McLeods Creek. The proposal also provides a transition between village and rural development.

4. Conclusion

The proposal is consistent with the regional and local strategic planning directions for future growth and the proposal is considered to have sufficient merit to progress through the Gateway process to allow further consideration.

It is recommended that the Gundaroo Masterplan be amended to include the subject land to create an interface between village and agricultural land.

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

STRATEGIC DIRECTION

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

ATTACHMENTS: A. Draft Planning Proposal - Coolawin (*Under Separate Cover*) 

6.2 RYE PARK WIND FARM

SUMMARY

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

RECOMMENDATION

That a submission be made to the Department of Planning, Industry & Environment in the terms outlined in this report.

FINANCIAL IMPLICATIONS

Resources for considering and assessing major development projects are provided for in the current Operational Plan.

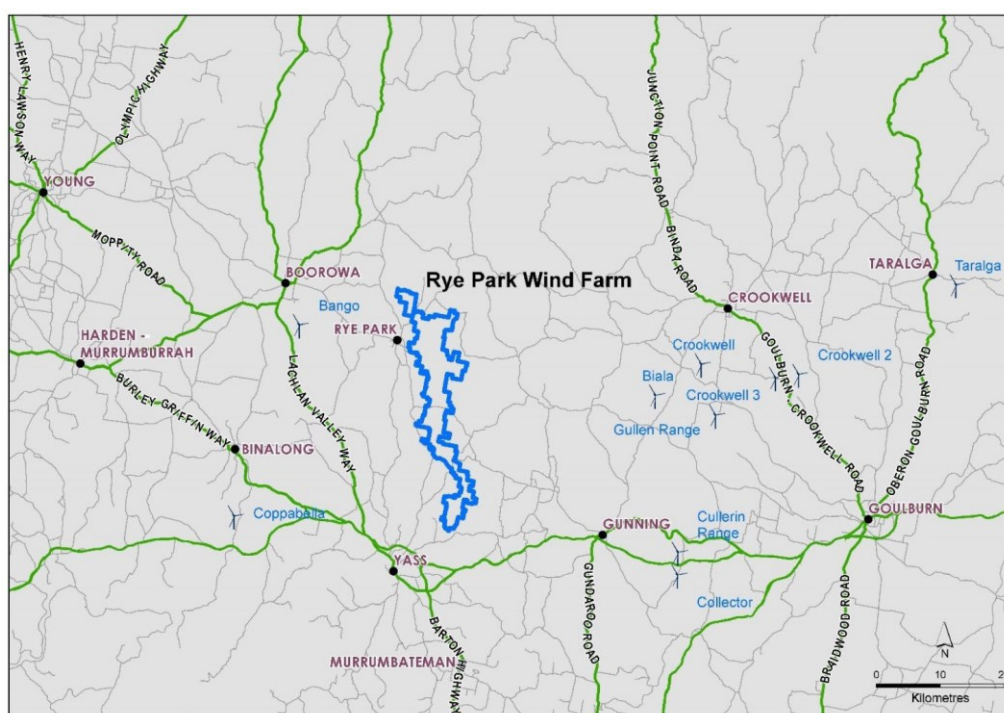
POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- Roads Standards Policy
- Community Enhancement Fund Policy
- Renewable Energy Policy

REPORT

1. Background

Development Consent was issued in May 2017 for the construction, operation and decommissioning of 92 wind turbines with a maximum height of 157m. The following diagram shows the location of the proposed development.



2. Proposal

A request to modify the Consent has been lodged with the Department of Planning, Industry & Environment (DPIE) seeking to:

- Remove 12 turbines (reducing from 92 to 80 turbines)
- Increase the tip height of the turbines from 157m to 200m
- Designate the transport route for construction traffic

A site plan of the turbine locations is included in **Attachment A**.

Full details of the proposed modifications are available at

<https://www.planningportal.nsw.gov.au/major-projects/project/4511>

The basis of the modifications are to use newer and more efficient turbine technology.

The Independent Planning Commission is responsible for determining the application. Council's role is similar to that of any other third party in the planning assessment process.

A summary of the proposed changes between the approved wind farm and the modified project are outlined in the following table:

Parameter	Approved Project	Proposed Modifications	Extent of Changes	Comments
Turbine Numbers	92	80	Reduced by 12 turbines	The turbines to be removed are all outside Yass Valley. The 11 turbines in Yass Valley remains unchanged.
Maximum turbine tip height	157m	200m	Increase by 43m	
Ground clearance	27m	30m	Increase clearance by 3m	
Capacity	1.5-3.5MW	Up to 6MW	Increase from 2.5- 4.5MW	
Transport Route (heavy haulage)	No preferred route for local road network	Preferred route selected		The preferred route for construction vehicles to the site is via Boorowa and Rye Park (in Hilltops Council) from Lachlan Valley Way. Yass Valley local roads not being used by heavy vehicles. Upgrades for light vehicle use of local roads remain unchanged.

The key issues for Yass Valley are:

- Road impacts
- Community Enhancement Fund
- Compliance with Council policy
- Visual impacts

3. Road Impacts

The modified proposal indicates an access point off Bushes Lane and Coolalie Road both of which are Yass Valley local roads.

The modified proposal does not involve the use of these roads for heavy vehicles however they may still be used by light vehicles.

The existing approval provides for the upgrade of these roads to a sealed standard for Coolalie Road and an unsealed standard for Bushes Lane. No changes are being sought to these conditions in the modified proposal. Accordingly there are no road impact objections to the revised proposal.

4. Community Enhancement Fund

The existing approval issued in 2017 provides for the establishment of a community enhancement fund via a Voluntary Planning Agreement based on a contribution of \$2,500 per turbine. This rate was originally established in 2009 but the approval issued in 2017 did not reflect the CPI increases overtime.

The approved turbines had a megawatt capacity of 1.5-3.5MW and the community enhancement contributions were based on an average megawatt capacity of 2.5MW. The revised turbines now have a megawatt capacity of up to 6MW.

Under the current *Community Enhancement Fund Policy* there is provision for this contribution to be increased with any increase in the megawatt capacity of the turbines. The current contributions rates for the larger 6.0MW turbines would be \$7,565 (2020).

5. Renewable Energy Policy

In December 2018 Council adopted a *Renewable Energy Policy*. Council considered that the cumulative impacts of four wind farms (i.e. Rye Park, Bango, Coppabella, Yass) in its view was that Yass Valley had reached the maximum number of turbines for the Local Government Area. This policy therefore applies to new wind farms proposals and not to the existing approvals such as Rye Park.

6. Visual Impacts

A revised visual impact assessment has been undertaken for the larger turbines and concludes that the modified proposal:

- Does not result in any significant increase in the magnitude of visual effects
- Does not have a cumulative visual impact any greater than the cumulative visual impacts of the approved project

No changes to the conditions for managing visual impacts are being sought.

7. Conclusion

The number of turbines in Yass Valley for the Rye Park Wind Farm project remains unchanged with the modifications proposed.

The size of the proposed turbines increases with a maximum tip height of 200m and a megawatt capacity up to 6MW each. However the proposed larger turbines do not have any greater visual impacts than the approved turbines.

With the increase megawatt capacity the community enhancement contributions should be adjusted in accordance with Council's policy.

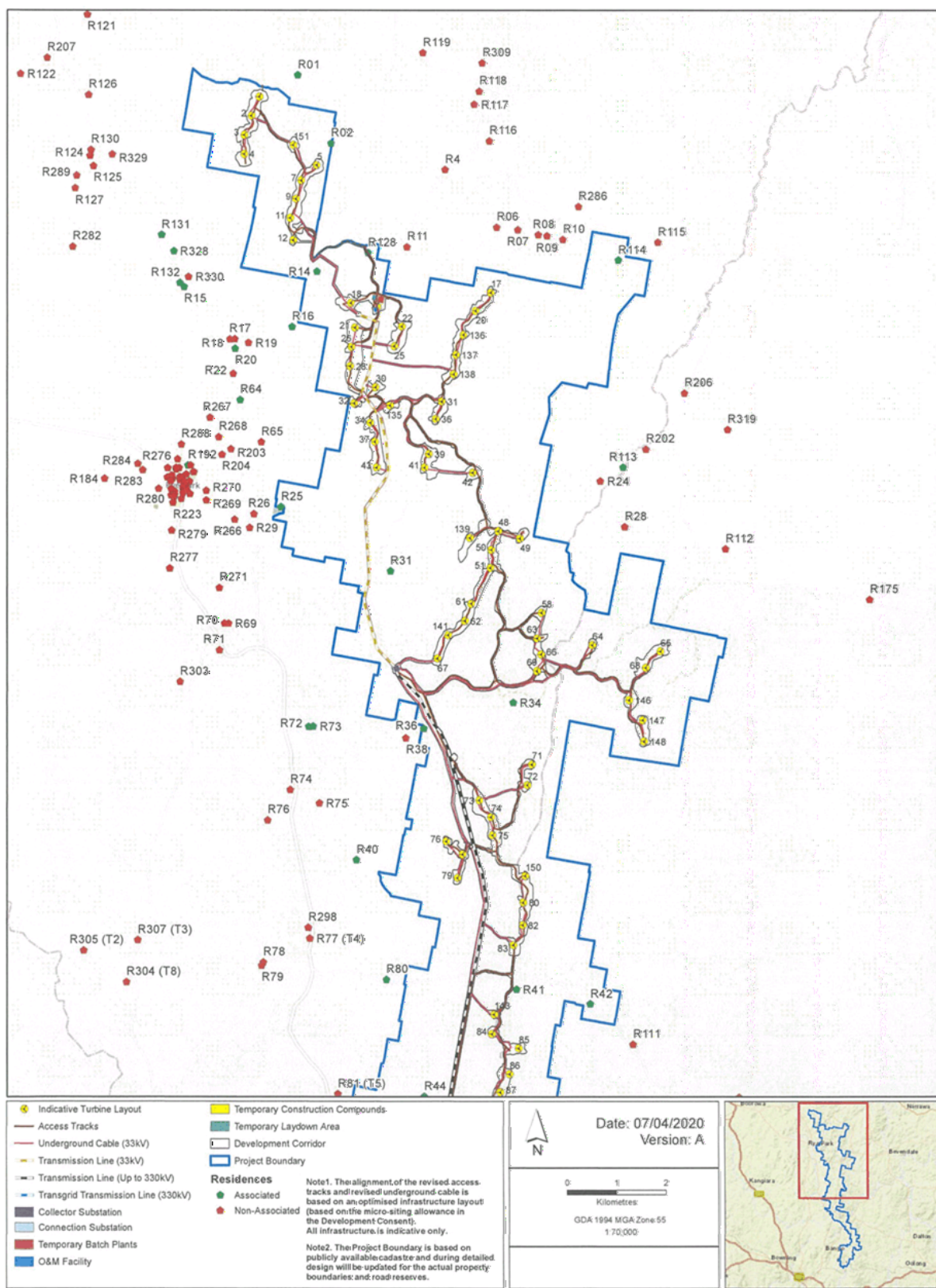
The access to the site for construction and heavy vehicles does not use Yass Valley local roads so there will be no impact on the road assets.

It is recommended that DPIE be advised in the terms outlined in this report.

STRATEGIC DIRECTION

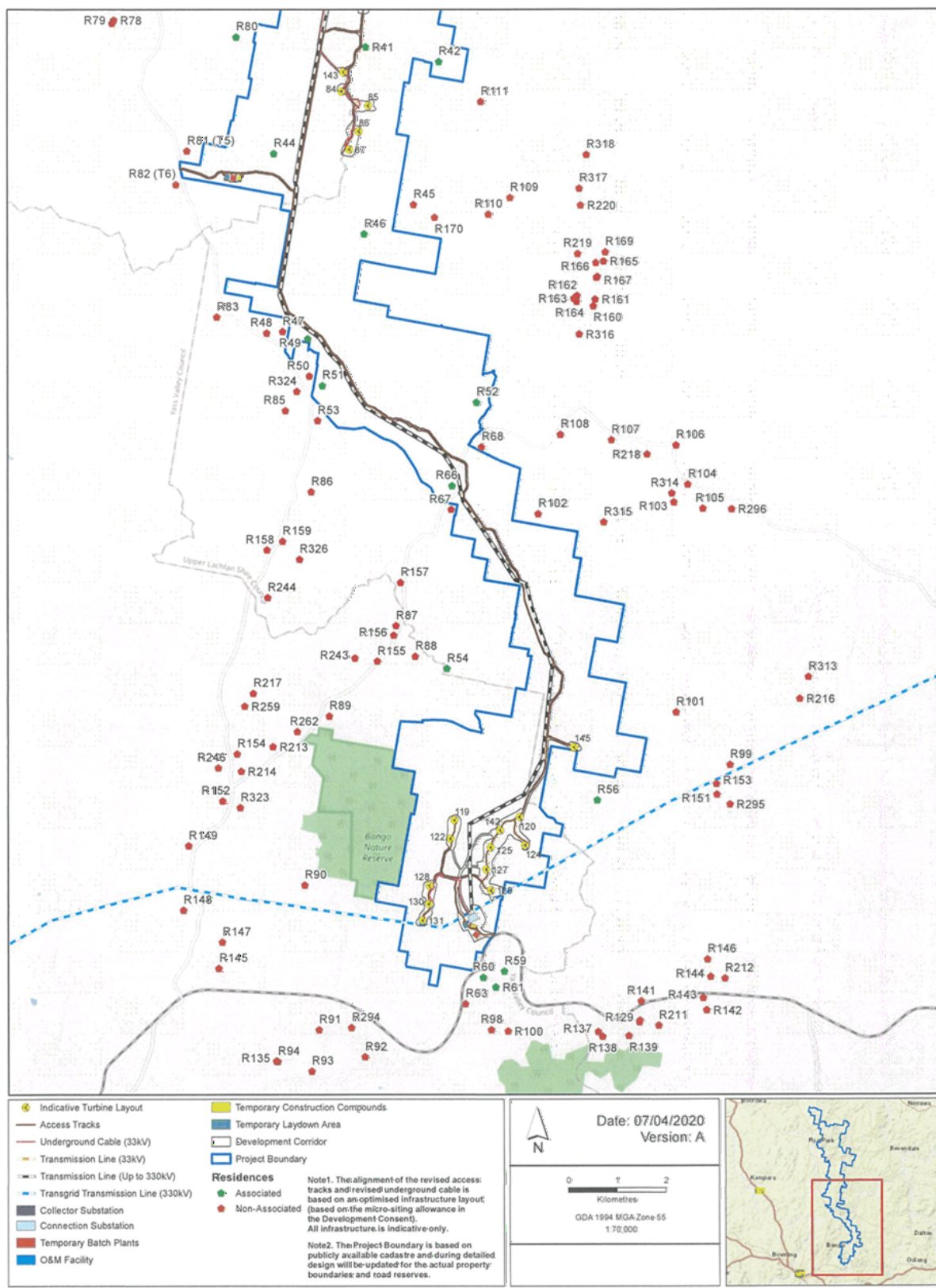
Key Pillar	1.	Our Environment
CSP Strategy	EN4 -	Maintain a balance between growth, development and environmental protection through sensible planning
Delivery Program Action	EN4.2 -	Ensure development application assessment is thorough and efficient
Operational Plan Activity	EN4.2.1	Implement the development process and implement changes aligning with the NSW Government's best practice guidelines

ATTACHMENTS: A. Site Layout Plans [!\[\]\(4729e517bc6a7cd81c8025b9646574fb_img.jpg\) !\[\]\(90a2fb2f2c617b26262139ae4159c0a0_img.jpg\)](#)



Rye Park Wind Farm
Updated Development Layout
Page 1 of 2





Rye Park Wind Farm
Updated Development Layout
Page 2 of 2



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

SUMMARY

To present the assessment of an application to modify Development Consent DA190011C for a 51 lot residential subdivision of 4056 and 4078 Gundaroo Road, Gundaroo. The application is presented to Council as it attracted 13 submissions. The proposal is generally consistent with the *Yass Valley Local Environmental Plan 2013*. It is recommended the application be approved subject to deferred commencement conditions.

RECOMMENDATION

That:

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

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Biodiversity Conservation Act 2016*
- *Water Management Act 2000*
- *Water Industry Competition Act 2006*
- *Water Industry Competition (General) Regulation 2008*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Community Engagement Strategy*
- *Gundaroo Master Plan 2017*
- *Road Standards Policy*

REPORT

1. Application Details

Date Received	-	12 March 2020
Land	-	4056 and 4078 Gundaroo Road
Area	-	35.25ha
Zoning	-	R2 Low Density Residential and RU1 Primary Production

2. Background

In December 2018 Council determined to approve Development Application No. DA185092 for a two staged 13 lot subdivision of 4056 and 4078 Gundaroo Road, Gundaroo. This subdivision created the larger lots on the eastern portion of the site in the environmental area.

