



Ordinary Meeting of Council

Thursday 28 April 2022

4.00pm

Council Chambers

209 Comur Street, Yass

Citizenship Ceremony

PRAYER:

All Stand:

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

All say together:

Almighty God, we ask your blessing upon this Council.

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

FUTURE MEETINGS

May 2022

Thursday 26th

4.00pm

Ordinary Meeting of Council

Ordinary Meeting of Council

A G E N D A

Open Forum

Page No.

Citizenship

Mr Edwards-Quinn, Paul Patrick
Mr Kunneke , Ralph Dietlof
Mr Mayadunnage , Jamith Chathuranga
Miss Mayadunnage , Kenolee Thehansa
Miss Mayadunnage, Kenudi Bihansa
Mr Puddick, Daniel Christopher
Ms Schuster, Caroline Elizabeth

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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7. Notice of Motion

Nil

8. Questions with Notice

Nil

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10. Confidential Matters

Nil

Close of Meeting Time

Chris Berry
GENERAL MANAGER



Minutes of the Ordinary Meeting of Council

Thursday 24 March 2022

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

Presentations to Council – Items on the Meeting Agenda

- **Simon Cassidy**
Item 6.1 Planning Proposal – 7 Iceton Place
- **Stephanie McCall**
Item 6.4 Development Consent No DA200049E – Residential Subdivision, Isabel Drive, Murrumbateman
- **Tim Clayton**
Item 6.10 Request to Name Walker Park Grandstand

Council Meeting - The Mayor declared the meeting open at 4.14 pm.

Present

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

Also present were the General Manager – Chris Berry, Acting Director Planning & Environment – Liz Makin, Director Infrastructure & Assets – James Dugdell, Director Corporate & Community – Lynette Safranek and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

RESOLVED that apologies be received from Councillor Jones and leave of absence be granted.

(Turner/Reid) 58

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

AGAINST: Nil

3. Declaration of Interest/Disclosures

Councillor Pothan declared a pecuniary conflict of interest in Item 6.3 – Development Consent DA210063 – Review of Determination, Subdivision 3 Burrai Place, Yass and stated that she believed her interest would preclude her from voting.

Reason: Councillor Pothan declared an interest as her husband is the developer.

Councillor Reid declared a non-significant, non-pecuniary conflict of interest in Item 6.8 – Murrumbateman Lions Club Water Tank Artwork Project and stated that he did not believe his interest would preclude him from voting.

Reason: Councillor Reid declared an interest as he was named as a main contact with Council as he had agreed to help the Lions Club through the approval process. He is not a member of the Lions Club.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 February 2022 covered by resolution numbers 22-57 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed with the following amendment:

Item 9.2 – Minutes of the Bango Wind Farm Community Consultative Committee – Councillor Burgess left the chambers and did not vote on the item.

(Burgess/Pothan) 60

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

AGAINST: Nil

Motion

That the following Late Reports be accepted into Council business:

- *Mayoral Minute – Reduced Provision of Services at Yass Hospital; and*
- *Amendment to Purchase of Patching Truck be accepted into business*

RESOLVED that the following Late Reports be accepted into Council business:

- *Mayoral Minute – Reduced Provision of Services at Yass Hospital; and*
- *Amendment to Purchase of Patching Truck be accepted into business*

(Turner/Pothan) 61

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

AGAINST: Nil

5. Mayoral Minute

5.1 MAYORAL MINUTE - REDUCED PROVISION OF SERVICES AT YASS HOSPITAL

SUMMARY

Advising Councillors of the reduced provision of services at the Yass Hospital.

RESOLVED that the report on the provision of services at Yass Hospital be noted and the action of raising this issue with the Local Member for Goulburn be endorsed

(Turner/Abbey) 62

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

AGAINST: Nil

6. Reports to Council

6.1 PLANNING PROPOSAL - 7 ICETON PLACE, YASS

SUMMARY

To present the outcomes of the consultation for the Planning Proposal seeking to amend the *Yass Valley LEP 2013* by amending the land use zoning and minimum lot size of part of 7 Icton Place, Yass.

RESOLVED that :

- 1. The Planning Proposal – 7 Icton Place, Yass (PP.2020.03) be adopted***
- 2. The Department of Planning & Environment be requested to prepare the legal draft for the map amendment to the Yass Valley LEP 2013***
- 3. The amendment to the Yass Valley LEP 2013 be made as a local plan-making authority***

(Turner/Reid) 63

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

AGAINST: Nil

6.2 NSW AGRITOURISM LEP LAND USES

SUMMARY

New agritourism definitions are proposed within the standard instrument LEP in NSW. Councils are required to advise the Department of Planning & Environment whether they will be adopted, and into which zones.

RESOLVED that the land use definitions Agritourism, Farm experience premises and Farm gate premises be Permissible with Consent within RU1 Primary Production, RU2 Rural Landscape and RU4 Primary Production Small Lots zones in the Yass Valley LEP

(Turner/Burgess) 64

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

AGAINST: Nil

At 04:21 pm Councillor Pothan left the Chambers.

6.3 DEVELOPMENT CONSENT NO DA210063 - REVIEW OF DETERMINATION, SUBDIVISION, 3 BURRAI PLACE, YASS

SUMMARY

To present a request for a review of determination of Development Consent DA210063 for the subdivision at 3 Burrai Place, Yass. Specifically, the request seeks to review conditions relating to the description of the approved development, the maintenance responsibility period for the development on the open space, and the conditions relating to heavy vehicle movements. The review request received two objections. Amendments to the conditions of Development Consent are recommended.

RESOLVED that :

1. *The description of the approved development on the Development Consent be amended to be a 58 lot subdivision (including an open space lot and a future development lot) in order to correct the administrative error*
2. *The maintenance responsibility period for the developer be reduced from five years to 12 months from the date of the issue of a Subdivision Certificate*
3. *The condition relating to limits of heavy vehicle movements be deleted. The conditions relating to the traffic management component of the Construction Environmental Management Plan (CEMP) be amended to clearly set out the matters that need to be addressed. The conditions relating to hours of construction also be amended to clarify that it includes heavy vehicle movements and to clarify the construction and heavy vehicle movement hours once the current NSW COVID Development Order ceases*

(Reid/Turner) 65

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

AGAINST: Councillor A Cameron

At 04:23 pm Councillor Pothan returned to the Chambers.

6.4 DEVELOPMENT CONSENT NO DA200049E - RESIDENTIAL SUBDIVISION, ISABEL DRIVE, MURRUMBATEMAN

SUMMARY

To present the assessment of a request to modify Development Consent DA200049 for a 101 lot residential subdivision at Isabel Drive, Murrumbateman in order to change the location of the roundabout on McIntosh Circuit which is required to be constructed. Approval is recommended.

RESOLVED that Development Consent No. DA200049E for a 101 lot subdivision at Isabel Drive, Murrumbateman be modified and the required roundabout location is moved to the intersection of Isabel Drive and McIntosh Circuit

(Burgess/Pothan) 66

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

AGAINST: Nil

6.5 DEVELOPMENT APPLICATION NO DA210271 - SUBDIVISION, 34 ISABEL DRIVE, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No. DA210271 for a 27 lot subdivision at 34 Isabel Drive, Murrumbateman. The application attracted two objections and is reported to Council due to the location of a roundabout on McIntosh Circuit which needs to be considered together with adjoining subdivision DA200049. Approval is recommended under deferred commencement.

RESOLVED that :

1. ***Conditional Development Consent be issued for Development Application No DA210271 for a 27 lot subdivision at 34 Isabel Drive, Murrumbateman***
2. ***Conditions include a requirement for a roundabout to be constructed at the intersection of Isabel Drive and McIntosh Circuit***

(Turner/Burgess) 67

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

AGAINST: Nil

6.6 DEVELOPMENT APPLICATIONS NO. DA210228 & DA210232 - DWELLING HOUSE (DUAL OCCUPANCY) AND SUBDIVISION, 838 MURRUMBATEMAN ROAD, NANIMA

SUMMARY

To present the assessment of Development Applications No. DA210228 for a two-lot subdivision and DA210232 for a dual occupancy/dwelling house at 838 Murrumbateman Road, Murrumbateman. The application attracted eight submissions for the subdivision and seven submissions for the dual occupancy/dwelling house. Approval of both applications is recommended.

RESOLVED that :

1. ***Conditional Development Consent be issued for Development Application No. DA210228 for two lot subdivision at 838 Murrumbateman Road, Murrumbateman***
2. ***Conditional Development Consent be issued for Development Application No. DA210232 a dual occupancy/dwelling house at 838 Murrumbateman Road, Murrumbateman***

(Reid/Butler) 68

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

AGAINST: Nil

6.7 DEVELOPMENT APPLICATION NO DA200211 - RURAL SUBDIVISION, 1023 TALLAGANDRA LANE, GUNDAROO

SUMMARY

To present the assessment of Development Application No DA200211 for two lot rural subdivision at 1023 Tallagandra Road, Gundaroo.

The application attracted one objection.

RESOLVED that Development Application No for DA200211 at 1023 Tallagandra Lane, Gundaroo be refused on the following grounds:

- ***The proposal does not comply with the average minimum lot size requirements contained in clause 4.1B Yass Valley Local Environmental Plan 2013***
- ***The variation to the average minimum lot size development standard cannot be varied using clause 4.6 of the Yass Valley Local Environmental Plan 2013***

(Turner/Burgess) 69

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

AGAINST: Nil

6.8 MURRUMBATEMAN LIONS CLUB WATER TANK ARTWORK PROJECT

SUMMARY

The Murrumbateman Lions Club have requested Council agreement to the painting of an artwork on the Murrumbateman Reservoir.

RESOLVED that an agreement in principle for the Murrumbateman Lions Club Water Tank Artwork Project be provided and that final approval be considered after consultation with the Public Arts Committee once grants have been agreed and the design has been finalised

(Pothan/Reid) 70

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

AGAINST: Nil

6.9 REVIEW OF COUNCIL SPORTING FACILITIES SERVICE LEVELS AND USAGE CHARGES

SUMMARY

In October 2021 Council determined an audit of the service levels and user fees for all Council managed sporting facilities. The audit has been completed and is presented for consideration.

RESOLVED that :

- 1. Further consultation be undertaken with annualised sports ground users to understand their current site usage and service level requirements in determining annual fees and charges and that a further report be presented to Council to accurately apply fees and charges prior to setting the 2023/24 budget***
- 2. The prescriptive sports field lights user fee charge of \$10 per field per hour be applied to both annualised and casual hirers of sporting facilities for the 2022/23 Operational Plan onwards***

(Turner/Reid) 71

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

AGAINST: Nil

6.10 REQUEST TO NAME WALKER PARK GRANDSTAND

SUMMARY

To present a request from Yass United Rugby League Football Club Inc to officially name the new grandstand at Walker Park, Yass with two members from the Yass community.