In May 2019 Council granted a Deferred Commencement Consent for Development Application No. DA190011 to create 50 village lots over five stages. The proposal also involved a sewage treatment plant which was to be approved/licensed under *Water Industry Competition Act 2006* by Independent Pricing and Regulatory Tribunal (IPART).

3. Site Description and Locality

The development site is located at the northern end of Gundaroo Village on the northern side of McLeods Creek which has an existing dam on the property. The site is situated on the northern entry into Gundaroo Village. It is irregular in shape and has an area of approximately 35ha.

The site is bounded by rural and rural residential style developments to the north and east, abuts Gundaroo Road to the west and residential lots along Rosamel Street and the Lute Street road reserve to the south.

A locality plan is included in [Attachment A](#).

4. Proposal

The submitted application to modify Development Consent DA190011 seeks to:

- Remove the condition that requires confirmation from IPART that the sewage treatment plant would not be imposed on to Council as a retailer of last resort.
- Remove the requirement to obtain Controlled Activity Approval from NSW Natural Resources Access Regulator (NRAR).
- Extend the period within which the deferred commencement conditions are to be satisfied
- Reduce staging of development from five stages to two
- Amend the lot layout
- Include part of Stage 2 Earthworks in Stage 1

The request to modify Development Consent DA190011 is provided in [Attachment B](#). The proposed subdivision plan is included as [Attachment C](#).

5. Public Exhibition

Public exhibition included notice to 38 adjoining and nearby landowners and the Gundaroo Community Association. A total of 13 submissions have been received (refer [Attachment D](#)).

The Applicant has provided a response to address the issues raised in the submissions (refer [Attachment E](#)).

In addition a Planning Forum was held to allow submitters and the Applicant to address Councillors.

6. Referral Comments

The Natural Resources Access Regulator (NRAR) issued the requirements for a Controlled Activity Approval that were included in the subdivision for village lots. The request to remove the requirement of obtaining Controlled Activity Approval was referred to NRAR.

The NRAR objected to the proposed modification and advised the requirement to obtain a Controlled Activity Approval under the *Water Management Act 2000* for any works undertaken within waterfront land remains relevant.

The Controlled Activity Approval exemptions are for works undertaken on waterfront land by State and Federal government agencies. However, this exemption does not apply to Kyeema Wastewater Pty Ltd as they are not a State or Federal government entity.

The Applicant has withdrawn the request to remove the requirement for a Control Activity Approval in the light of these comments.

7. Assessment

An assessment of the proposal has been completed in accordance with the planning legislation. The proposal generally complies with the relevant planning controls, policies and guidelines. The overall layout is consistent with the *Gundaroo Master Plan*.

The following is a response to the planning issues identified including those raised in the submissions.

7.1 Contributions for Sutton Bypass

A submission raises the concern that any approval of the proposed modification must require payment of a contribution towards securing land, designing and eventually constructing the Sutton bypass. In addition, Council should prepare a Development Contributions Plan that requires all additional lots created north of Sutton Village to make an appropriate proportional contribution.

The current Consent provides for contributions to be made toward the provision of infrastructure. While the current *s7.12 Yass Valley Development Contributions Plan 2018* does not identify the Sutton Bypass as a Capital Works Project, at a recent Councillor Workshop a report was requested for the bypass to be considered for incorporation into the plan. Once incorporated into the plan then funds can be made available for the design of the bypass.

7.2 Retailer of Last Resort

Submissions raise concern about removal of the requirement to submit to Council written confirmation from IPART that the sewage scheme will not be imposed on Council as a retailer of last resort.

The intention of this condition was to communicate Council's opposition of being appointed as retailer of last resort and seek assurance this would not happen.

The Applicant indicates that it is the Minister not IPART that makes this decision. IPART only makes a recommendation to the Minister.

The Applicant has submitted legal advice on the options to ensure future lot owners will have certainty that arrangements are in place for continued access to sewer services. The Applicant has proposed a combination of a legal mechanism including title restriction in relation to the sewage scheme suggesting that this should ease Council's concerns. The proposed legal structure is based around establishment of a limited liability company where the shareholders are only liable for debts up to the amount of their capital investment share. As such, the proposed legal structure does not reduce or remove the risk associated with Council being appointed as retailer of last resort.

Where a licenced retail supplier can no longer provide services to its customers, the *Water Industry Competition Act 2006* protects the continued supply of services to customers by Ministerial declaration of a licensed retail supplier or public water utility as a retailer of last resort. Hence there is a risk that the responsibility for sewage treatment plant could fall on the Council as retailer of last resort. Although the Act addresses the risks associated with privately owned infrastructure via increased accountability, provision of securities to assist in hand over to a retailer of last resort.

The main concern is that Council does not inherit the ongoing management of a system with insufficient financial and staff resources to operate the system. Legal advice was sought which indicates that:

- There is no legal avenue in which Council can be assured it would not be appointed as retailer of last resort. The Minister can set aside Council's view and appoint Council as the retailer of last resort. If Council refuses the modification on the basis of reluctance to ever be nominated as retailer of last resort, Council would likely be unsuccessful in defending the decision in the Land and Environment Court.
- Should the operator fail to run the sewerage scheme and Council ends up as the retailer of last resort, there is likely to be an opportunity to make representation to the Minister prior to the appointment being made. Council would have an opportunity to discuss costs, contingency plans and retailer of last resort supply fees pursuant to Part 3 of *Water Industry Competition (General) Regulation 2008*.

- A company's bottom line profit margin is the best single indicator of its financial health and long-term viability of a project. It is recommended a condition be included in any modified Consent that may be approved that requires the STP operator to submit to Council an annual performance report including annual financial statement, system performance, associated asset condition, number of active connections to the system and STP audit report approved by IPART. This would provide Council information on the status of the scheme.

7.3 Connection to Gundaroo Road

Concerns have been raised that the amended lot layout would result in removal of the new access road to Gundaroo Road and leaving 51 lot subdivision dependent subdivision dependent upon a single entry/exit point to Rosamel Street. This would concentrate traffic movements to a single point and is not consistent with contemporary subdivision design and in the event of a bushfire would limit evacuations opportunities.

The Gundaroo Road access is not proposed to be removed. These two access points to Rosamel Street and Gundaroo Road remain as per the original approval. The Lute Street/Rosamel Street access has been constructed as part of subdivision to create the environmental lots.

The Applicant has confirmed that the road connecting the proposed subdivision to Gundaroo Road will be constructed in Stage 1 of the development and this can be reinforced as part of any modified approval that may issue.

7.4 Lot Layout

The Applicant has amended the layout of proposed lots 24 and 25 to allow for the existing dwelling located on proposed lot 24 as required by the approval of village lot subdivision. However, the amended lay out does not take into account the location of the existing rainwater tank and onsite sewage management system to ensure they remain as part of the house site. Accordingly, the amended lot layout is not acceptable.

The revised lot layout also includes two battle-axe lots and results in an additional lot. The existing Gundaroo village already has several battle-axe lots so the revised layout is not inconsistent with the character of the locality.

The proposed battle-axe handles respond to the existing constraints, reduces the length of public road and provides alternate access for an environmental lot currently fronting the regional road (to comply with the Transport for NSW requirement to restrict access to Gundaroo Road). The revised layout is considered satisfactory.

7.5 Staging

The submissions urge for a slow and staged rollout of proposed lots.

The proposal for reducing the stages from five to two does not accelerate land release in itself. Market demand for the land that will also control the rate of development. The primary aim of the proposed staging is to achieve time, cost and operational efficiencies in the construction of infrastructure. These efficiencies will reduce the construction impacts on the locality in the longer term.

7.6 Right of Way

Concern has been raised about the proposed right of way providing access to existing dwelling on proposed Lot 24. This access that has been in existence for over 20 years and continues to be used for access to the existing dwelling. This right of way will become redundant once alternate access has been constructed and can be extinguished as part of Stage 1. In addition, any approval that may issue for the proposed modification can contain a condition that requires the right of way not to be used for any further development works and access once the alternate access becomes available.

7.7 Earthworks

The submissions raise the concern that inclusion of part of Stage 2 Earthworks in Stage 1 effectively means the developer is asking for one stage development.

The submitted details indicate that the earthworks associated with Stage 1 of the development will generate excess of fill which could be used in Stage 2 low lying areas as part of Stage 1 earthworks. It is better and efficient way to get the fill from the site rather than importing fill from external sources. This will eliminate the impacts to the residents adjoining the proposed subdivision as well as on Council's road network by limiting the external heavy vehicle movements through Gundaroo Village roads and Gundaroo Road. All bulk earthworks will ensure that all Stage 2 works are confined to the western side of the site. It is also important to note that no Stage 2 lots will be developed as part of proposed earthworks.

7.8 Ridge Line

Concern is raised that creation of proposed lots 32, 33, 34 and 35 is in direct contravention of objectives of the *Gundaroo Master Plan* which prevents development over the ridgeline above the village.

Development Consent No DA185092 for the subdivision in the environmental area identified the ridgeline (refer to **Attachment F**). Building envelopes on these lots were reduced to ensure future buildings did not project beyond the ridgeline. Proposed lots 32, 33, 34 and 35 are located at a lower level than the lots in the environmental area. In this instance, no change has been requested to proposed lots 32, 33, 34 and 35.

It is important to note that where a modification is sought to a Consent, Council is legally entitled to consider issues relevant to the modification but is not entitled to revisit issues if these are not relevant to the application








8. Conclusion

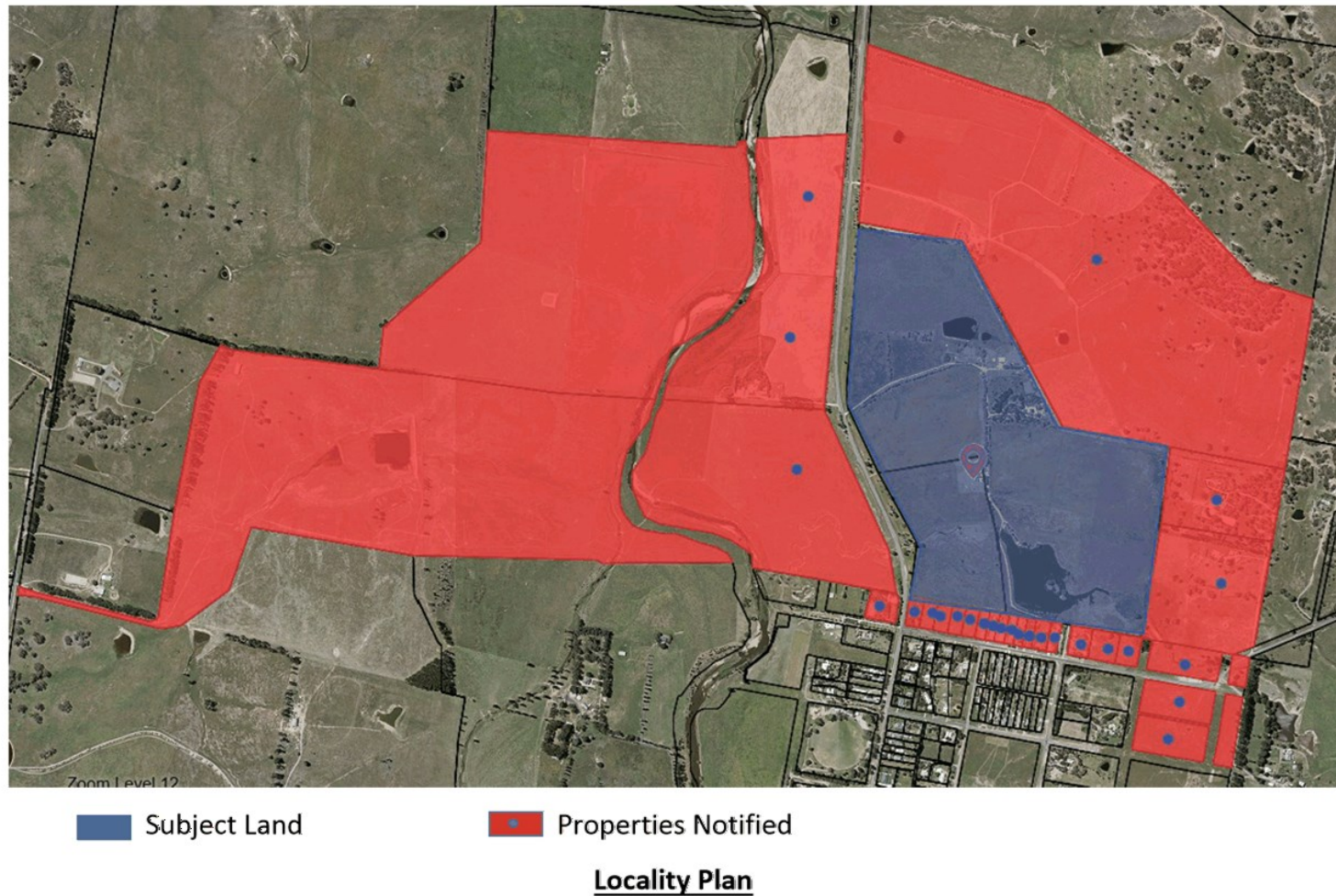
From the assessment of the proposal and the consideration of the issues raised in the submissions it is recommended that proposed modifications be supported and a Deferred Commencement Consent be issued. Draft conditions are included as **Attachment G**

STRATEGIC DIRECTION

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

ATTACHMENTS:

- A. Locality Plan 
- B. Modification Request 
- C. Proposed Subdivision Plan 
- D. Submissions (Under Separate Cover) 
- E. Applicant's Response to Submissions 
- F. Ridgeline View from the Village 
- G. Draft Conditions (Under Separate Cover) 





Diverse Project Solutions
10 Crago Street
Yass NSW 2582
Postal PO Box 5 Yass NSW 2582

Telephone 02 6226 3322
Fax 02 6100 9968
Email info@dpsyass.com.au
www.dpsyass.com.au

1 March 2020

Our Ref: 2007_YVC9

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

Attention: Mr Muzaffar Rubbani

MODIFICATION OF DA 190011B

**Lots 1 ,2, 3 and 5 DP 1255555
Gundaroo Road, Gundaroo**

Dear Muzaffar,

On behalf of our client Paul Carmody, we would like to lodge a modification of the abovementioned development consent at Lots 1, 2, 3 and 5 DP 1255555 Gundaroo Road, Gundaroo.

The modification of the abovementioned development consent includes the following:

- 1. *Condition 9 Submit to Council written confirmation from IPART that it will not impose the proposed sewerage scheme on Council as a retailer of last resort.***

Section 54(1) of the *Water Industry Competition Act 2006* states "The Minister may, by order published in the Gazette, declare that a specified person (whether a licensed retail supplier or a public water utility) is the retailer of last resort in relation to the supply of water or the provision of sewerage services within the whole or any specified part of its area of operations."

Clause 21 of the *Water Industry Competition (General) Regulation 2008* sets out the circumstances in which the Minister may declare a supply failure in relation to a licensed retail supplier. There circumstances are:

- where, as a consequence of action taken under section 15 or 16 of the Act, the licensee is no longer authorised to supply water or provide sewerage services, as the case may be, to its customers in the whole or any part of its area of operations,
- where the licensee has refused to supply water or provide sewerage services to its small retail customers in the whole or any part of its area of operations without having made adequate arrangements for the transfer of the water supply or sewerage services to some other licensed retail supplier or public water utility,
- where the licensee has given written notice to the Minister of its intention to terminate the supply of water, or the provision of sewerage services, to some or all of its customers,
- where the licensee is unable, or the Minister is satisfied that it is imminently likely to become unable, to supply water or provide sewerage services to its customers in the whole or any part of its area of operations.





Kyeema Wastewater Pty Ltd have sought legal advice on the options to ensure that future lot owners will have certainty that arrangements are in place to ensure continued access to sewer services. This confidential advice is attached for your reference as Appendix C.

Given these governance arrangements to ensure continuity of future supply, and the fact that IPART cannot give confirmation that they will not impose the proposed sewerage scheme on Council as a retailer of last resort as it is the Minister, not IPART who makes this decision under section 54(1) of the *Water Industry Competition Act 2006*, Kyeema Wastewater Pty Ltd **requests this condition be removed from DA190011.**

2. *Condition 11 Controlled Activity Permit from NSW Natural Resources Access Regulator (NRAR) that permits the carrying out work within 40m of a water course/ diversion of water course around the existing dam and use of dam as wet weather storage is to be submitted to Council.*

Kyeema Wastewater Pty Ltd have sought advice from NSW Natural Resources Access Regulator (NRAR) regarding the need for a controlled activity permit for construction of the sewage treatment system. NRAR have advised that a controlled activity permit is not required where:

- there is no work within waterfront land as defined by the Water Management Act 2000 [NSW]
- The proposed work(s) are assessed under Part 5.5 of the *Environmental Planning and Assessment Act 1979*.

A copy of this advice is attached for your reference. Consequently, Kyeema Wastewater Pty Ltd **requests this condition be removed from DA190011** as a permit cannot be provided to Council if a permit is not required.

3. *Condition 15 The period within which the applicant is to produce evidence to the Council sufficient enough to enable it to be satisfied as to the submission and approval of the information required by conditions 2, 3,4,5, 6, 7,8,9, 10, 11, 12, 13 and 14 is 12 months from the date of determination of the development application to which this consent relates.*

Kyeema Wastewater Pty Ltd **seeks an amendment (highlighted below) to condition 15 of DA 190011** to read:

"The period within which the applicant is to produce evidence to the Council sufficient enough to enable it to be satisfied as to the submission and approval of the information required by conditions 2, 3,4,5, 6, 7,8,9, 10, 11, 12, 13 and 14 is 12 18 months from the date of determination of the development application to which this consent relates.

The applications for network operator and retail supplier have been lodged with IPART and are currently subject to public consultation. Discussion with IPART suggests that the applications may not be determined by 22 May 2020 and consequently Kyeema Wastewater Pty Ltd seeks a 6-month extension.



4. Reduce Staging from Five (5) Stages to Two (2):

To reduce the staging of the from five (5) stages to two (2) to reflect the following:

- Stage 1 creates twenty-two lots numbered 31 to 52 as shown highlighted on the Proposed Plan of Subdivision highlighted in Pink as Appendix A
- Stage 2 creates thirty lots numbered 1 to 30 as shown highlighted on the Proposed Plan of Subdivision highlighted in Green as Appendix A.

5. Amendments to the lot layout on the Proposed Plan of Subdivision as per the following:

- Amend the boundary of proposed Lot 34 to reflect the road and drainage design. A copy of the amended proposed plan of subdivision is included with this application as Appendix A. A copy of the road and drainage design is included with this application as Appendix B.
- Amend the boundaries of proposed Lots 13 and 30 as the road between them has become a battle axe handle to the existing dwelling on Lot 5 DP 1255555 to replace the direct access from Gundaroo Road and to satisfy Condition Part D (7).
- Amend the layout of Lots 23 and 25 to make room for the existing house currently on Lot 23 and to satisfy Condition Part A (12).
- Amend the boundaries of proposed lots 1 and 2 to make provision for access to Lot 4 DP 1255555 and satisfy Condition Part D (7).
- Adjustment of Lots 3 to 9 to include an additional lot as a result of surplus land due to the redundant section of road.

6. Inclusion of Part of Stage 2 Earthworks During Stage 1:

Inclusion of part of Stage 2 Earthworks during Stage 1 and preparation of Lot 6 and 7 building pads in order to balance earthworks and reduce the importing of fill. See email from Simon Cassidy from Genium Engineering as Appendix D

This modification is required to comply with the current conditions of consent and to reflect the road and drainage design.

In support of this application we enclose the following:

1. Signed Modification Application form
2. Plan of Proposed Subdivision, reference 2007_PPS13 dated February 2020
3. Sheet 2 of Stage 2 Road and Drainage Construction Design by Genium Civil Engineering dated 2 December 2019
4. Legal advice from Lexmerca Lawyers in relation to the On-site Sewage System dated 15 August 2019
5. Email from Simon Cassidy – Genium Civil Engineering dated 28 February 2020




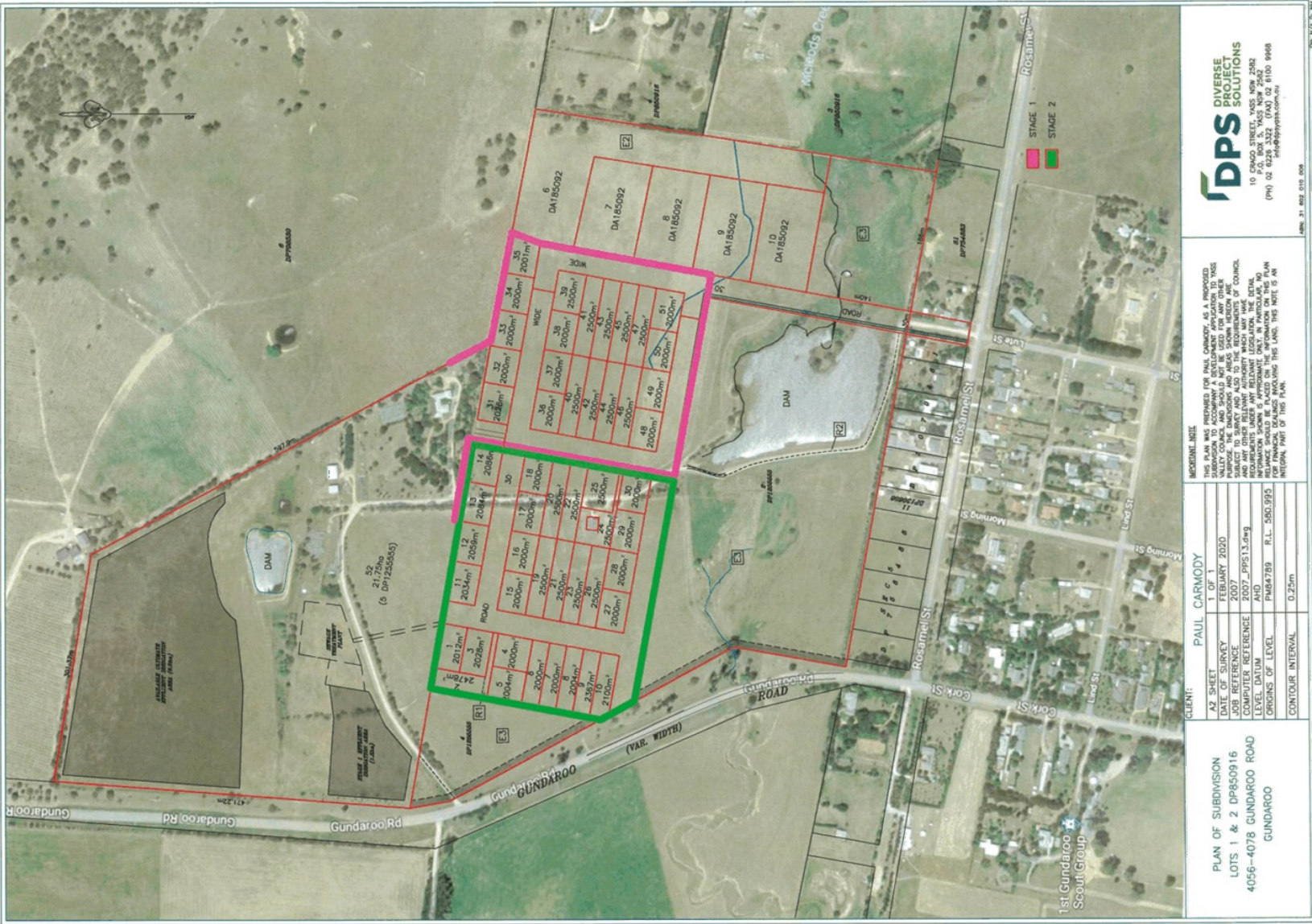
6. The Client is aware of the Yass Valley Council's Development Application fees, upon receiving an invoice this will be forwarded to the client for payment.

We recommend this proposed subdivision 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


.....
Jamie Bush
Project Surveyor



6.3 Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo
Attachment E Applicant's Response to Submissions

Submission	Issue	Applicant Response
Submission 1		
1.1	Request that Council impose a "no use" policy for the R2 road that runs along the south boundary of the dam and directly behind the established dwellings on the north side of Rosamel Street. No vehicles involved in any further development of this submission should be allowed to use this road.	No objection to the amendments proposed. The R2 road needed to be used for the works recently completed as these works included road and bridge construction activities north and south of McLeod's creek. The R2 road will not be used for any further development work as all future work will occur north of McLeod's creek with access being provided via Lute Street and Gundaroo Road. Is being released in Stage 2 DA185092 currently at Council under assessment.
Submission 2		
2.1	The alleged additional traffic flows toward Canberra on Sutton Road and through Sutton Village will contribute to the need for a bypass around Sutton village. The development consent should require payment of a contribution towards the design of the bypass, securing of land for the bypass and the eventual construction of the bypass road.	The "Yass Valley Development Contributions Plan 2018" adopted last year and prepared under Section 7.12 of the EP&A Act is how YVC acquires contributions from developments such as this. These contributions are then used to contribute to the funding of projects as suggested in this submission.
2.2	Council should prepare a development contribution plan to ensure that all additional lots created north of Sutton Village within Yass Valley Shire make an appropriate proportional contribution to this plan, as well as any other non-residential traffic generating development.	Refer Item 2.1 response
Submission 3		
3.1	Condition 9 - Council (and therefore ratepayers) should not be in any way responsible for the supply of water or the provision of sewerage services for this development.	Council to decide on this DA Modification request in accordance with Section 54(1) of the Water Industry Competition Act 2006. IPART has advised that under the Water Industry Competition Act 2006 the Minister, not IPART would declare that a specified person (whether a licensed retail supplier or a public water utility) is the retailer of last resort in relation to the supply of water or the provision of sewerage services. The governance arrangements provided to Council in support of the Modification request will ensure that the Minister will not be required to declare a retailer of last resort as this responsibility will be managed by the lot owners connected to the system. Lot owners will be advised of this responsibility when considering their lot purchase(s).
3.2	Condition 11 - question the need to remove this clause if the Council in their original agreement to the development felt it was necessary.	Council to decide on this matter in accordance with Natural Resources Access Regulator's (NRAR) advice dated 11 December 2019 which included: "as there is no work within waterfront land then a CAA will not be required. In addition to this, any work being assessed under Part 5.5 of the EP&A Act, and being undertaken by a State or the Commonwealth agency is exempt from requiring a CAA (Sch 4 cl 37 WIA Act)." A complete copy of this advice was provided to Council as part of the DA Modification documentation.
3.3	Condition 15 - a six month extension is reasonable for Council to gather the evidence required to ensure that all requirements are being met. However, if this extension is granted then work on the development should cease until Council is fully satisfied that all requirements have been met.	No work on the Stage 2 development will proceed until after Council is satisfied that all of the approved Deferred DA conditions have been met.
3.4	Reject the request to reduce Staging from Five to Two.	The proposed two stage development reflects the road and block layout as shown in the DA approved by Council in May 2019. The proposed Stage 1 (lots 31 - 51 inclusive) reflects the amalgamation of indicative Stages 1 & 2 as shown in the approved DA. Proposed Stage 2 (lots 1 - 30 incl) reflects amalgamation of indicative stages 1, 2 & 3 in the approved DA. Adoption of the proposed two stage developments does not reflect an acceleration in lot turnover than originally anticipated for the subdivision but rather time, cost & operational efficiencies in the construction of infrastructure including roads, electrical & communication services and the construction and operation of the proposed sewage system. These efficiencies will significantly minimise unwanted construction impacts on the community. The two stage development will also help to meet land supply demand from purchasers and generate employment opportunity in the Yass Valley area. It should be noted that a similar result could be had under the current consent as more than one stage can be done at any time provided they are sequential

6.3 Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo
Attachment E Applicant's Response to Submissions

Submission	Issue	Applicant Response
3.5 (a)	<i>Amend the boundaries of Lots 13 and 30...to replace direct access from Gundaroo Road</i> - this will request in effectively one road in and out of a 51 block subdivision and will result in safety issues. If there is an emergency or road closure for any reason there are 51 blocks that will not have access to emergency services. The amount of traffic caused by 51 blocks on Rosamel and Lute Streets would be enormous and could be significantly reduced by having another access on Gundaroo Road.	There is no intention to remove Gundaroo Road access. The subdivision will have two access points as per the approved DA. One access from Rosamel Street, as recently completed and one access from Gundaroo Road adjacent to proposed lot 10 as shown on the plan included in the DA Modification documents.
3.5 (b)	<i>Amend the layout of Lots 23 and 25 to make room for the existing house currently on Lot 23</i> - this DA was approved by Council because it followed the Gundaroo Masterplan for future development. This meant that any development would retain the grid pattern of the village. The original DA has this house on a bigger block and I encourage the Council to maintain it.	Proposed amendments are in accordance with approved planning policies and address need to satisfy approved DA Condition Part A(12). A grid pattern still exists and the battle axe block will be unrecognisable from the street frontage.
3.5 (c)	<i>Adjustment of Lots 3 to 9 to include an additional lot as a result of surplus land due to the redundant section of road</i> - there should be no surplus land to be turned into another block.	Proposed adjustment is in accordance with approved planning policies.
3.6	Inclusion of Part of Stage 2 Earthworks During Stage 1 is in effect asking for a one stage development. The original DA allowed for a slow, 5 stage development so that the village could absorb the increase in population with adequate infrastructure support from the Council. This will not happen if this amendment is allowed.	Proposed works will minimise impact on the community by avoiding the need to import fill to construct the road connection to Gundaroo Road. By 'winning' material from within the development site this will avoid the need for semi trailers to carry fill from Canberra and surrounding areas, travelling Gundaroo Road and through Gundaroo village. No Stage Two lots will be developed as part of these earthwork activities.
Submission 4		
4.1	Condition 9 - Council has not published the arrangements suggested by Kyeema Wastewater Pty Ltd to ensure continued access to sewer services as per Appendix C of the application. This makes it difficult to assess the details of what has been proposed. Request that Council continues to ensure that future liability for the operation of the sewer, or required water supply for the sewer system, does not fall to Yass Valley Council and thereby its ratepayer base. The proponent should not be able to shirk the conditions that Council has instated to protect its interests.	Refer Item 3.1 response.
4.2	Condition 11 - defer careful scrutiny and reasonable judgement to Council's own Planning staff. However, ask that diligent attention be paid to the reference of the "use of dam as wet weather storage" to ensure any necessary permit required for this activity is provided to Council by the proponent, as the Modification Application only addresses the issue of the definition of a watercourse, as it assessed under the <i>Environmental Planning and Assessment Act 1979</i> .	Refer Item 3.2 response.
4.3	Condition 15 - do not oppose an extension of time being provided to the proponent to produce evidence as required; however, request that any development, construction or earthworks relating to the submission and approval of information as required by certain conditions be immediately halted to ensure Council has adequate time to provide the appropriate review and approval of the requested evidence when it is submitted.	Refer Item 3.3 response.
4.4	<i>Reduce Staging from Five to Two</i> - this is unacceptable. The proponent made repeated public assurances that the development would be a slow, staged development.	Refer Item 3.4 response.
4.5 (a)	<i>Amend the boundaries of Lots 13 and 30...to replace direct access from Gundaroo Road</i> - second road access to the proposed development is essential to ensure the safety of future residents in that area. In addition, the additional Gundaroo Road access will ensure the dispersal of additional traffic around the village, reducing significant overload points on Lute and Rosamel Streets.	Refer Item 3.5 (a) response.
4.5 (b)	<i>Amend the layout of Lots 23 and 25 to make room for the existing house currently on Lot 23</i> - this is in direct contravention of the Council approved Masterplan for future development. The original DA consent was granted because the design retained the grid, strip block features as required by the Masterplan. The existing house originally remained on a larger oversized block, which was more in keeping with heritage blocks that had not been subdivided in the original village.	Refer Item 3.5 (b) response.
4.5 (c)	<i>Adjustment of Lots 3 to 9 to include an additional lot as a result of surplus land due to the redundant section of road</i> - there is no "redundant" section of road if Council ensures the additional Gundaroo Road access remains necessary infrastructure to ensure the safety of residents and appropriate traffic flow mitigation. Seek Council's rejection of the additional lot request.	Refer Item 3.5 (c) response. Gundaroo Road access is not being removed.