RESOLVED that :

1. *The following options for the naming of the new grandstand at Walker Park placing on public exhibition:*
 - *The naming of the new Walker Park Grandstand be the “William ‘Kenny’ Bell Grandstand”, or*
 - *The display of both William ‘Kenny’ Bell and Colin ‘Yic’ York on the Walker Park Grandstand*
2. *The outcomes of the public exhibition be reported to the April 2022 Council meeting*
3. *It be acknowledged that the naming of the new grandstand after William ‘Kenny’ Bell Council is a departure from Naming of Public Assets Policy due to the significant and longstanding contribution of Mr Bell to the Yass Sporting community, particularly for sports conducted at Walker Park*

(Turner/Reid) 72

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

AGAINST: Nil

6.11 INVESTMENT AND BORROWINGS REPORT - FEBRUARY 2022

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council’s investments as of 28 February 2022. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council’s Investment Policy.

RESOLVED that the February 2022 Investment Report be noted

(Reid/Pothan) 73

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

AGAINST: Nil

6.12 POLICY REVIEW - COUNCILLOR EXPENSES AND FACILITIES POLICY

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*. Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Councillor Expenses and Facilities Policy* has been reviewed to include provision for superannuation payments after 1 July 2022 to Councillors who nominate to participate. The revised policy is presented for endorsement.

RESOLVED that :

1. ***Contributions be made to a superannuation account nominated by a Councillor, pursuant to s254B(4)(a), starting from the financial year commencing 1 July 2022, in accordance with the provisions of s254B Local Government Act 1993***
2. ***The amended Councillors Expenses & Facilities Policy to reflect the change in arrangements, be place on public exhibition for 28 days in accordance with s253(1) Local Government Act 1993, and be adopted if no significant submissions are received***

(Pothan/Reid) 74

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

AGAINST: Nil

6.13 POLICY REVIEW - CODE OF CONDUCT

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Model Code of Conduct for Local Councils* has been reviewed and is presented without change to Council for adoption as required by s440(7) *Local Government Act 1993*.

RESOLVED that pursuant to s440(7) Local Government Act 1993 the Model Code of Conduct for Local Councils in NSW be adopted

(Turner/Burgess) 75

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

AGAINST: Nil

6.14 POLICY REVIEW - CODE OF MEETING PRACTICE

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. Under s360 *Local Government Act 1993* Council is required to adopt a *Code of Meeting Practice* within 12 months of an ordinary election. To that end, the *Code of meeting Practice* has been reviewed and is presented for endorsement to place on public exhibition.

RESOLVED that pursuant to s361 Local Government Act 1993 Council place the Code of Meeting Practice on public exhibition for 28 days and submissions be received for 42 days, and the Code be adopted pursuant to s362 Local Government Act 1993 if no significant submissions are received

(Reid/Pothan) 76

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

AGAINST: Nil

6.15 POLICY REVIEW - PUBLIC ART POLICY

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Public Art Policy* has been reviewed to include administrative changes only. The policy is presented for adoption.

RESOLVED that the revised Public Art Policy be adopted

(Pothan/Turner) 77

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

AGAINST: Nil

6.16 POLICY REVIEW - OUTDOOR EATING & SIGNAGE POLICY

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Outdoor Eating & Signage Policy* has been reviewed and determined to be unnecessary.

RESOLVED that the Outdoor Eating & Signage policy be rescinded

(Reid/Turner) 78

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

AGAINST: Councillor A Cameron

6.17 POLICY REVIEW - ASBESTOS GUIDELINES

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Asbestos Guidelines* has been reviewed and is presented for endorsement in accordance with *s23A Local Government Act 1993*.

RESOLVED that the Yass Valley Asbestos Guidelines be adopted

(Reid/Pothan) 79

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

AGAINST: Nil

6.18 ENVIRONMENTAL SUSTAINABILITY POLICY AND ADVISORY COMMITTEE

SUMMARY

To explore options for the formation and terms of reference of a Sustainability Advisory Committee, together with options for reviewing Council's existing *Environmental Sustainability Policy*.

RESOLVED that :

- 1. A Sustainability Advisory Committee be established**
- 2. The Terms of Reference for the Committee be adopted with the following amendments:**
 - *To embed financial, environmental, social and cultural sustainability into Council's operations through the continuous review of policies, projects and services offered by Council*
 - *To take advice from all sectors of the community, and to research and propose new and innovative ways of bringing sustainability into all of Council's policies and operations*
 - *To make recommendations to Council on best-practice sustainability, consistent with the Community Strategic Plan*
 - *The Committee membership to include no fewer than 7 and up to 10 community members*
- 3. The first priority of the Committee is to review Council's current Environmental Sustainability Policy**
- 4. Nominations be sought for the Councillor and community positions on the Committee**
(Cameron/Reid) 80

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

AGAINST: Nil

6.19 TENDER EVALUATION REPORT - MULLIGANS FLAT ROAD & NANIMA ROAD SAFETY UPGRADES YVC.IA.53.2021

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Mulligans Flat Road and Nanima Road Safety Upgrades under contract YVC.IA.53.2021.

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

(Turner/Burgess) 81

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

AGAINST: Nil

6.20 TENDER EVALUATION REPORT - ARBORIST & TREE REMOVAL SERVICES (PANEL CONTRACT) YVC.IA.54.2021

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Arborist & Tree Removal Services (Panel Contract) under contract YVC.IA.54.2021.