6.3 Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo
Attachment E Applicant's Response to Submissions

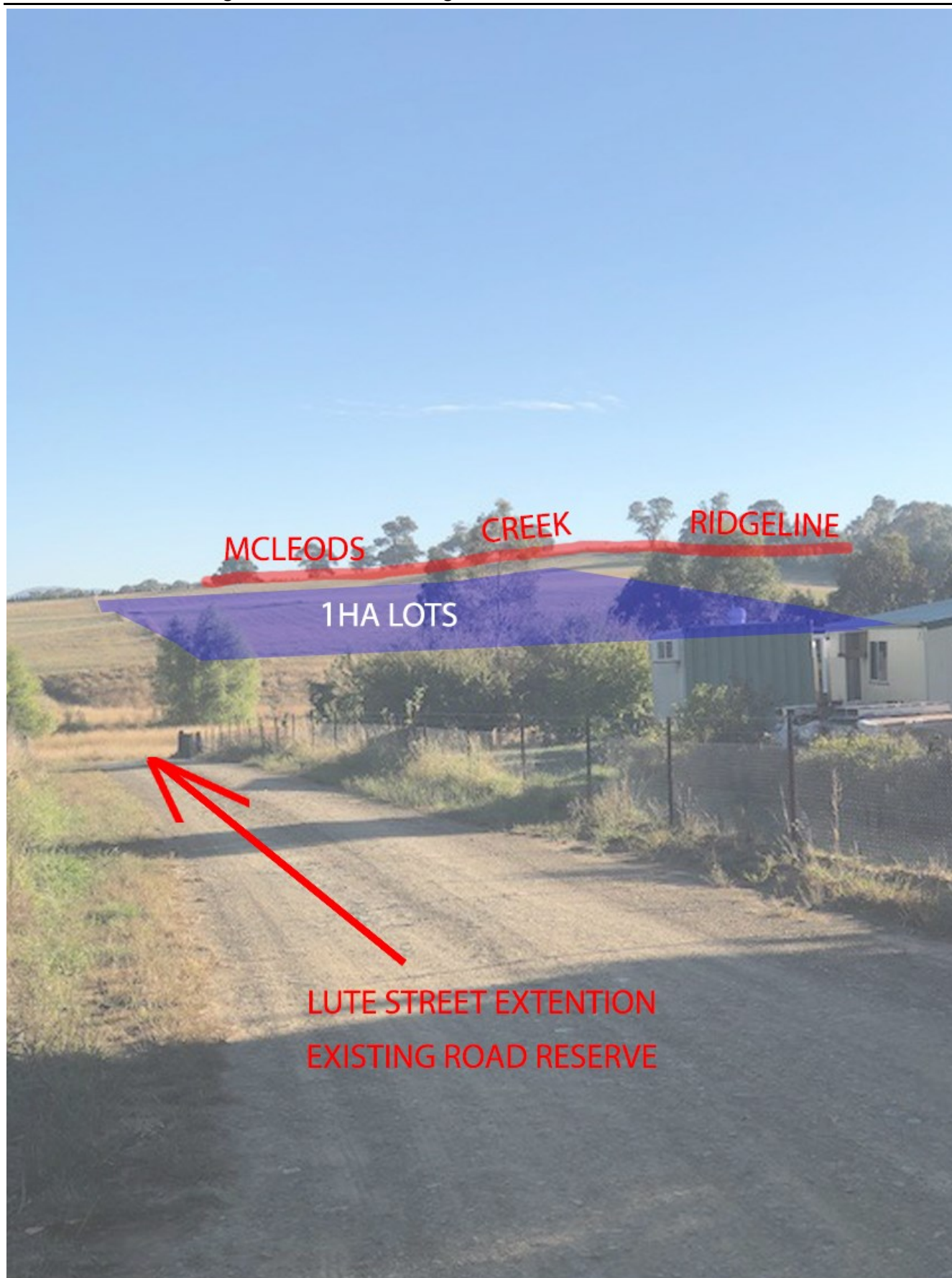
Submission	Issue	Applicant Response
4.6	Inclusion of Part of Stage 2 Earthworks During Stage 1 - ask Council to maintain the integrity of the originally approved Development Consent to protect the Gundaroo community's interests and concerns. By seeking to include Stage 2 in the Stage 1 development, the proponent is essentially seeking to further reduce a five-staged development into a stage development by stealth. Council should reject this as it is an obvious affront to the community of Gundaroo.	Refer Item 3.6 response.
Submission 5		
5.1	Reducing the entry into the development to one road could result in safety and traffic congestion concerns.	Refer response to Item 3.5 (a). There is no intention to remove Gundaroo Road access.
5.2	By seeking to include Stage 2 Earthworks in the Stage 1 Development, the proponent is essentially seeking to further reduce a five staged development into a one stage development. Council should reject this as it is an obvious affront to the community of Gundaroo.	Refer Item 3.6 response.
Submission 6		
6.1	Condition 9 - this is a major change to the DA and should not be considered or agreed to. If the developer cannot obtain the relevant assurances then they must come up with an alternative i.e. ensure the continued sewerage supply.	Refer Item 3.1 response.
6.2	Condition 11 - Council should seek advice from NRAR itself, particularly the definition "waterfront land". The dam is part of a water course and ecosystem, and if it does not meet the definition under the Water Act, further work should be done by Council.	Refer Item 3.2 response.
6.3	Object to the development being reduced by 5 stages to 2. There is no justification or explanation from the developer as to why they are seeking this change.	Refer Item 3.4 response.
6.4	Object to all the proposed changes to the lot layout and road design, in particular the removal of road access to Gundaroo Road. One access road is unacceptable. It could have adverse safety and traffic implications.	Refer Item 3.5 (a) response.
Submission 7		
7.1	Given that IPART cannot determine against Council being retailer of last resort, it is inevitable that at some point in future Council will be nominated as such. This means that one of the requirements Council set for the development is not going to be met. As such, the development cannot go ahead as planned but needs to revert to the 5000m2 lots scenario without need for reticulated sewerage and STP. This would be more in line with the suggested population growth for Gundaroo and district as envisaged in the South East and Tablelands Regional Plan and the Settlement Strategy.	Refer Item 3.1 response.
7.2	Reducing the number of staged releases from five to two is an unacceptable change to the DA. This is inconsistent with the Gundaroo Masterplan which calls for slow staged release of new lots. Strongly urge Council to keep the number of stages to five as in the original DA.	Refer Item 3.4 response.
Submission 8		
8.1	Gundaroo road access to the Kyema development - the current modification request represents a complete reversal of all the information which was previously presented to Gundaroo residents. It represents poor urban planning as Rosamel Street is used daily as part of the village residents perimeter walking and exercise route and many people doing so use the road verge or the side of the road. The proposed modification will endanger the safety of all these activities and no evidence has been presented in this modification to show otherwise. The proposed traffic diversion to Rosamel and Lute Streets will have a negative impact on existing residents and neighbours in this area.	Refer Item 3.5 (a) response.
8.2	Amendments to the lot layout of the existing subdivision plans - 4056 and 4078 Gundaroo Road - the subdivision was approved based on the size of these lots being acceptable to all parties at that time. The creation of lots 32, 33, 34 and 35 is in direct contravention of the objectives of the Gundaroo Masterplan 2.6 which is to prevent development on the ridgeline above the village. These lots will be directly on top of this ridge line above McLeods Creek as it continues up the hill when seen from Rosamel Street.	Proposed lots are in accordance with the DA that was approved by Council in May 2019.

6.3 Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo
Attachment E Applicant's Response to Submissions

Submission	Issue	Applicant Response
8.3	<p>Reducing development stages: from five to two - it was always maintained that development on this site would be staged over many years. This modification could represent a complete reversal of all previous commitments for a considered and staged development of the Kyeema estate over time.</p> <p>Additionally, construction of stage 1 has been going for almost six months, during this time the development has breached the terms of its construction certificate i.e. outside allowable hours, adequate dust mitigation. When the opportunity presented for work on this development to occur seven days a week it was immediately implemented. No consideration was given to residents who were confined at home due to COVID 19 restrictions. The submitted modification requests that not only should construction activities be allowed to continue, but also expanded.</p>	Refer Item 3.4 response.
Submission 9		
9.1	For the developer to make a submission during the current COVID-19 is very underhanded given the inability for the community to mobilise and gain greater understanding of these amendments. For this reason alone, Council should reserve a decision until such time that the community can undertake further investigation and mobilise. If this results in delay to the project, the proponent shall incur the costs without penalty to the Council	I consider this comment to be nothing but an insult and an unfortunate reflection of part of the Gundaroo community. That said, this DA Modification is being assessed under the legislation. This development involves construction works which are providing critical economic activity during the COVID-19 crisis. The very fact that these submission have been lodged (and provide very similar content), indicates that sufficient time has been available to consider the modification, "mobilise" and provide comment.
9.2	Condition 9 - Council and residents must not be held to account over the developer being unable to provide a serviceable sewerage service to developed blocks. It must also be noted that the dam being used by the develop as the main water supply did run dry during the most recent drought and therefore the risk to Council of this occurring again, is extremely likely. Council must decline this request by the developer.	Refer Item 3.1 response.
9.3	Condition 11 - if the developer was unable to deliver a sewerage treatment plan without seeking relief or exemption, the block size should remain at a size where a contained bioseptic can be utilised on each block i.e. 5000m2. Council has concerns that local watercourses are contaminated and under threat therefore exposing the water course to further risk by permitting this relief would be totally inconsistent with Council's previous advice to the Gundaroo community. Council must decline this request for amendment by the developer.	Refer Item 3.2 response.
9.4	Reducing staging from five to two - the developer seeking to "flood the market" and increase the size of Gundaroo by more than 30% immediately. Council must decline this request for amending the staging on the basis of disadvantage to existing residents.	Refer Item 3.4 response.
9.5	Amending the lot layout and removal of second access road - access off Rosamel Street is already going to cause traffic concerns and be dangerous to children and residents that walk through the village. This could also create a risk where the new road will be inaccessible and residents will be stuck, should access from Gundaroo Road not be available. The second access way off Gundaroo Road must continue to be developed and available for all residents of the new development. There must be two accesses.	Refer Item 3.5 (a) response.
Submission 10		
10.1	Condition 9 - Council should advise the Minister for Planning that the public interest can no longer be protected for the greater density of housing proposed that has created this exposure for ratepayers and that the Kyeema project should proceed with minimum lot sizes of 5000m2 as originally approved by the Minister removing the need for a sewerage scheme.	Refer Item 3.1 response.
10.2	Reducing stages of development: from five to two - there is no supporting justification or information on potential impacts of accelerating development. The change will increase the impact on the amenity and lifestyle of the village and increase traffic movements in the short and long term. It will also risk overloading housing supply. Council should not proceed with this revised DA without independent analysis of expected demand for housing given major changes to economic and population growth, and other regional developments in and around Canberra.	Refer Item 3.4 response.
Submission 11		

6.3 Development Consent No DA190011C - Residential Subdivision, 4056 & 4078 Gundaroo Road, Gundaroo
Attachment E Applicant's Response to Submissions

Submission	Issue	Applicant Response
11.1	<p><u>Condition 9</u> - confidential legal advice does not ensure that future lot owners, Yass Valley communities, Yass River water users, ground water users and agricultural enterprises are to be protected if Kyeema Wastewater Pty Ltd cease operations. The system should be changed to a packaged close system that can be integrated into a larger system for the community when Gundaroo does connect to a STP, one day.</p> <p>This condition should remain until IPART, the Minister and other NSW Government Authorities make a decision.</p>	Refer Item 3.1 response.
11.2	<p><u>Condition 11</u> - The proposed dam should not be located in a water course. This clause should remain until NRAR have advised us that a wet weather (effluent) storage is actually permissible to be located in a water course.</p> <p>This condition should remain until IPART, the Minister and other NSW Government Authorities make a decision.</p>	Refer Item 3.2 response.
Submission 12		
12.1	<p><u>Condition 9</u> - this may lead to a situation where ratepayers will be forced to support a sewerage system which they had no part in deciding to install and they receive no benefit from. It is beholden on Council to find another mechanism to prevent ratepayers in Gundaroo being held financially responsible for infrastructure installed by the Developer to maximise his profits by subdividing his land to smaller lots.</p> <p>First option - change condition 9 to make approval contingent on IPART not recommending to the Minister that Council take on responsibility for the sewerage system. Complementing this option would be for Council to impose a condition that the Developer inform potential purchasers of their liability for the maintenance and operation of the system over the longer term.</p> <p>Second option - Council to advise the NSW Government that the public interest can longer be protected for the greater density of housing that is proposed for Kyeema and that that Developer should be limited to 5000m² lot sizes as originally approved.</p>	Refer Item 3.1 response.
12.2	<p><u>Reducing stages of development from five to two</u> - the request to accelerate development contains no justification nor information on potential impacts. It risks overloading housing supply to the region at a time when economic and population growth estimates are in serious flux due to the coronavirus pandemic. Given no justification has been provided for Council to change its original Development Consent, this proposed change should be rejected.</p>	Refer Item 3.4 response.
Submission 13		
13.1	<p><u>Condition 9</u> - there is no information in the application that sets out how the proposed removal of Condition 9 does not create a substantial financial risk to the Yass Valley Council and therefore ratepayers.</p>	Refer Item 3.1 response.
13.2	<p><u>Proposed reduction from two to five stages</u> - accelerating the rate of development can only lead to accelerating the rate of release of land which does not align with the Council's intention for this and other subdivisions on the fringe of Gundaroo to supply residential land to the Gundaroo market over the medium to long term.</p>	Refer Item 3.4 response.



VIEW FROM VILLAGE LOOKING NORTH TO THE MCLEOD'S CREEK RIDGELINE AS REFERRED TO IN THE GUNDAROO VILLAGE MASTER PLAN 2017

6.4 COMMUNITY GRANTS POLICY

SUMMARY

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

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

- *Local Government Act 1993*
- Tablelands Regional Community Strategic Plan

REPORT In the second round of the 2019/20 Community Grants, three organisations made more than one application for funding.

While this is not inherently problematic, it is considered appropriate to modify the Community Grants Policy to include criteria that limits multiple applications from one organisation in the event the total number of applications exceeds the available funding.

The proposed policy revision is to include the following:

In the event that eligible applications for Community Grants exceed Council's annual allocation, the following will be taken into account in determining the grants to be made:

- *The number of applications received from an organisation*
- *Whether an organisation received a Community Grant in a previous round*

STRATEGIC DIRECTION

Key Pillar	3.	Our Community
CSP Strategy	CO2 -	Encourage and facilitate active and creative participation in community life
Delivery Program Action	CO2.5 -	Support the growth of a diverse range of community events
Operational Plan Activity	CO2.5.1 -	Provide access to financial support for development of community events through Council's Community Grants Program

ATTACHMENTS: Nil

6.5 RATES & CHARGES DONATIONS POLICY

SUMMARY

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

RECOMMENDATION

That:

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

FINANCIAL IMPLICATIONS

\$38,000 was allocated to Rates and Charges Donations in 2019/20 and the 2020/21 budget permits the same expenditure.

POLICY & LEGISLATION

- Rates & Charges Donations Policy

REPORT

Council's *Rates & Charges Donations Policy* includes a recurrent funding schedule for the term of Council. The organisations receiving donations were largely included following a public call for submissions. This recurrent funding is due to end on 30 June 2020, consistent with the usual four-year term of Council.

As the term of Council has been extended by the State Government for a further 12 months, it is proposed that the donations provided to listed organisations in 2019/20 be replicated in 2020/21.

A new program of donations will be considered by Council following the election in September 2021.

STRATEGIC DIRECTION

Key Pillar	3.	Our Community
CSP Strategy	CO2 -	Encourage and facilitate active and creative participation in community life
Delivery Program Action	CO2.5 -	Support the growth of a diverse range of community events
Operational Plan Activity	CO2.5.1 -	Provide access to financial support for development of community events through Council's Community Grants Program

ATTACHMENTS: Nil

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

SUMMARY

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

RECOMMENDATION

That grant funding options be investigated to finalise and construct the identified detention infrastructure at Gundaroo and drainage infrastructure at Sutton.

FINANCIAL IMPLICATIONS

Nil - Council will seek grant funding for the construction of the flood mitigations actions identified.

POLICY & LEGISLATION

Sutton and Gundaroo Floodplain Risk Management Plans and Studies

REPORT

Council has previously adopted Flood Studies and a Flood Risk Management Study and Plans (FRMS&P) for Sutton and Gundaroo villages. The FRMP&S identified a number of high priority actions to mitigate flood damage within these villages.

Based on these adopted FRMP&S for Gundaroo and Sutton Council was successful in obtaining grant funding under the NSW Floodplain Program to prepare concept plans for the high priority projects identified.

Subsequently, Council in collaboration with representatives from the Department of Planning, Industry & Environment, appointed consultants, Lyall and Associates to prepare the associated concept plans.

Lyall and Associates have now completed the concept designs inclusive of detailed hydrology studies, and community consultation for both projects. The concept plans and associated reports (refer **Attachments A to D**) have identified the following solutions:





- Gundaroo
Installation of two detention basins. One on Gundaroo Commons and one on the Police Paddock. It has been noted that some of the land required for these works are subject to Aboriginal Land Claims, the impact of which will need to be resolved as part of the next phase of delivering these works.
- Sutton
Installation of a drainage pipe network to intercept overland flow and pipe it to Yass River via the showground area

All concept designs have been reviewed by staff from the Department of Planning, Industry & Environment and are considered acceptable.

Council staff will use these concept plans as part of future grant applications to obtain funding to finalise the designs, outstanding issues and construct the works.