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

(Turner/Burgess) 82

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

AGAINST: Nil

6.21 TENDER EVALUATION - MURRUMBATEMAN LANDFILL CAPPING AND REMEDIATION

SUMMARY

The report provides advice and recommendations on the submission of tenders for the Murrumbateman landfill Capping and Remediation works under contract YVC.IA.01.2022.

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

(Turner/Burgess) 83

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

AGAINST: Nil

6.22 PROCUREMENT EVALUATION REPORT - SUPPLY AND DELIVERY OF TRUCK MOUNTED ROAD SUCTION AND BROOM SWEEPER

SUMMARY

This report seeks approval for the recent Request for Quotation for Contract YVC - IA - 48 – 2021, Supply and Delivery of a Truck Mounted Road Suction and Broom Sweeper.

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

(Turner/Burgess) 84

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

AGAINST: Nil

6.23 LEASE OF GOODRADIGBEE CENTRE - VALMAR SUPPORT SERVICES LTD

SUMMARY

To consider a written request from Valmar Support Services Ltd to continue leasing of the Goodradigbee Centre building.

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

(Turner/Burgess) 85

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

AGAINST: Nil

6.24 AMENDMENT TO PURCHASE OF PATCHING TRUCK – LATE REPORT

SUMMARY

This late report seeks council approval for change of the supplier for the purchase of a Truck Mounted Road Repair Unit (Patching Truck).

Due to supplier advising that they are unable to honour the previous quote to supply and deliver this item of plant as per Council resolution no: 22, 27 January 2022

RESOLVED that item is classified Confidential in accordance with Section 10A(2)(di) of the Local Government Act 199, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

(Turner/Burgess) 86

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

AGAINST: Nil

7. Notice of Motion

Nil

8. Questions with Notice

Nil

9. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE LOCAL RESCUE COMMITTEE AND LOCAL EMERGENCY MANAGEMENT COMMITTEE HELD ON 22 FEBRUARY 2022

RESOLVED that the minutes of the Local Rescue Committee and Local Emergency Management Committee meetings held on 22 February 2022 be noted.

(Burgess/Pothan) 87

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

AGAINST: Nil

9.2 MINUTES OF THE COPPABELLA WIND FARM CONSULTATIVE COMMITTEE HELD ON 2 DECEMBER 2021

RESOLVED that the minutes of the Coppabella Wind Farm Consultative Committee meeting held on 2 December 2021 be noted.

(Turner/Burgess) 88

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

AGAINST: Nil

9.3 MINUTES OF THE COUNTRY MAYORS ASSOCIATION HELD ON 11 MARCH 2022

RESOLVED that the minutes of the Country Mayors Association AGM and General Meetings held on 11 March 2022 be noted

(Reid/Cameron) 89

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

AGAINST: Nil

9.4 MINUTES OF THE TRAFFIC MANAGEMENT COMMITTEE HELD ON 16 MARCH 2022

RESOLVED that the minutes of the Traffic Management Committee meeting held on 16 March 2022 be noted and adopt the following recommendations:

1. Road Closures Anzac Day 2022 – Yass

- *That the Yass 2022 Anzac Day Road closures and associated traffic management be support*

- *That Council arrange public notification of the road closures and write advice the NSW Ambulance Services and NSW Fire and Rescue*

2. Road Closures Anzac Day 2022 – Binalong

- *That the Binalong 2022 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange public notification of the road closures and write advice the NSW Ambulance Services and NSW Fire and Rescue*

3. Road Closures Anzac Day 2022 – Sutton

- *That the Sutton 2022 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange public notification of the road closures and write advice the NSW Ambulance Services and NSW Fire and Rescue*

4. Road Closures Anzac Day 2022 – Gundaroo

- *That the Gundaroo 2022 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange public notification of the road closures and write advice the NSW Ambulance Services and NSW Fire and Rescue*

5. 2022 Sutton Public school – Cross Country

That the 2022 Sutton Public School Cross Country event be supported

(Abbey/Cameron) 90

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

AGAINST: Nil

10. Confidential Matters

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

10.1 Tender Evaluation Report - Mulligans Flat Road & Nanima Road Safety Upgrades YVC.IA.53.2021.

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

10.2 Tender Evaluation Report - Arborist & Tree Removal Services (Panel Contract) YVC.IA.54.2021.

Item 10.2 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.3 Tender Evaluation - Murrumbateman Landfill Capping and Rehabilitation

Item 10.3 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.4 Procurement Evaluation Report - Supply and Delivery of Truck Mounted Road Suction and

Broom Sweeper

Item 10.4 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.5 Lease of Goodradigbee Centre - Valmar Support Services Ltd

Item 10.5 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.6 Amendment to Purchase of Patching Truck – Late Report

Item 10.5 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Turner/Burgess) 91

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

AGAINST: Nil

Closed Council commenced at 5.02 pm.

10.1 TENDER EVALUATION REPORT - MULLIGANS FLAT ROAD & NANIMA ROAD SAFETY UPGRADES YVC.IA.53.2021.

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Mulligans Flat Road and Nanima Road Safety Upgrades under contract YVC.IA.53.2021.