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN3 -	Maintain and improve road infrastructure and connectivity
Delivery Program Action	IN3.1 -	Deliver transport asset infrastructure, maintenance, renewal and enhancement programs for urban, rural and regional roads to maintain or improve overall condition
Operational Plan Activity	IN3.1.1 -	Develop and deliver annual programs for urban, rural and regional road renewal and construction, including bridges and stormwater

- ATTACHMENTS:**
- A. Gundaroo Detention Basin Scheme Concept Design Report (*Under Separate Cover*) 
 - B. Gundaroo Detention Basin Scheme Concept Design Report - Figures (*Under Separate Cover*) 
 - C. Sutton Stormwater Network Upgrade Scheme Concept Design Report (*Under Separate Cover*) 
 - D. Sutton Stormwater Network Upgrade Scheme Concept Design Report - Figures (*Under Separate Cover*) 

7.2 KERBSIDE COLLECTION SURVEY RESULTS - GUNDAROO, SUTTON AND BOOKHAM

SUMMARY

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

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

The additional costs associated with the increase service area will be funded by additional revenue generated from the kerbside collection charge.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- Regional Community Strategic Plan

REPORT

1. Background

In June 2019 Council determined to survey residents of Gundaroo, Sutton and Bookham to establish the level of interest in receiving a kerbside collection service equivalent to that currently provided to residents of Yass, Yass Estates, Murrumbateman, Murrumbateman Estates, Bowning and Binalong.

The proposed kerbside collection service was based on a weekly 140lt waste bin collection and fortnightly 240lt recycling bin collection at a cost as per Council's fees and charges.

Garbage collection is a service provided by Council for the health and safety of residents in the community. Accumulation of household rubbish is unhealthy, bad for the environment and attracts vermin.

Under the *Local Government Act 1993* all eligible properties where a collection service is to be provided is determined by Council. All residents within the collection zone are required to pay the annual kerbside waste collection charge, currently proposed to be \$415 in 2020/21. Residents do not have the option to opt in or opt out once Council has determined to provide the service to a particular area.

2. Survey of Residents

Survey forms were posted to 263 residents (188 residents at Gundaroo, 65 at Sutton and 10 at Bookham) in March 2020 with the survey closing on 27 March 2020. Due to COVID-19 restrictions and a lack of responses the closing date was extended to 15 April 2020.

The survey expressively asked whether residents were interested in receiving a Council kerbside collection as it was previously recognised that there is a commercial waste operator who provides domestic waste (only) collections to some residents of both Gundaroo and Sutton. Gundaroo Transfer Station is also operational both Saturdays and Sundays with a glass and plastic recycling station available 24/7.

The benefits in providing a domestic waste and recycling collection include:

- A reduction in waste to landfill
- Increased recovery of recyclables
- Reduction in waste being taken to local waste transfer stations

3. Survey Results

From the 263 survey forms sent to residents 122 replies were received. A breakdown of results are listed in the table below.

Gundaroo			
		% on Surveys returned	% on Number Surveys sent
Number Surveys Sent	188		
Total Returned	70	37.2%	37.2%
Number non Returns	118	62.8%	
Yes Response	36	51.4%	19%
No Response	34	48.6%	18%
Sutton			
		% on Surveys returned	% on Number Surveys sent
Number Surveys Sent	65		
Total Returned	43	66.2%	66.2%
Number non Returns	22	33.8%	
Yes Response	28	65.1%	43.1%
No Response	15	34.9%	23.1%
Bookham			
		% on Surveys returned	% on Number Surveys sent
Number Surveys Sent	10		
Total Returned	9	90%	90%
Number non Returns	1	10%	
Yes Response	3	33.3%	30%
No Response	6	66.7%	60%

Total Overall Result			
		% on Surveys returned	% on Number Surveys sent
Number Surveys Sent	263		
Total Returned	122	46.4%	46.4%
Number non Returns	141	53.6%	
Yes Response	67	54.9%	25.5%
No Response	55	45.1%	20.9%

Overall a response rate of 46.4% was received comprising a Yes responses of 25.5% and No responses of 20.9%. The response rate does not represent a majority response in order to recommend implementation of kerbside service. The overall non-response rate of 53.6% could suggest that some residents are content with the current waste disposal alternatives provided at transfer stations.

As reported previously there is a private commercial waste (only) collection service operating within the villages of Gundaroo and Sutton. It may be assumed that the non – response portion of this survey may already have other commercial collection arrangements in place.

4. Summary

For the kerbside collection service to be economical and viable for Council to proceed both Sutton and Gundaroo would need to be incorporated in the collection to gain efficiencies and economies of scale in collection to implement this service.

Bookham residents continue to have access to Bookham transfer station opening two half days per week while Gundaroo and Sutton continue to have access to Gundaroo transfer station which is open Saturday and Sunday each week.

Currently Sutton residents have access to a recycling station located near the Hall and new amenities for glass, plastics and aluminium cans open 24/7.

STRATEGIC DIRECTION

Key Pillar	1.	Our Environment
CSP Strategy	EN2 -	Adopt environmental sustainability practices
Delivery Program Action	EN2.1 -	Implement Council's Environmental Sustainability Policy across all Council operations
Operational Plan Activity	EN2.1.1 -	Continue to implement projects and activities identified in the action plan under the Environmental Sustainability Policy

ATTACHMENTS: Nil

7.3 YASS MEMORIAL HALL COMMUNITY CONSULTATION OUTCOMES REPORT

SUMMARY

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

RECOMMENDATION

That:

1. *The consultation report outcomes on the future use of the Yass Memorial hall be noted*
2. *The current usage and operation of the Yass Memorial Hall remain as the current 'status quo' for the medium term*
3. *Expressions of Interest be sought to explore rental opportunities for the two independent office spaces located at the front of the Hall*

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Council Operational Plan*
- *Leasing of Council Property Policy*

REPORT

1. Background

The foundation stone for the Yass Memorial Hall was laid in 1922 and the building was officially opened in 1923. Two upper storey rooms were added in 1928 and 1930. Designed by Vernon and Hall of Sydney as a war memorial and public hall and paid for by public inscription. The foyer houses Honour Rolls for the Sudan, Boer War, World Wars 1 and 2, Korean, Vietnam and memorial plaques.

The Hall is currently used by groups in the community for performing arts, public meetings, information sessions and exhibitions for both commercial and not-for-profit enterprises.

Council is aware that improving utilisation of the Hall facility will be crucial to both its future financial and social sustainability. Community consultation is viewed as a first, important step in providing an assessment of current and potential community needs.

2. The Project

In February 2020 Elton Consulting were engaged to undertake community consultation to seek views on the future community use and revitalisation of the Yass Memorial Hall.

Advertising was communicated initially via a Media Release followed by press and social media advertising. Invitation emails were also forwarded to user groups, Yass Business Chambers, Yass High School, Primary schools, small business owners and not for profit and government organisations to participate and provide options for consideration.

The overarching goal of the project was to ensure utilisation takes into account not only physical improvements, but also make suggestions from the community as to what usage could take place within the hall space. The consultation process encouraged suggestions from the community in

presenting innovative options for proposed future usage in parallel to any suggestion that upholds the Halls existing uses and character.

3. Consultation Process

A Consultation Plan was developed comprising of:

- A drop in session
- Four workshop sessions
- An on-line survey

The activities aimed to actively seek stakeholder views and input to:

- Generate a diverse range of relevant possible suggestions to reinvigorate and/or maximise usage of the Memorial Hall
- Ensure that representatives of key groups with vested interests can provide details of their views and thoughts that is responsive to perceived and/or actual opportunities and constraints
- Produce options that will continue to meet the needs of current users
- Produce options that are likely to achieve desired utilisation and activity levels

The Final Consultation Outcomes Report is included in **Attachment A**.

3.1 Drop-in Session

The drop-in session was held on 25 February 2020 in the Yass Memorial Hall to allow the community to come into the facility and provide their views. In total 41 people attended the drop in session throughout the day. Overall the 'drop-in' findings indicated limited support for any major change to the Hall's current usage.

Outcomes from this session revolved around general clean up and maintenance improvements with modest upgrades that would increase the frequency of usage as opposed to changing the types of existing uses.

3.2 Workshops

Another 18 people participated in four workshop sessions. The workshop sessions did not include participation of Council staff. Overall, the ideas workshops findings strongly aligned with the drop- in comments, there being limited support for any major change to the Hall's current use.

3.3 Survey

An online survey opened on 17 March 2020 and was due to close on the 7 April 2020. However due to COVID-19 related concerns the survey was extended until 15 April 2020. A total of 83 responses were received.

The majority of respondents were Yass Valley residents (85%) and most were aged between 40 to 59 years (58%). Only 4% of respondents were under the age of 29. This is considered a relatively low response rate, and represents quite a narrow demographic. It would be important to note the viewpoints expressed in the survey are unlikely to be statistically representative of general community opinion of all Yass residents. In addition only 9% of survey respondents had never used the Hall or were not aware of the facility, meaning responses to the survey are highly likely to be biased towards current users and hire groups.

Again reasons given for how the Hall could better meet people's needs were improved heating/cooling, improved condition of facilities (e.g. kitchen and stage), and improved variety of activities available in the Hall with most responses referring to previously mentioned themes such as renovating the Hall.

4. Conclusion

The report finds that the majority of people who participated in the consultation are regular or current users of the facility, which is likely to have biased responses to affirming existing uses rather than teasing out the possibilities. In particular the views of people aged under 25 years are not considered to be adequately represented.

The report finds that respondents would prefer it to remain dedicated to cultural and community based use, with a typical feeling that the condition of the Hall is the primary barrier to increased use, making suggestions for improvements and enhancements that revolved around maintenance and renovation matters.

The majority of people felt that the facility is a major asset for the community, and that it is working well despite physical constraints.

From the consultation outcomes in the report, it is concluded that those who participated do not want significant changes to the current use and operation in the medium term and there is no significant basis to change from the 'status quo'.

Due to limited numbers in attendance and survey response rate, this group could not be considered to be representative of the whole Yass Valley Community. While further consultation could be undertaken to establish a more representative sample of the Yass Valley community it is questionable as to whether there would be any different outcome. No resources have been included in the current or upcoming budgets for any further consultation.

At this stage it is recommended that no significant changes be made to the current primary use of the hall other than maintenance improvements. The two front office spaces can continue to be offered for lease to assist with offsetting the operational costs of the hall.

To achieve these objectives the following priorities are suggested:

- Undertake a structural integrity report in the building (as per 2020/21 capital works budget)
- Develop a costed prioritised maintenance/upgrade plan for the improved functionality of the hall for future budget consideration
- Seek Expressions of Interest for leasing of the two front office spaces with the objective to furthering business opportunities to the main street with any rent contributing to offset hall expenses
- Grant opportunities be explored as matched funding to undertake any future improvements

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN4 -	Maintain and update existing community facilities, and support the development of new community infrastructure as needed
Delivery Program Action	IN4.1 -	Develop and maintain new and existing recreational and community assets to address our communities needs in a sustainable manner
Operational Plan Activity	IN4.1.4 -	Manage Council's properties and buildings

ATTACHMENTS: A. Yass Memorial Hall Consultation Outcomes Report (*Under Separate Cover*) 

7.4 YASS REPERTORY SOCIETY - REQUEST FOR STORAGE ASSISTANCE

SUMMARY

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

RECOMMENDATION

That:

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

FINANCIAL IMPLICATIONS

Nil

POLICY & LEGISLATION

Nil

REPORT

The Yass Repertory Society is the longest continuously running repertory society in New South Wales staging several productions each year. Currently the Society have a commercial arrangement to stage productions and have a permanent storage for costumes and production equipment within the Liberty Theatre.

COVID-19 currently restricts the ability for the Society to stage its 3 to 4 annual productions. As a result the Society does not have a cash flow to meet financial commitments.

While the Society are very appreciative of the current generosity of the theatre owners in halving the annual rent, the Society Executive has made the decision to vacate their current arrangement and are seeking alternative arrangements.

This decision means they now need to find a premises to safely house their costumes, flats, lighting and sound equipment for a period of 12 months or until current COVID-19 restrictions are relaxed.

A review of Council facilities which could allow safe storage of the Society's items has identified that there would be a possible area available to store wardrobe items in a dust and vermin free space located at the Yass Community Centre.

The identified area has recently been vacated by Yass Home Living Support Services (Friendship Group), and while limited in size would provide a safe lockup area within the Community Centre which presents no interference with other groups utilising the facility.

This area would accommodate costumes (wardrobe items) within the confines of the lockable area. Depending on the quantity of items the Society needs to store, there may be an opportunity to make further space available within other storage areas of the Community Centre. It would be the responsibility of the Society to provide further lockable storage units for their items within these areas.

Currently community groups with regular hire of the Community Centre have access to small storage areas, for storage of equipment/supplies use by the group in association with their hire. These items are locked in cabinets and shelving units located provided by the group.

The Society in their request originally asked for assistance in accessing an upstairs storage room within the Yass Memorial Hall. Whilst this area would be suitable it may impede access to other users of the hall. In addition this is not a secured area.

Under Council's current fees and charges there is no provision for storage hire at the Community Centre. As a comparison contact has been made with self-storage and mini storage companies to ascertain a comparable fee. It appears that the average price of a 6 – 8m³ storage space ranges from \$2.50 to \$4.20 per day. The Council space may not meet the same standards as a commercial storage company so it is estimated that an appropriate storage fee could be in the vicinity of \$1.00 to \$1.50 per day.

In consideration of the Society's cash flow restrictions an offer of six months storage with deferred payments could be offered. An option for an extension of the deferred payments could be included if COVID-19 restrictions remain in place.

STRATEGIC DIRECTION

Key Pillar	3.	Our Community
CSP Strategy	CO2 -	Encourage and facilitate active and creative participation in community life
Delivery Program Action	CO2.5 -	Support the growth of a diverse range of community events
Operational Plan Activity	CO2.5.1 -	Provide access to financial support for development of community events through Council's Community Grants Program

ATTACHMENTS: Nil

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

SUMMARY

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

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

RECOMMENDATION

That:

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

CATEGORY	SUB - CATEGORY	AD VALOREM	MINIMUM CHARGE	BASE CHARGE	INCOME
Farmland		0.0018029		\$687.00	\$4,319,456
Residential	Non-Urban	0.0017694		\$448.00	\$3,511,507
Residential	Yass	0.0037375	\$681.00		\$1,893,712
Residential	Binalong	0.0032515	\$681.00		\$136,981
Residential	Bowning	0.0032515	\$681.00		\$76,611
Residential	Wee Jasper	0.0032515	\$681.00		\$29,964
Residential	Bookham	0.0032515	\$681.00		\$10,896
Residential	Murrumbateman	0.0024761	\$681.00		\$182,827
Residential	Gundaroo	0.0024761	\$681.00		\$172,852
Residential	Sutton	0.0024761	\$681.00		\$72,022
Business	Sutton & Gundaroo	0.0017694		\$448.00	\$17,924
Business	Yass & Other Villages	0.0088455	\$681.00		\$835,707
				TOTAL INCOME	\$11,260,460

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

Description	Annual Charge	Consumption Charge (Per kilolitre)
WATER CHARGES		
Yass Water Availability Charge 20mm-32mm	\$490.00	
Murrumbateman Water Availability Charge 20mm-32mm	\$490.00	
Water Usage Charge per kilolitre for the first 5Kl per day		\$3.50
Description		

	Annual Charge	Consumption Charge (Per kilolitre)
Water Usage Charge per kilolitre in excess of 5Kl per day		\$4.60
SEWER CHARGES		
Sewer Residential Charge	\$720.00	
Sewer Non-Residential Charge (based on previous years)	Minimum \$720	\$3.10
TRADE WASTE CHARGE		
Liquid Trade Waste charge (per kilolitre based on water consumption) with appropriate pre treatment		\$2.15
Liquid Trade Waste charge (per kilolitre based on water consumption) without appropriate pre-treatment		\$20.00
WASTE MANAGEMENT CHARGES		
Domestic Kerbside Collection	\$407.00	
Vacant Properties	\$30.00	
Business Waste Collection	\$407.00	
Waste Management Environmental Charge	\$123.00	
STORMWATER MANAGEMENT CHARGE		
Stormwater Management Charge	\$25.00	
ON SITE SEWAGE MANAGEMENT CHARGE		
On Site Sewer Management Charge	\$35.00	

4. *Interest rate payable on overdue rates and charges to be set at the maximum rate specified by the Minister for Local Government at 0.0% pa for the period 1 July 2020 to 31 December 2020, then it reverts to 7.0% pa for the period 1 January 2021 to 30 June 2021.*

FINANCIAL IMPLICATIONS

The Delivery Program and Operational Plan are the documents that establish Council's operational and budget priorities.

42% of Council's revenue is derived from Rates and Annual Charges. Compliance with legislation requires Council to 'make the rates' by 31 July each year and this power cannot be delegated.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government General Regulations 2005*
- *Local Government Amendment (Governance and Planning) Act 2016*
- Integrated Planning and Reporting Framework

REPORT

1. Background

The Operational Plan supports the Delivery Program and sets out Council's planned activities for 2020/21. The Operational Plan identifies the individual projects and activities that will be undertaken within the next financial year to achieve the actions made in the Delivery Program. The Operational Plan allocates responsibilities for each activity and identifies how their effectiveness will be measured.