RESOLVED that :

- 1. The tender submitted by Lentro Earthworks Pty Ltd under the Mulligans Flat Road Safety Upgrades portion be accepted for a total cost of \$621,731.58**
- 2. The remainder of the grant funding for Mulligans Flat Road be expended on additional safety works on Mulligans Flat Road using the tendered unit rates**
- 3. The tender submitted by Hewatt Civil Pty Ltd under the Nanima Road Safety Upgrades portion be accepted as per the unit rates in the submission to a total value not exceeding the grant funding**

(Burgess/Reid) 92

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

AGAINST: Nil

10.2 TENDER EVALUATION REPORT - ARBORIST & TREE REMOVAL SERVICES (PANEL CONTRACT) YVC.IA.54.2021.

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Arborist & Tree Removal Services (Panel Contract) under contract YVC.IA.54.2021.

RESOLVED that :

1. ***The tenders submitted by the following organisations allow for the formation of a panel contract for arborist and tree removal services within the Yass Valley Local Government Area***
2. ***The panel be comprised of the following companies:***
 - ***CJ & MM Beck Tree Removal Specialists***
 - ***Rirukatomy Pty Ltd***
 - ***Muru Mittigar Limited***
 - ***O'Brien's Tree Services***

(Abbey/Reid) 93

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

AGAINST: Nil

10.3 TENDER EVALUATION - MURRUMBATEMAN LANDFILL CAPPING AND REHABILITATION

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Murrumbateman Landfill Capping and Rehabilitation works under contract YVC.IA.01.2022.

RESOLVED that the tender submitted by Complete Civil Pty Ltd under the Murrumbateman Landfill Capping and Rehabilitation Tender be accepted for a total cost of \$152,760.00 Excl GST

(Burgess/Reid) 94

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

AGAINST: Nil

10.4 PROCUREMENT EVALUATION REPORT - SUPPLY AND DELIVERY OF TRUCK MOUNTED ROAD SUCTION AND BROOM SWEEPER

SUMMARY

This report seeks approval for the recent Request for Quotation for Contract YVC - IA - 48 – 2021, Supply and Delivery of a Truck Mounted Road Suction and Broom Sweeper.

RESOLVED that :

1. ***The Quote submitted by Bucher Municipal PTY LTD under the Contract YVC – IA – 48 – 2021 be accepted for a total cost of \$342,337.56 ex GST***

- 2. An additional allocation of \$2337.56 from the Plant reserve this financial year. (refer March 2022 Quarterly budget adjustment)**

(Abbey/Reid) 95

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

AGAINST: Nil

10.5 LEASE OF GOODRADIGBEE CENTRE - VALMAR SUPPORT SERVICES LTD

SUMMARY

To consider a written request from Valmar Support Services Ltd to continue leasing of the Goodradigbee Centre building.

RESOLVED that :

- 1. The Goodradigbee Centre be leased to Valmar Support Services Ltd for 4 years including an option for two 2 year extensions**
- 2. The rent be determined at \$550 per week (GST Inclusive) with annual CPI increases**

(Turner/Pothan) 96

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

AGAINST: Nil

10.6 AMENDEMENT TO PURCHASE OF PATCHING TRUCK – LATE REPORT

SUMMARY

This late report seeks council approval for change of the supplier for the purchase of a Truck Mounted Road Repair Unit (Patching Truck).

Due to supplier advising that they are unable to honour the previous quote to supply and deliver this item of plant as per Council resolution No: 22, 27 January 2022.

RESOLVED that:

- 1. The purchase from Ausroads Systems Pty Ltd for a Patching Truck at a cost of \$474,506 excluding GST b aproved**
- 2. An additional allocation of \$7,088 from the Plant Reserve for the purchase**

(Pothan/Reid) 97

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

AGAINST: Nil

RESOLVED that the meeting move into Open Council

(Turner/Reid) 98

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

AGAINST: Nil

Open Council resumed at 5.23 pm.

RESOLVED that the recommendations in Closed Council be adopted

(Turner/Burgess) 99

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

AGAINST: Nil

The meeting closed at 5.24 pm.

5.1 MAYORAL MINUTE - YASS HOSPITAL

SUMMARY

Providing Councillors with an update following discussions with the Minister for Local Government and Member for Goulburn, the Hon Wendy Tuckerman MP, regarding the level of services at Yass Hospital.

RECOMMENDATION

That:

1. *The report from the Minister for Local Government and Member for Goulburn, the Hon Wendy Tuckerman MP on the level of services at the Yass Hospital be noted*
2. *The Yass Hospital be requested to provide a six monthly update to Council on the operations and future planning of health services in Yass Valley*
3. *The Yass Hospital consider including a Council representative on the Community Consultative Committee*

REPORT

In March 2022 I provided a Mayoral Minute outlining concerns with the level of services at the Yass Hospital.

The General Manager and I met with the Minister for Local Government and Member for Goulburn, the Hon Wendy Tuckerman MP, to discuss the outcomes from her meeting with the Hon Bronnie Taylor Minister for Women, Regional Health & Mental Health and Fiona Renshaw, Southern NSW Local Health District Executive Director Operations.

Minister Tuckerman indicated she was aware of Council's concerns along with those from the Yass Community Consultative Committee.

The outcomes from those discussions were:

- **Yass Community Consultative Committee (Yass CCC)**

The Local Health District values engagement with the Yass CCC and its links with the Yass community. The Manager Community Engagement, Renata Sheehan and General Manager, Brian Bonham and the Yass Hospital Site Manager regularly attend meetings. The Executive Director Operations, Fiona Renshaw, has met with the CCC Chair, Jill McGovern.

It is noted that there is no Yass Valley Council representative on the Yass CCC.