The Operational Plan includes Council's detailed annual budget, Statement of Revenue Policy, including the proposed rates, fees and charges for the financial year.

2. Operational Plan

Council placed the Draft Operational Plan on public exhibition from 30 April 2020 to 27 May 2020. Due to the COVID-19 restriction it was not possible to undertake the community 'roadshow' presentations. Direct mail out of documents to community associations, web notifications and both press and social media releases were undertaken.

A total of 14 submissions (including 4 internal submissions) were received. A summary of submissions and review of the issues raised is included in **Attachment A**. All submissions have been acknowledged and following adoption of the documents, further acknowledgement of the outcome of the submissions will be forwarded back to the submitter.


A final version of the 2020/21 Operational Plan including the proposed amendments is provided in **Attachment C**.

3. Making the Rates

In addition to the adoption of the annual Operational Plan Council must resolve to 'make' rates and charges as per the Statement of Revenue Policy, before those rates and changes can be levied in accordance with s535 *Local Government Act 1993*.

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL1 -	Effect resourceful and respectful leadership and attentive representation of the community
Delivery Program Action	CL1.6 -	Maximise Council's ability to generate income
Operational Plan Activity	CL1.6.2 -	Review fees and charges to ensure user pay principles are adopted where possible

ATTACHMENTS:	A. Draft Operational Plan 2020/2021 (<i>Under Separate Cover</i>) 
	B. Submission Register  
	C. Submissions  

8.1 2020/21 Operational Plan (including Making of the Rates)
Attachment B Submission Register

Submissions to the Operational Plan 2020/2021										
Item No.	Name	Address	Phone	Email	Issue	Doc ID	Staff Comments	Operational Plan Action	Proposed Changes	Responsible Officer
1	Kuga	Internal Submission			The Initial Project Brief to extend water main to land north of Murrumbateman was excluded due to the delay in land release for subdivision. The Project Brief has been modified to carry-out design only which is estimated at \$100,000. Having design and cost estimates ready will allow the Council in a better position to carry-out the works when the land is released for subdivision.	370166	Incorporate the project into the budget subject to sufficient funds in the Water Fund	Update Identified Projects	Add proposal to identified projects for the total amount of \$100,000	Tracy CFO
2	Kimberly Hughes	Internal Submission			Overdue/lost Books: The moratorium in relation to charging overdue fees will still stand and have not been charged since 2017. It was decided to leave the fees in Council's fees and charges to allow them to be re-implemented in the event the Library was losing too much material and needed to deter patrons from keeping items. Inter Library Loans: There has been an increase in the charge for items for non-reciprocal libraries. This charge is set by the National Library of Australia. We have made an amendment to the spreadsheet in MagIQ.	368446	A separate report on moratoriums is scheduled for a future Council meeting. Fees and charges to be adjusted to reflect those set by external agencies.	No further action Update fees and charges	Enter new charge for items for non-reciprocal libraries.	Shiree
3					The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons: Firstly, we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village - approval of these should not be finalised until this has occurred. Secondly, Council requires a design so they can prepare costings for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass. This project should be funded in the 2020/21 budget as a preliminary design is necessary to allow good decision-making by Yass Valley Council for its development control functions along the Sutton Road corridor.	369759	Council has recognised the community desire for a bypass of Sutton through the Masterplan for the village. In recent years the approach taken has been to progressively link the establishment of the bypass with the rezoning and development of land along the route. Following rejection of a large scale rezoning proposal along the bypass route alternative alignments were examined but did not receive community support. While the bypass has been identified as a priority for Sutton, Council has not yet established its priority in relation to all other localities throughout the Local Government Area. Work on establishing these priorities is scheduled to commence with a Councilor Workshop in mid-June 2020.	Nil	Nil	Anita Tilley
4	Sarah Donnelly	Internal Submission			Please amend the Emergency Services Contributions/Levy budget from \$650k to \$826k per actual advice received from state government	370725	Noted, levy to be adjusted	Update budget	Amend the levy	Tracy CFO
5	Helen Willet Chair	Gundaroo Common Trust c/- Post Office Gundaroo NSW 2620			I refer to our previous correspondence about the cemetery fence on the boundary of the Gundaroo Common and my letter of 29 October 2019 (copy attached). The Gundaroo Common Trust requests the Council to allocate in their coming budget, a provision to maintain the fences between the Common and the cemetery, and the waste depot. We note that the Gunning Shire built and maintained both fences. We also draw to the Council's attention that the Common Trust manages this large public recreation area with no help from the Council. For your information, the waste depot's eastern fence is in particular need of repair where it was damaged by Council staff. We remind Council that half of the area of the waste depot, as now fenced, is part of Common land. The Council pays no rent for this use.	368542	Transfer Station Fence Council will commence plans to fence between the transfer station and the Common. Cemetery Fence The Dividing Fences Act 1992 is clear that the Act does not apply to public authorities (including local councils) with control over Crown land, public parks, reserves and roads. Council is not liable for the fencing costs. Council has not provided any resources in its current or forward budgets toward maintenance or replacement of any fence along the boundaries of its reserves, parks etc. Council is not in a position to make any contribution toward the cost of fencing and to do so would create a precedent for all Council land. The Common Trust is therefore responsible for the fencing and additionally is responsible from ensuring all livestock on the common does not wander onto adjoining lands	Nil	Nil	Anita Tilley
6					The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons: Firstly we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village - approval of these should not be finalised until this has occurred. Secondly Council require a design so they can prepare a costing for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass. This project should be funded in the 2020/21 budget because this preliminary design is necessary to allow good decision-making by Council for its development control functions along the Sutton Road corridor.	369857	Council has recognised the community desire for a bypass of Sutton through the Masterplan for the village. In recent years the approach taken has been to progressively link the establishment of the bypass with the rezoning and development of land along the route. Following rejection of a large scale rezoning proposal along the bypass route alternative alignments were examined but did not receive community support. While the bypass has been identified as a priority for Sutton, Council has not yet established its priority in relation to all other localities throughout the Local Government Area. Work on establishing these priorities is scheduled to commence with a Councilor Workshop in mid-June 2020.	Nil	Nil	Anita Tilley

Submissions to the Operational Plan 2020/2021										
Item No.	Name	Address	Phone	Email	Issue	Doc ID	Staff Comments	Operational Plan Action	Proposed Changes	Responsible Officer
7					Thanks for the opportunity to provide feedback on the Draft 20/21 operational plan. I would like to confine my comments to one aspect of the plan only, the major project "Murrumbateman Winery Trail". I have looked at the concept map and there are some elements that raise concerns with me. The trail is very sensibly designed for both walkers and cyclists. However, the map seems to indicate that in some places the trail will consist of on-road cycle lanes. If this is actually the case, this is dangerous and completely unacceptable for walkers. Of particular concern would be sections of McIntosh Circuit and Murrumbateman Road. I would be very keen that the more detailed planning documents for the trail be made available for local resident review so that issues like these could be identified and resolved before work plans are locked in. Murrumbateman and surrounds has tremendous potential as a walking/cycling destination for tourists and a great amenity to local residents. However, with the exception of this project, the approach to designing and implementing a coherent "network" of paths seems to be completely absent. I believe what is desperately required as an adjunct to the Murrumbateman Winery Trail project is a planned and integrated approach to walking/bicycle paths around Murrumbateman. This would include: - an integrated and visionary masterplan - identification and prioritisation in the work program of critical gaps in the current network - agreed minimum construction standards for developers - stronger requirements on developers to provide publicly-accessible walking and cycling infrastructure in new developments that connects to the existing network - clear responsibility and standards assigned for maintenance of walking/bicycle trails, including to estate body corporates where relevant	371263	The primary use of the wine trail is to support the local wine industry and tourists. The trail is constrained by the existing road pavement, road width, roadside vegetation and the topography of the land. The final design can be made available once completed.	Nil	Nil	Anita Tilley
8	NSW Farmers Association	14 154 Pacific Hwy St Leonards	02 9380 794-000	emailus@nswfarmers.org.au	Have we had any thoughts re the rates effect of - what seems to most farming folk - a major increase in the land valuations and this will then impact rates payable starting this July? Can we look at a couple of examples as to the possible costs to rural landholders? Rowena Abbey		The Valuer General sets the valuations and Council are obliged to use these for rating purposes. Any property valuation concerns should be taken up with the Valuer General.	Nil	Nil	Anita Tilley
9	Anonymous				There is already too much red tape, green tape and unnecessary cost when dealing with Council. It's a real impediment, and in these uncertain times rate payers are under stress and need a break. This operational plan will only add to the red/green tape mess, and will be a real drag on landholders. We need to be going in the other direction and rolling back council over-regulation and overreach.		Regulatory issues and concerns should be addressed via State and Federal members. The current uncertainties have been recognised by Council through a revision of its Hardship Policy.	Nil	Nil	Anita Tilley
10					The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons: Firstly we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village - approval of these should not be finalised until this has occurred. Secondly Council require a design so they can prepare a costing for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass. This project should be funded in the 2020/21 budget because this preliminary design is necessary to allow good decision-making by Council for its development control functions along the Sutton Road corridor.		Council has recognised the community desire for a bypass of Sutton through the Masterplan for the village. In recent years the approach taken has been to progressively link the establishment of the bypass with the rezoning and development of land along the route. Following rejection of a large scale rezoning proposal along the bypass route alternative alignments were examined but did not receive community support. While the bypass has been identified as a priority for Sutton, Council has not yet established its priority in relation to all other localities throughout the Local Government Area. Work on establishing these priorities is scheduled to commence with a Councilor Workshop in mid-June 2020.	Nil	Nil	Anita Tilley
11	Sarah Donnelly	Internal Submission			1. Murrumbateman Recreation Ground Amenities - include \$385,000 in budget as per Council decision March 2020 2. Gundaroo Amenities Building - include \$236,000 in budget as per Council decision April 2020	372929	Noted	Amend budget	1. Add \$385,000 for the shortfall in the Murrumbateman Recreation Ground Amenities project. 2. Add \$236,500 for the shortfall in the Gundaroo Amenities Building project.	CFO - Tracy

8.1 2020/21 Operational Plan (including Making of the Rates)
Attachment B Submission Register

Submissions to the Operational Plan 2020/2021										
Item No.	Name	Address	Phone	Email	Issue	Doc ID	Staff Comments	Operational Plan Action	Proposed Changes	Responsible Officer
12	SDCAI	Alison Walker President		suttoncommunity2outlook.com	<p>We appreciate the opportunity to give community feedback on YVC Operational plan. Below are some points, most of which have been previously raised by SDCAI with Council.</p> <p>EN1.3 SDCAI has shared its concern of weed control in and around the village with council and we look forward to seeing progress.</p> <p>EN5.1 We still await news of kerb-side recycling collection in Sutton village. This was due last year. Improved facilities next to the amenities building would also support our efforts to keep the village looking neat and tidy.</p> <p>CO4.2 Sutton School will turn 150 in 2023 and we look forward to the continued support of YVC and the local Heritage grants program. In particular, there could be heritage tourism opportunities for events surrounding the school's 150.</p> <p>IN4.2 Sutton Oval is not included in the planned projects. Has it been carried over from last year? The feasibility of a watering system and reseeding of the oval was promised. When this is done more community sport can then use the facilities, including the new Amenities building.</p> <p>Footpaths: The footpaths planned in the PAM have not progressed. Please could you update us.</p> <p>Capital projects:</p> <p>Projects planned – the feasibility and design capital project Sutton Stormwater Detention is included. Along with the above, the feasibility and design of a bypass needs to be funded.</p> <p>A future bypass in Sutton has been discussed by the community for many years due to increasing traffic through the village, in particular large trucks. It was included in the Sutton Master Plan. Development is planned both in Gundaroo and Sutton which will inevitably increase the volume of traffic through the village.</p> <p>SDCAI believes funding for a preliminary design showing a suitable land corridor should be allocated in the 2020/21 Operational plan and budget. In order to provide comprehensive feedback on development applications, the community needs to know the route of a future bypass. When the alignment of a suitable land corridor has been established, further steps can then be taken towards acquiring that land, leading to the eventual construction of a bypass.</p> <p>Thank you again for the opportunity to feedback on the YVC 2020/21 Draft Operational Plan. We hope to see it through to completion.</p>	371741	<p>EN1.3 - Weed control is prioritised as per Council's Weed Action Plan</p> <p>EN5.1 - Kerbside Recycling collection in Sutton Village will be considered at the June 2020 Council Meeting.</p> <p>CO4.2 - Grant programs are a way for Council to contribute to community organisations and others. The Heritage Grants Program aims to assist property owners, property managers and community groups to undertake projects that foster positive community attitudes towards heritage and conservation.</p> <p>IN4.2 - Sutton oval was seeded but failed due to lack of water during drought conditions. A Geologist has been engaged to explore groundwater options.</p> <p>Footpaths - New footpaths have not been funded in recent years. A Councilor Workshop is scheduled for June 2020 for consideration.</p> <p>Bypass - Council has recognised the community desire for a bypass of Sutton through the Masterplan for the village.</p> <p>In recent years the approach taken has been to progressively link the establishment of the bypass with the rezoning and development of land along the route.</p> <p>Following rejection of a large scale rezoning proposal along the bypass route alternative alignments were examined but did not receive community support.</p> <p>While the bypass has been identified as a priority for Sutton, Council has not yet established its priority in relation to all other localities throughout the Local Government Area. Work on establishing these priorities is scheduled to commence with a Councilor Workshop in mid-July.</p>	Nil	Nil	Anita Tilley
13					<p>Formal Submission to the Operational Plan</p> <p>Comments Nanima Road Rehabilitation Works.</p> <p>Comments: In the absence of identified targets for rehabilitation work it is possible to make only general comments.</p> <p>1. Residents have identified numerous short-comings and defects in the Nanima Road infrastructure over several years.</p> <p>2. Heavy vehicles breaching the 10t limit have been a significant contributor to damage.</p> <p>3. Given estimates for road construction/re-construction of around \$1 000 000 per km (RTA and other sources) the allocation of \$4 084 000 to this work, while substantial, is unlikely to cover complete rehabilitation.</p> <p>4. This is a concern given that the proposed removal of the 10t limit will, inevitably, invite increased use of the road by heavy vehicles, tending to cancel out improved safety on what will remain a country road.</p> <p>Submission: rehabilitation work should concentrate on improving road safety, not providing increased opportunity for heavy vehicle traffic, for example, shifting spoil from ACT building sites. Retaining the 10t limit will contribute to achieving that objective and Council is urged to support this view.</p>	371931	<p>Council secured funding for the rehabilitation of Nanima Road on the basis that the 10t limit be removed, thus allowing greater economic activity.</p>	Nil	Nil	Anita Tilley
14	Sutton Public School P&C Johanna Bradley Secretary	18 Victoria Street, Sutton. PO box 7463	62303327	suttonpublicschool@pandc.affiliates.org.au	<p>Sutton Parents and Citizens Association (P&C) are aware of the future growth of Sutton and are concerned about the impacts of this growth on the current infrastructure of the village and the school. The Council 2020/21 Operational Plan provides an opportunity for Council to prepare the village for this growth.</p> <p>In particular the P&C remain concerned about the traffic through Sutton village. As you would be aware, the school sits on Sutton Road, and the children and school traffic must contend with the traffic travelling through the village. The traffic is already at concerning levels, particularly the number of large trucks that drive through the village. This traffic will only increase in coming years.</p> <p>The P&C would like to support the Sutton Community Association's request for funding to be set aside for a feasibility study and design of a bypass of the village. This funding should be set aside in this, 2020/21 Operational Plan and Budget. This project is particularly important as much land to the north and west of Sutton is expected to be developed in the coming years. In order to provide comprehensive feedback on any development applications, the Sutton community, and school community, need to know the route of a future bypass.</p>	371930	<p>Council has recognised the community desire for a bypass of Sutton through the Masterplan for the village.</p> <p>In recent years the approach taken has been to progressively link the establishment of the bypass with the rezoning and development of land along the route.</p> <p>Following rejection of a large scale rezoning proposal along the bypass route alternative alignments were examined but did not receive community support.</p> <p>While the bypass has been identified as a priority for Sutton, Council has not yet established its priority in relation to all other localities throughout the Local Government Area. Work on establishing these priorities is scheduled to commence with a Councilor Workshop in mid-June 2020.</p>	Nil	Nil	Anita Tilley

**Sutton and District Community Association Inc.
Feedback on Draft Operational Plan 2020/21**

We appreciate the opportunity to give community feedback on YVC Operational plan.
Below are some points, most of which have been previously raised by SDCAI with Council.

EN1.3 SDCAI has shared its concern of weed control in and around the village with council and we look forward to seeing progress.