- **After Hours X- Ray Services**

Previous arrangements for X-ray at Yass Hospital relied on a single 24 hour on call radiographer. An expression of interest to trial a weekend shift at Yass Hospital was unsuccessful. Advertising is now underway for any external interest in the trial.

- **Nursing Levels**

Current nursing vacancy is 1.72ETE. Recruitment is underway.

- **Yass Hospital Site Manager**

Recruitment underway closing on 18 April 2022. Recruitment is challenging for any rural organisations.

- **Roof Replacement**

Replacement completed.

- **Hospital Security**

Mobile and fixed duress alarms are in place and a contractor provides a response service when any duress alarms are activated. The contracted service is only an interim solution while the duress system remediation works are underway.

- **Telephone System**

Review of system was undertaken but unable to establish the cause.

An external providers was engaged to undertake further investigations which established problems with hold music and ring tone. This was rectified in March 2022 and ongoing tests have confirmed no further issues with the system.

- **Population Trends**

NSW Health utilises the DPE population projections and new projections are anticipated to be released in the coming months. Local Member has raised concerns with these projections not including intel from local Councils.

- **Annual Emergency Department Activity**

Emergency Department presentations were unusually high during 2017/18 but the five year average is around 5,600 presentations.

- **Yass Clinical Services Plan**

A new Clinical Services Plan will be commenced in the second half of 2022. The last service needs were documented in 2020.

Planning highlights a relatively stable birthing rates, emergency department presentations and hospital admissions. Population projects indicate an aging population with an increase in residents over 65 increasing from 16% in 2019 to 27% in 2036.

Service priorities for Yass Health Service identified by employees include:

- Hospital in the Home
- Cancer care
- Renal dialysis
- Visiting or telehealth Geriatrician
- Aging programs – palliative care dementia care, continence nurse
- Rehabilitation, cardiac clinics
- Allied health service gaps
- Sexual Health Nurse
- Prevention activities
- Mental health

At the meeting it was agreed:

- The District would continue to prioritise Yass Hospital and services along with continuing engagement with the CCC
- Minister Tuckerman and Minister Taylor to engage with the Yass Valley Council Mayor and General Manager to provide relevant information and responses

ATTACHMENTS: Nil

6.1 NSW EMPLOYMENT ZONES REFORM

SUMMARY

Provide an overview of changes to the *Yass Valley Local Environmental Plan 2013* (LEP) as a result of NSW Employment Zones Reform.

RECOMMENDATION

That the draft Yass Valley employment zones and land use tables prepared by the Department of Planning and Environment be noted.

FINANCIAL IMPLICATIONS

Nil. The public exhibition process will be undertaken by the Department of Planning and Environment (DPE). Amendments to the LEP instrument and maps will be prepared by DPE.

POLICY & LEGISLATION

Standard Instrument (Local Environmental Plans) Order 2006
Yass Valley LEP 2013

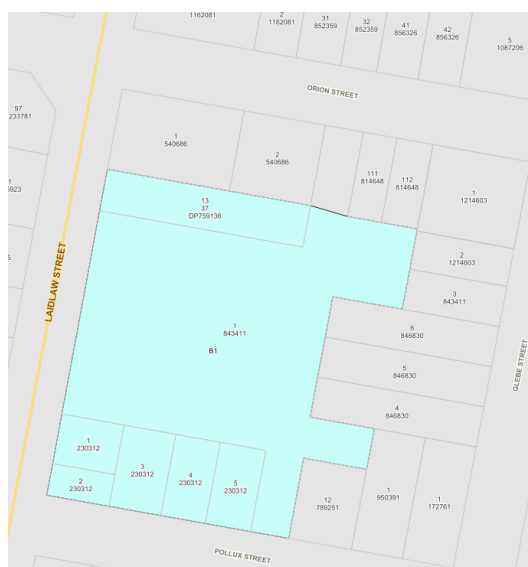
REPORT

1. Yass Valley LEP Zone Changes

There are currently thirteen employment and supporting zones within the Standard Instrument LEP across NSW. DPE has amended the *Standard Instrument LEP Order* to introduce five employment zones and three supporting zones to replace and rationalise the current zones. This LEP reform originated from recommendations by the NSW Productivity Commission to rationalise the number of employment zones in NSW and to increase flexibility within the new zones to expand the land uses that are permitted.

On 1 December 2022 the existing Business and Industrial zones will be repealed across NSW. Not all zones apply in every Local Government Area, and Yass has four Business and two Industrial zones in place since 2013. It is proposed to replace them as follows:

E1 Local Centre to replace B1 Neighbourhood Centre and B2 Local Centre zones as shown below:

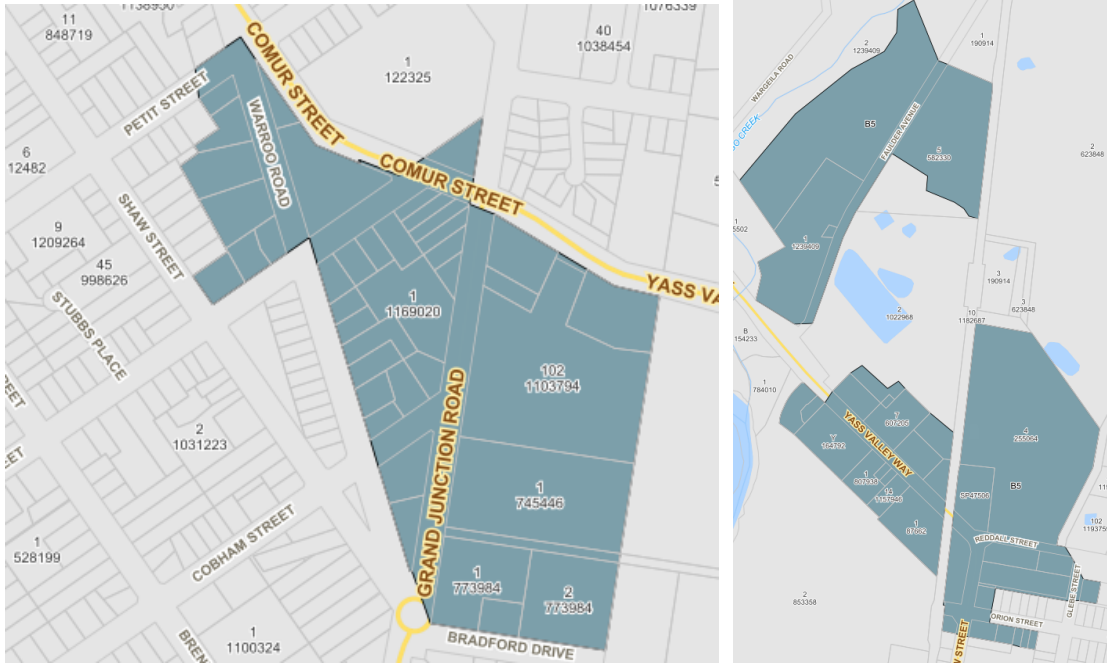


B1: Irvine Square (light blue)



B2: Comur Street (bright blue)

E3 Productivity Support to replace B5 Business Development and B6 Enterprise Corridor zones as shown below:

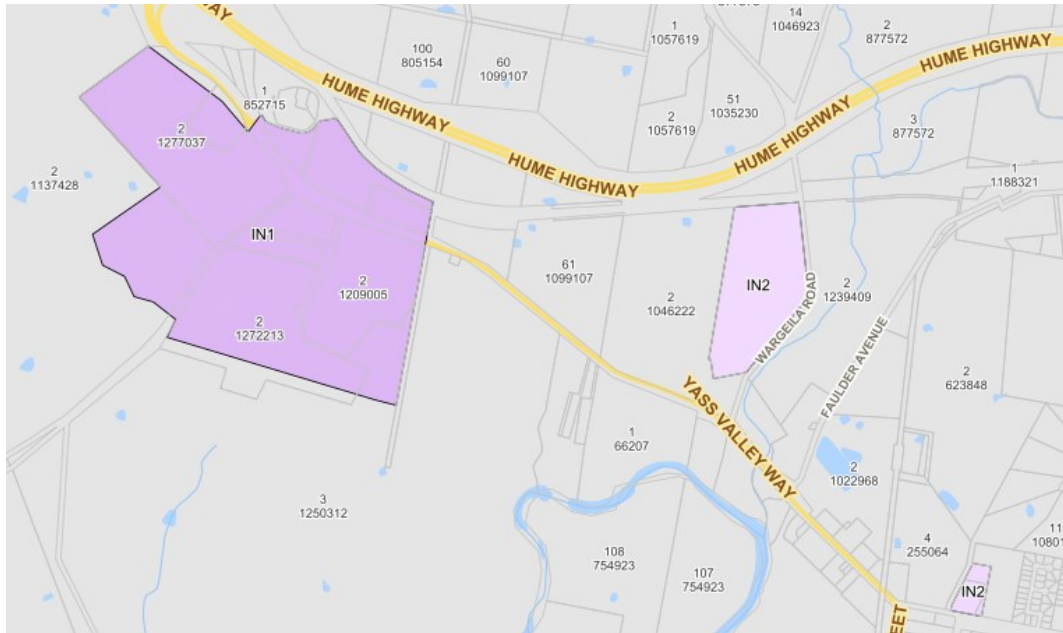


B5: Waroo Road & Yass Valley Way/Faulder Ave (blue grey)



B6 Laidlaw St (mid blue)

E4 General Industrial to replace IN1 General Industrial and IN2 Light Industrial zones as shown below:



IN1 and IN2 (light and mid mauve)

The draft land use tables that will be publicly exhibited by DPE are shown in **Attachment A**, with the land uses and objectives in black being DPE mandated, and the text in blue being local. Note that there are two objectives that were initially proposed to be transferred to the new E3 zone, which are not to remain (strikethrough text). Landowners and the wider community will be able to make submissions via the NSW Planning Portal during the exhibition period.

It is anticipated that this reform will be finalised and the LEP amended with the new zones before December 2022.

2. Implications for Yass Valley

These amendments only relate to land currently zoned business and industrial which is limited to Yass at this time. The reduction in the number of zones will have no material impact as the zones and the land use tables between B1 and B2, B5 and B6, IN1 and IN2 are relatively similar, and the translation to the new zones has largely been a merging process. Council had already taken steps to create more flexibility for businesses by opening up the land use tables for the existing zones. Yass also does not have an intensive commercial centre, waterfront or heavy industrial area. In contrast it needs to be relatively flexible and accommodating, with those zones that are more likely to generate adverse impacts on residential uses being located away from those areas.

It should be noted that the extent of these zones is not proposed to be amended through this process. The review of the Settlement Strategy will consider whether additional employment land is required, or boundaries to be adjusted once work on the Integrated Water Cycle Management Plan and Development Servicing Plan is completed.