EN5.1 We still await news of kerb side recycling collection in Sutton village. This was due last year. Improved facilities next to the amenities building would also support our efforts to keep the village looking neat and tidy.

CO4.2 Sutton School will turn 150 in 2021 and we look forward to the continued support of YVC and the local Heritage grants program. In particular, there could be heritage tourism opportunities for events surrounding the school's 150.

IN4.2 Sutton Oval is not included in the planned projects. Has it been carried over from last year? The feasibility of a watering system and reseeding of the oval was promised. When this is done more community sport can then use the facilities, including the new Amenities building.

Footpaths: The footpaths planned in the PAMP have not progressed. Please could you update us.

Capital projects:

Projects planned - the feasibility and design capital project Sutton Stormwater Detention is included.

Along with the above, the feasibility and design of a bypass needs to be funded. A future bypass in Sutton has been discussed by the community for many years due to increasing traffic through the village, in particular large trucks. It was included in the Sutton Master Plan. Development is planned both in Gundaroo and Sutton which will inevitably increase the volume of traffic through the village.

SDCAI believes funding for a preliminary design showing a suitable land corridor should be allocated in the 2020/21 Operational plan and budget. In order to provide comprehensive feedback on development applications, the community needs to know the route of a future bypass. When the alignment of a suitable land corridor has been established, further steps can then be taken towards acquiring that land, leading to the eventual construction of a bypass.

Thank you again for the opportunity to feedback on the YVC 2020/21 Draft Operational Plan. We hope to see you in Sutton soon.

Kind regards,
Alison Walker
President, Sutton and District Community Association Inc.

Name *

Address *

620

Email *

Phone

Number *

What item are you making a submission on? * Draft 2020/2021 Operational Plan

Submission *

The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons:

Firstly, we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village – approval of these should not be finalised until this has occurred.

Secondly, Council requires a design so they can prepare costings for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass.

This project should be funded in the 2020/21 budget as a preliminary design is necessary to allow good decision-making by Yass Valley Council for its development control functions along the Sutton Road corridor.

Gundaroo Common Trust
c/- Post
Office Gundaroo
NSW 2620

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

Email: Council@yass.nsw.gov.au

Dear Chris

I refer to our previous correspondence about the cemetery fence on the boundary of the Gundaroo Common and my letter of 29 October 2019 (copy attached).

The Gundaroo Common Trust requests the Council to allocate in their coming budget, a provision to maintain the fences between the Common and the cemetery, and the waste depot. We note that the Gunning Shire built and maintained both fences. We also draw to the Council's attention that the Common Trust manages this large public recreation area with no help from the Council.

For your information, the waste depot's eastern fence is in particular need of repair where it was damaged by Council staff. We remind Council that half of the area of the waste depot, as now fenced, is part of Common land. The Council pays no rent for this use.

We look forward to hearing from you on this
matter. Yours sincerely

Helen Willett
Chair, Gundaroo Common

Trust 30 April 2020

Yass Valley Council



Name

Phone Number

Email

Address

Type a question

General Feedback

Formal Submission to the Operational Plan

Comments

Nanima Road Rehabilitation Works.

Comments: in the absence of identified targets for rehabilitation work it is possible to make only general comments.

1.Residents have identified numerous short-comings and defects in the Nanima Road infrastructure over several years.

2.Heavy vehicles breaching the 10t limit have been a significant contributor to damage.

3.Given estimates for road construction/re-construction of around \$1 000 000 per km (RTA and other sources) the allocation of \$4 084 000 to this work, while substantial, is unlikely to cover complete rehabilitation.

4.This is a concern given that the proposed removal of the 10t limit will, inevitably, invite increased use of the road by heavy vehicles, tending to cancel out improved safety on what will remain a country road.

Submission: rehabilitation work should concentrate on improving road safety, not providing increased opportunity for heavy vehicle traffic, for example, shifting spoil from ACT building sites. Retaining the 10t limit will contribute to achieving that objective and Council is urged to support this view.

SUBMISSION

Nanima Road Rehabilitation works

"Nanima Road has been identified for rehabilitation works due to the high volume of heavy vehicles and the high volume of traffic that use the road on a daily basis. The road currently has a 10 tonne road limit in place which will be removed once rehabilitation works have been completed. Preliminary works have now been completed and an update on the exact nature of the rehabilitation works will be provided shortly". [Council's D.O.P].

Comments: in the absence of identified targets for rehabilitation work it is possible to make only general comments.

1. Residents have identified numerous short-comings and defects in the Nanima Road infrastructure over several years.
2. Heavy vehicles breaching the 10t limit have been a significant contributor to damage.
3. Given estimates for road construction/re-construction of around \$1 000 000 per km (RTA and other sources) the allocation of \$ 4 084 000 to this work, while substantial, is unlikely to cover complete rehabilitation.
4. This is a concern given that the proposed removal of the 10t limit will, inevitably, invite increased use of the road by heavy vehicles, tending to cancel out improved safety on what will remain a country road.

Submission: rehabilitation works should concentrate on improving road safety, not providing increased opportunity for heavy vehicle traffic, for example, shifting spoil from ACT building sites. Retaining the 10t limit will contribute to achieving that objective and Council is urged to support this view.

25 May 2020

Name *

Address *

Email *

Phone

Number *

What item Draft operational plan
are you
making a
submission
on? *

Submission *

The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons:

Firstly we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village – approval of these should not be finalised until this has occurred.

Secondly Council require a design so they can prepare a costing for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass.

This project should be funded in the 2020/21 budget because this preliminary design is necessary to allow good decision-making by Council for its development control functions along the Sutton Road corridor.

27th May 2020

Re: Feedback on Yass Valley Council Draft Operational Plan

Sutton Parents and Citizens Association (P&C) are aware of the future growth of Sutton and are concerned about the impacts of this growth on the current infrastructure of the village and the school. The Council 2020/21 Operational Plan provides an opportunity for Council to prepare the village for this growth.

In particular the P&C remain concerned about the traffic through Sutton village. As you would be aware, the school sits on Sutton Road, and the children and school traffic must contend with the traffic travelling through the village.

The traffic is already at concerning levels, particularly the number of large trucks that drive through the village. This traffic will only increase in coming years.

The P&C would like to support the Sutton Community Association's request for funding to be set aside for a feasibility study and design of a bypass of the village. This funding should be set aside in this, 2020/21 Operational Plan and Budget. This project is particularly important as much land to the north and west of Sutton is expected to be developed in the coming years. In order to provide comprehensive feedback on any development applications, the Sutton community, and school community, need to know the route of a future bypass.

Yours Sincerely,

Johanna Bradley
Secretary
Sutton Public School Parents and Citizens Association

18 Victoria Street (PO. Box 7463) Sutton NSW 2620

School Phone: 02 62303215 President: Stuart Whitten ABN: 82709 564611	School Fax: 02 62303327 Secretary: Johanna Bradley	Email: suttonpublicschool@pandcaffiliate.org.au
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Sutton Public School Parents & Citizens Association Inc

Yass Valley Council



Name

Phone Number

Email

Address

Type a question

Formal Submission to the Operational Plan

Comments

Dear Yass Valley Council,

Thanks for the opportunity to provide feedback on the Draft 20/21 operational plan. I would like to confine my comments to one aspect of the plan only, the major project "Murrumbateman Winery Trail".

Firstly, I would like to congratulate Council for developing and funding this project. It has the potential to not only attract visitors to our region and enhance the profitability of local businesses such as the wineries, but also provide a very worthwhile facility for the use of Murrumbateman ratepayers like me and my family. There is not a lot of information provided on Council's website about the project. I have looked at the concept map and there are some elements that raise concerns with me. The trail is very sensibly designed for both walkers and cyclists. However, the map seems to indicate that in some places the trail will consist of on-road cycle lanes. If this is actually the case, this is dangerous and completely unacceptable for walkers. Of particular concern would be sections of McIntosh Circuit and Murrumbateman Road. I would be very keen that the more detailed planning documents for the trail be made available for local resident review so that issues like these could be identified and resolved before work plans are locked in.

The Winery Trail project raises a related issued that I am very interested in.

Murrumbateman and surrounds has tremendous potential as a walking/cycling destination for tourists and a great amenity to local residents. However, with the exception of this project, the approach to designing and implementing a coherent "network" of paths seems to be completely absent. No time has this become more obvious than during the pandemic lockdown where there has been a massive increase in families exercising by walking and cycling. While there are many good examples of walking/bicycling infrastructure in Murrumbateman, there are too many examples of critical gaps in the network, poor design and construction standards, poor maintenance and other issues. For example, there is a very dangerous section with no off-road access on South Street between Vine Close and West Street. I have seen mothers with prams and young children in tow dodging vehicles on this section of road. Another example is the recent upgrade of Hercules Street - the footpath mysteriously peters out past Rapley Constructions and residents are forced to walk on a dangerous section of road. Many of the asphalt bike/walking tracks (eg along McIntosh Circuit) have already developed large cracks which inevitably when promote weed growth - maintenance has been very unsatisfactory and these tracks are dangerous in places. In contrast, the concrete footpath recently built beside Scrubby Lane between McIntosh Circuit and Jiparu Drive, besides being a work of art, looks like something that is going to stand the test of time with very little maintenance. A further issue is that in some of the "estates" (eg Merryville Park) residents have been erecting signs stating that only their residents may use inter-connecting pathways.

I believe what is desperately required as an adjunct to the Murrumbateman Winery Trail project is a planned and integrated approach to walking/bicycle paths around Murrumbateman. This would include:

- an integrated and visionary masterplan
- identification and prioritisation in the work

program of critical gaps in the current network

- agreed minimum construction standards for developers
- stronger requirements on developers to provide publicly-accessible walking and cycling infrastructure in new developments that connects to the existing network
- clear responsibility and standards assigned for maintenance of walking/bicycle trails, including to estate body corporates where relevant

A couple of years ago my wife and I had the pleasure of walking 1300km along the pilgrim trails of Southern France and Spain. Local municipalities have played a major role in restoring and maintaining these trails as well as building associated infrastructure such as toilets and hostel-style accommodation. This has provided these areas with a major economic boost as the number of pilgrims and walkers steadily increases. The trails go through many wine regions with the paths at times even going between the rows of vineyards and orchards! I feel the Yass Valley in general and Murrumbateman in particular has great potential to develop this sort of experience locally as a drawcard for day-trippers, tourists and new residents as well as improved amenity for existing ratepayers.

I would be very happy to discuss my comments further with any interested councilors or council staff.

Good afternoon Brendan,

I am writing to you as I understand that as well as being a NSW Farmers' Association member you are an elected Local Government Councillor. NSW Farmers, as part of our policy and advocacy work will be writing to Local Councils to identify opportunities as they undertake their annual rate setting. A number of NSW Farmers members have raised concerns regarding increased land valuations and the potential impacts of this on local government rate setting.

At the March 2020 Executive Council meeting the following was agreed as NSW Farmers policy:

"That LGAs be required to make use of the existing ability to create sub-categories within the farmland rating category to alleviate the rate burden on primary producers where land values are affected by factors (such as proximity to large urban centres) unrelated to productive capacity."

The Business, Economics and Trade Committee has been progressing action on this policy to ensure potential impacts of increased land valuations do not result in unforeseen consequences for farmer rate payers. Consequently, correspondence has been prepared to:

- the Valuer General concerning the inclusion of land improvements such as weed management in land value, which is then used as the value for the ad valorem rate, and
- all regional councils in NSW regarding land valuations and impacts of local government rating.

The Association will be asking Councils to consider creating, or further utilising, rating subcategories to assist in levelling rate increases, and proposing options such as changes to the base rate to recover at least 30 percent of general rate income (if not already doing so), with a lower percentage base rate for farmers in recognition of their higher rating liability.

As we have requested that this correspondence be shared with all Councillors I wanted to ensure that you were aware of this initiative. A sample of the correspondence that will be sent to 104 regional Councils can be viewed [here](#) for your information.

Should you have any questions or wish to discuss the Association's position, please

contact me on 0419 409 150 or by return [email](#).

Peter Wilson

Chair: Business, Economics and Trade Committee

Yass Valley Council

Community Feedback

Name

Phone Number

Email

Address

Type a question

Formal Submission to the Operational Plan

Comments

The draft Operational Plan should include a capital road project for the planning and preliminary design of a bypass road to the west of Sutton. This is required now for two reasons:
Firstly we need a preliminary design now so that Council can ensure a suitable land corridor is set aside in the currently proposed subdivisions adjacent to the village - approval of these should not be finalised until this has occurred.
Secondly Council require a design so they can prepare a costing for the project to inform a development contribution plan to ensure all traffic generating developments along Sutton Road beyond the village make an appropriate contribution towards the resumption of the required land and the eventual construction of the bypass.
This project should be funded in the 2020/21 budget because this preliminary design is necessary to allow good decision-making by Council for its development control functions along the Sutton Road corridor.

8.2 INVESTMENT AND BORROWINGS REPORT

SUMMARY

In accordance with the Clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as at 30 April 2020. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RECOMMENDATION

The Investment Report as at 31 May 2020 be received and it be noted that the summary has been prepared in accordance with the Act, the Regulations and Council's Investment Policy.

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

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

REPORT

1. Comments on Economic Climate

The outlook for the Australian economy is being driven by the COVID-19 pandemic. The social distancing restrictions and other containment measures that have been in place to control the virus have resulted in a significant contraction in economic activity.

The Australian economy is expected to record a contraction in GDP of around 10% over the first half of 2020 and the unemployment rate is forecast to rise to around 10% in the June quarter. Headline inflation is expected to be negative in the June quarter and underlying inflation is expected to decline notably.

If restrictions are relaxed and mostly removed by the end of September 2020 and the spread of the virus remains limited, GDP growth is likely to turn around in the September quarter and the recovery would strengthen from there. On the other hand, if the outbreak persists for longer than expected, the recovery in GDP would be delayed and there would be more lasting economic impacts.

2. Council Investments

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

Details of investment compliance with Council's *Investment Policy* are provided in the tables below. Due to the uncertainty around the potential impacts of COVID-19, Council is currently holding a higher than usual balance in its transactional account.

Table 1 – Exposure by Credit Rating Type as at 31 May 2020

S&P Rating (or equivalent)	Exposure	Maximum % Invested per Policy
A1+/AAA	Nil	100%
A1/AA	63.72%	100%
A2/A	Nil	60%
A3/BBB	6.17%	30%
N/A	30.11%	<i>Note 1</i>

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

Table 2 – Exposure to Single Institutions at 31 May 2020

Institution	S&P Rating (or equiv)	Exposure	Max Exposure per Policy
NAB	A1/AA	34.29%	50%
IMB	A3	6.17%	30%
CBA	A1/AA	29.43%	50%
TCorp	N/A	30.11%	<i>Note 1 above</i>


3. Council Loans

Council has four loans with an estimated value of \$16.914M as at 31 May 2020. It should be noted that there may be small balance variations as current balances are based on indicative payment schedules. The table below provides loan details at 31 May 2020. Indicative repayments for 2019/20 are shown for both principal and interest for all current loans. Balances will not change on a monthly basis as the most frequent repayment cycle is quarterly. The NSW Treasury interest free loan sourced for the raising of the dam wall has been completed with the final payment of \$750k having been made in December 2019.

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

STRATEGIC DIRECTION

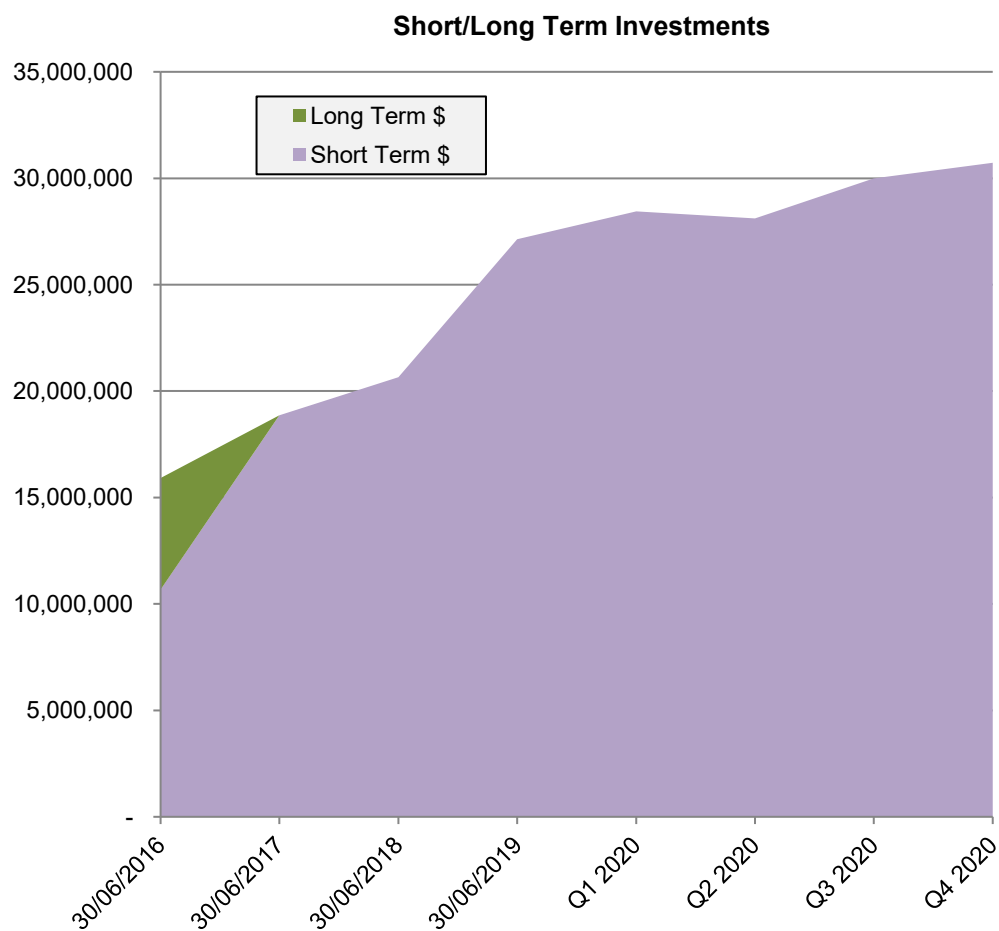
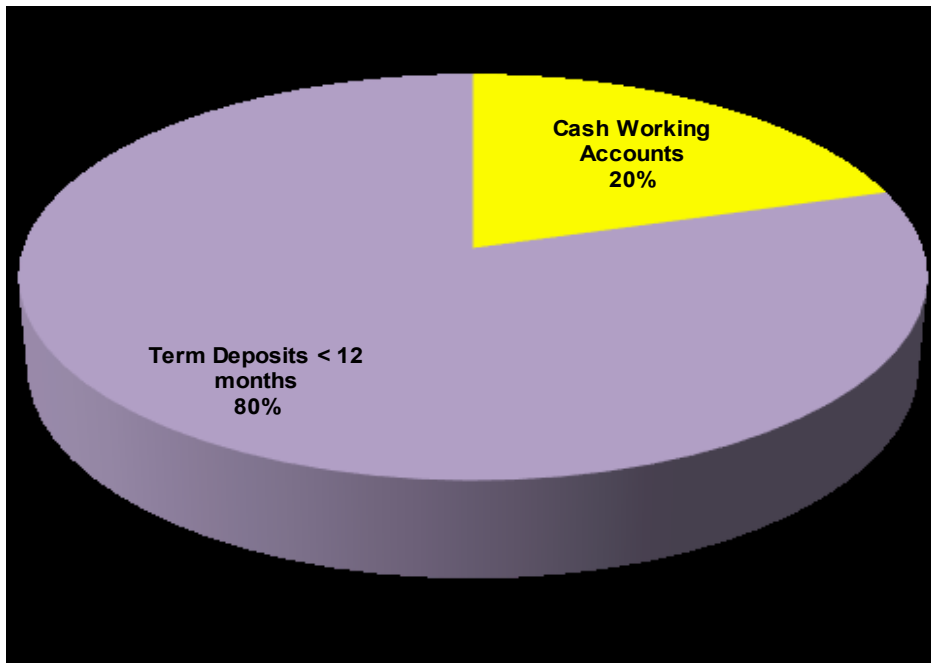
Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL1 -	Effect resourceful and respectful leadership and attentive representation of the community
Delivery Program Action	CL1.6 -	Maximise Council's ability to generate income
Operational Plan Activity	CL1.6.3 -	Review commercial activities to ensure Council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

ATTACHMENTS: A. Investment Valuations [↓](#) 

Short Term Investments (Cash Accounting) as at 31 May 2020

Investment Type	Par Value \$	Market Value \$	Maturity	Rate	Interest \$ July 19 to June 20
Cash Working Accounts					
NAB Working Account	6,232,670.79	6,232,670.79	n/a	0.25%	43,920.02
	6,232,670.79	6,232,670.79			43,920.02
Term Deposits < 12 Months					
IMB 29876	1,769,554.92	1,769,554.92	31/07/2020	1.10%	40,013.26
IMB - Youth Bequest	125,590.59	125,590.59	31/07/2020	1.10%	3,169.51
NAB Term Deposit	2,701,071.98	2,701,071.98	29/06/2020	1.28%	44,359.30
NAB Term Deposit	1,603,541.42	1,603,541.42	29/06/2020	1.28%	35,294.64
CBA	2,092,428.86	2,092,428.86	2/06/2020	1.41%	46,571.78
CBA	1,179,588.48	1,179,588.48	7/09/2020	1.15%	14,116.25
CBA	2,125,139.03	2,125,139.03	2/06/2020	1.41%	29,761.34
CBA	1,586,745.25	1,586,745.25	25/09/2020	0.68%	21,179.20
CBA	2,059,087.20	2,059,087.20	11/06/2020	2.21%	25,389.40
Tcorp Strategic Cash Facility	9,252,179.65	9,252,179.65	at call	n/a	87,156.03
Interest Recalled Funds *					-
	24,494,927.38	24,494,927.38			347,010.71
Total Short Term	30,727,598.17	30,727,598.17			390,930.73
Investment Property					
Hawthorn - Current Fair Value		4,350,000.00	Revalued March 2020		

* Refers to interest received in the current financial year for investments no longer held by council



9.1 PUBLIC NOTICES AND ADVERTISING

SUMMARY

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

RECOMMENDATION

That Council public notices and advertising be notified on Council web site and where appropriate the NSW Planning Portal.

FINANCIAL IMPLICATIONS

\$25,000 - \$30,000 per annum on public notices

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Environmental Planning & Assessment Act 1979*
- Procurement Policy

REPORT

In April 2020 the State Government amended legislation to remove the requirement for newspaper advertising by Local Government.

Councils can now publish notices on their web sites and in any other manner considered necessary to bring it to the attention of the local community. For planning matters the NSW Planning Portal can be used for the exhibition of planning documents.

Council has traditionally used the *Yass Tribune* for its public notices and advertising on a dedicated Council page.

Following the closure of the local printed newspaper, the *Yass Tribune* has submitted a proposal to provide an on-line advertising service.

Another organisation, *Yass Valley Times*, has emerged to fill the gap left by the *Yass Tribune* and aims to deliver a printed newspaper and on-line service. This organisation has also submitted a proposal for Council's advertising.

With the recent legislative changes the need to take out advertising in a printed newspaper or in an on-line publication seems unnecessary.

If Council wishes to continue advertising via a local media entity then its *Procurement Policy* must be followed to determine which organisation gives best value. It should be noted that there may be other organisations that could provide a similar service but have not yet come forward.

In relation to media releases it should be noted that Council does not pay for any media pieces based on this information. Media releases are routinely issued to all media organisations who in turn determine whether or not to use the information provided. New organisations can request to be added to the media distribution.

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL2 -	Encourage and facilitate open and respectful communication between the community, the private sector, Council, and other government agencies
Delivery Program Action	CL2.2 -	Inform and engage with the community on all actions of Council
Operational Plan Activity	CL2.2.1 -	Deliver communication campaigns which clearly inform the community of Council's actions

ATTACHMENTS: Nil

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

REPORT

The minutes of the Meeting of the Canberra Region Joint Organisation (CRJO) Board held on 13 May 2020 are included in **Attachment A**.

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

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

RECOMMENDATION

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

ATTACHMENTS: A. Canberra Region Joint Organisation Board Minutes 13 May 2020 [!\[\]\(e1d6102fe77919492c04879c8450f1f5_img.jpg\) !\[\]\(f18214e08965a1644d0b2b0878fd365f_img.jpg\)](#)

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



PRESENT	
Bega Valley Shire Council	Mayor Sharon Tapscott Ms Leanne Barnes OAM
Eurobodalla Shire Council	Mayor Liz Innes Dr Catherine Dale
Goulburn Mulwaree Council	Mayor Bob Kirk Mr Warwick Bennett
Hilltops Council	Mayor Brian Ingram Mr Anthony O'Reilly
Queanbeyan-Palerang Regional Council	Mayor Tim Overall Mr Peter Tegart
Snowy Monaro Regional Council	Mayor Peter Beer Mr Peter Bascomb
Snowy Valleys Council	Mayor James Hayes OAM Mr Matthew Hyde
Upper Lachlan Shire Council	Mayor John Stafford Ms Colleen Worthy
Wingecarribee Shire Council	Mayor Duncan Gair Ms Ann Prendergast
Yass Valley Council	Mayor Rowena Abbey – Chairperson Mr Chris Berry
ACT Government	Mr Sam Engele
East Gippsland Shire	Mayor John White Mr Anthony Basford
Wagga Wagga City Council	Mayor Greg Conkey OAM Mr Peter Thompson
Canberra Region Joint Organisation	Ms Gabrielle Cusack Ms Nikolina Marinovic
GUESTS	
Jennifer Lang Australia	Jennifer Lang Australia
Office of Local Government	Ms Elizabeth Dixon
NSW Government	Ms Heidi Stratford
Local Government Superannuation	Mr Phil Stockwell Mr Andrew Gledhill
Office of the NSW Border Commissioner	Ms Emma Watts

1. Opening meeting

The Chairperson opened the meeting at 10:04am.

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



2. Welcome and Acknowledgement of Country

The Chairperson acknowledged aboriginal elders past, present and emerging of the many council areas the CRJO Board meets upon and the indigenous heritage across the CRJO region. The Chairperson welcomed Mayor Sharon Tapscott, newly appointed mayor of Bega Valley Shire Council, and Anthony O'Reilly, General Manager of Hilltops.

3. Apologies

RESOLVED

That the apologies of Mr Daryl Clifton be accepted.

Moved L. Ines / J. Hayes

Carried

Mr Sam Engele joined the meeting at 10:10am.

4. Disclosure of Interest

Nil

5. Notice of Rescission

Nil

6. Notice of Motions

Nil

7. Urgent Business

RESOLVED

That the CRJO Board resolve to discuss and/or determine the following late items, information, or urgent business before close of meeting.

7.1. General Discussion – Local Government Opportunities, Post COVID-19 Crises.

7.2. Ministerial Meetings – Thursday, 14 May 2020.

Moved D. Gair / B. Ingram

Carried

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



8. Presentations

8.1. Local Government Super Presentation

Presenters: Mr Phil Stockwell (CEO) and Andrew Gledhill (Chief Risk Officer)

Mr Phil Stockwell and Mr Andrew Gledhill left the meeting at 10:50am.

8.2. Office of the NSW Cross Border Commissioner

Presenter: Ms Emma Watts – Assistant Commissioner

9. Confirmation of Minutes

RESOLVED

That the CRJO Board meeting minutes from 27 February 2020 be confirmed.

Moved T. Overall / D. Gair

Carried

10. Chair's Minute

Nil

11. Reports to Joint Organisation

11.1. CRJO Chair's Report

RESOLVED

That the CRJO Board

- 1. Receive the CRJO Chair's Report.*
- 2. Note the ministerial meetings on Thursday, 14 May 2020.*

Moved D. Gair / L. Innes

Carried

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



11.2. Regional Infrastructure Priorities

RESOLVED

That the CRJO Board

1. *Note the Regional Infrastructure Priorities report.*
2. *Endorse a proposal to the Deputy Prime Minister to compile priority projects across local government areas across Australia, in the CRJO project framework, at an appropriate fee.*
3. *Note the compilation of transport and freight, water and wastewater, recreation, cultural and tourism prospectuses that may guide future project advocacy to government.*
4. *Request the Federal Government consider funding for option studies, designs and other preliminary works to get projects to shovel ready.*

Moved B. Kirk / T. Overall

Carried

11.3. Emergency Services Levy

RESOLVED

That the CRJO Board

1. *Whilst acknowledging the importance of the increase in the Emergency Services Levy (ESL), request the State Government (the Premier, Minister of Local Government, Minister of Emergency Services and all CRJO local Members of Parliament) to allow all the increases in that levy to be added to the amount of rate –cap in 2021/22 to allow Council the opportunity to provide stable services to the community following on from drought, fire, flood and COVID 19 crises.*
2. *Support advocacy to the Ministers for Local Government and Emergency Services, and the Commissioner Resilience NSW, seeking to:*
 - i. *decouple the rate peg from the ESL annual indexation process*
 - ii. *reconsider introduction of Fire and ESL on rate notices, for disbursement to government*
 - iii. *in so doing, discontinue the annual contribution by local government areas (LGAs) for emergency services (ES) and additional contributions through insurance premiums.*
 - iv. *transfer ES assets from LGAs to government, relieving nett cost of maintenance repair and renewal, hazard reduction and depreciation expenses for councils*
 - v. *support views expressed by LGAs in Bushfire Inquiries, to review and integrate ES assets and operations in regional hubs (incl RFS, SES, Fire & Rescue, marine and volunteer rescue, Surf Life Saving Association).*

Moved B. Kirk / T. Overall

Carried

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



11.4. CRJO Operational Report

RESOLVED

That the CRJO Board note the CRJO Operational Report.

Moved J. Hayes / B. Ingram

Carried

11.5. NSW Joint Organisation Chairs' Forum

RESOLVED

That the CRJO Board note the NSW Joint Organisation Chairs' Forum report.

Moved L. Innes / D. Gair

Carried

11.6. CRJO Finance Report to 29 February 2020

RESOLVED

That the CRJO Board note the financial position of the CRJO as at 29 February 2020.

Moved J. Stafford / L. Innes

Carried

11.7. CRJO Draft Business Plan 2020-2021

RESOLVED

That the CRJO Board adopt the CRJO Draft Business Plan 2020-2021.

Moved S. Tapscott / L. Innes

Carried

11.8. CRJO Draft Budget – 2020-2021

RESOLVED

That the CRJO Board

1. Note the CRJO is budgeted to achieve an operating surplus of \$15k with total income of \$1,638k and expenses of \$1,623k for the 2020-2021 Financial Year.

2. Adopt the CRJO Draft Budget 2020-2021 noting that there may be potential risks to the budget given the current economic impacts of COVID19.

Moved B. Ingram / B. Kirk

Carried

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



11.9. Financial Arrangements 2020-21

RESOLVED

That the CRJO Board note the financial arrangements report.

Moved J. Hayes / D. Gair

Carried

11.10. Local Government Elections

RESOLVED

That the CRJO Board receive the Local Government Elections report.

Moved L. Innes / J. Hayes

Carried

11.11. Election of CRJO Chairperson and Deputy Chairperson 2020-2022

RESOLVED

That the CRJO Board

- 1. Defer the election of a Deputy Chairperson to the extraordinary Board meeting of 30 June 2020.*
- 2. Conduct the 2020-2022 CRJO Chairperson and Deputy Chairperson election via videoconferencing on Tuesday, 30 June 2020 at 9:00am via open vote.*

Moved D. Gair / L. Innes

Carried

Cr Brian Ingram left the meeting at 11:54am.

11.12. Recruitment CRJO Executive Officer

RESOLVED

That the CRJO Board receive the Recruitment CRJO Executive Officer report.

Moved J. Hayes / D. Gair

Carried

11.13. Office of Local Government Update

RESOLVED

That the CRJO Board receives the update from the Office of Local Government.

Moved L. Innes / B. Kirk

Carried

CRJO Board Meeting Wednesday, 13 May 2020 Zoom Video Conferencing



11.14. CRJO Contaminated Land Officers' Report

RESOLVED

That the CRJO Board note the CRJO Contaminated Land Officers' Report.

Moved J. Hayes / D. Gair

Carried

11.15. CRJO Regional Waste and Resource Recovery Report

RESOLVED

That the CRJO Board note the CRJO Regional Waste and Resource Recovery Report.

Moved L. Innes / S. Tapscott

Carried

11.16. Disaster Resilience Program

RESOLVED

That the CRJO Board note the report regarding the Disaster Resilience Program.

Moved D. Gair / B. Kirk

Carried

11.17. CRJO Working Groups – Actions

RESOLVED

That the CRJO Board note the CRJO Working Groups – Actions report.

Moved J. Hayes / D. Gair

Carried

The following items were resolved under agenda item "7. Urgent Business" for discussion before the close of meeting.

Urgent Business: General Discussion - Local Government Opportunities Post-Crises

The Board held a general discussion regarding opportunities for local government post natural disasters and the current pandemic.

Mr Anthony Basford left the meeting at 12:20pm.

Urgent Business: Ministerial Meetings – Thursday, 14 May 2020

A short brief was provided to Board ahead of the ministerial meetings on Thursday, 14 May 2020.

CRJO Board Meeting
Wednesday, 13 May 2020
Zoom Video Conferencing



12. Confidential Matters

Nil

13. Close

The Chairperson closed the meeting at 12:25pm.

DRAFT