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 -	Determine applications for development for local activities

ATTACHMENTS: A. Employment Zones Draft Land Use Tables (*Under Separate Cover*) [↗](#)

6.2 PLANNING PROPOSAL - CUSACK PLACE, YASS

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the land use zoning and minimum lot size under the *Yass Valley Local Environmental Plan 2013* for land in Cusack Place, Yass.

RECOMMENDATION

That:

1. *The draft Planning Proposal for Cusack Place, Yass (PP.2022.01) be endorsed*
2. *The draft Planning Proposal be forwarded to the Minister for Planning to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979*

FINANCIAL IMPLICATIONS

Resources for the assessment of planning proposals are provided for in the 2021-22 Fees and Charges.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Settlement Strategy 2036*
- *Local Strategic Planning Statement*

REPORT

1. Introduction

Council has received a draft Planning Proposal seeking an amendment to the *Yass Valley LEP 2013* by amending the land use zoning and minimum lot size of land in Cusack Place, Yass. The planning proposal is supported by the *Yass Valley Settlement Strategy 2036* which sets a direction and framework for the consideration of future growth within Yass Valley. By 2036 the Strategy projects that the population for Yass will be 10,645 with an ultimate population of 20,000. Yass needs an additional 5,360 residential lots to accommodate the additional population growth up to 2036. Land which is currently zoned residential has a capacity of 2,645 residential lots requiring more land to be rezoned to meet the shortfall of 2,715 residential lots.

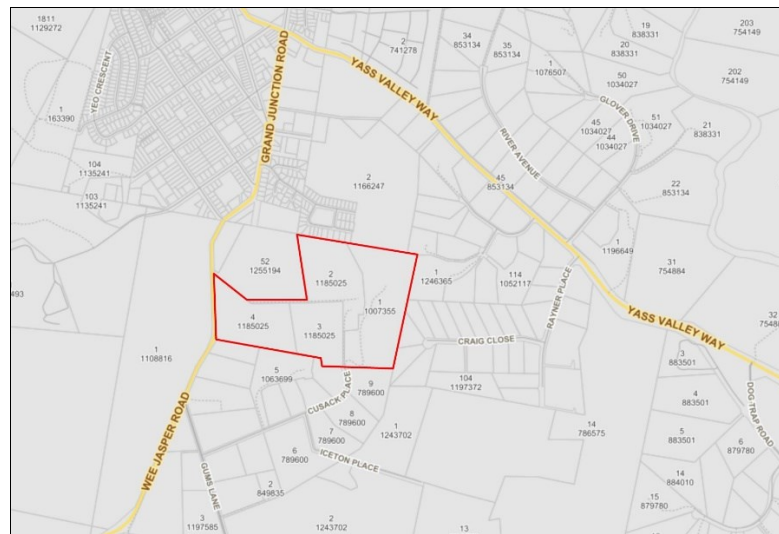
The Strategy identified greenfield and brownfield sites in Yass to accommodate future population growth and this land in Cusack Place is identified as a Potential Future Residential Expansion Area (refer [Attachment A](#)).

2. Planning Proposal

The draft Planning Proposal applies to four parcels of land known as Lot 1 DP 1007355 and Lot 2-4 DP 1185025 being 16-18 Cusack Place and 21 Cusack Place, Yass as shown below. The site has an area of 42.89 ha and is zoned R5 Large Lot Residential having a minimum lot size of 2 ha under the *Yass Valley LEP 2013*.

The site is located approximately 2.6 km from the Yass town centre, abuts Wee Jasper Road to its west and is situated south of Clayton Street/Lumsden Avenue, and west of Craig Close. Surrounding development is characterised as urban and rural residential comprising of detached houses.

The site is traversed by a number of high voltage powerlines as well as easements for future powerlines. Designing any future development will need to take these significant constraints into account, and comply with any requirements of Transgrid and Essential Energy for their infrastructure.



Subject Site

The draft Planning Proposal seeks to amend the *Yass Valley LEP 2013* by amending the land use zoning from R5 Large Lot Residential to R1 General Residential and reducing the minimum lot size from 2ha to 700m² (refer **Attachment B** under separate cover).

It is anticipated that the draft Planning Proposal would enable the development of approximately 300 urban residential lots contiguous with the existing urban residential development within Clayton Street and Lumsden Avenue, Yass.

3. Site Analysis

3.1 Ecological Value

An ecological assessment supporting the Planning Proposal identifies the nature and extent of vegetation and habitat on the site and the impacts of proposed development on the native vegetation and habitat (refer **Attachment C**)

The assessment notes that the site is dominated by exotic grassland. Tree cover is mainly exotic trees throughout the central and eastern portion of the site, generally planted as wind breaks. Native tree species were identified along the eastern and western boundaries with some surrounding the house on Lot 1 DP 1007355. These trees were planted and as such are not remnant nor contain hollows.

In addition, three bat species were identified as well as European Rabbit, Eastern Grey Kangaroo and Tawny Frogmouth. The ecological assessment determines that the site is appropriate to be developed for residential purposes, and is unlikely to require a Biodiversity Development Assessment Report.

3.2 Traffic Impact Assessment

The Traffic Impact Assessment (TIA) indicates the proposed development will generate 2,200 vehicle trips per day including up to 234 vehicle trips per hour on a typical weekday with a anticipated yield of 300 residential lots. The TIA has been supported with a traffic count that was undertaken along Wee Jasper Road.

Vehicle access to the development is proposed at three locations shown in Figure 2. The multiple access points will assist in distributing the traffic generated onto the local road network.

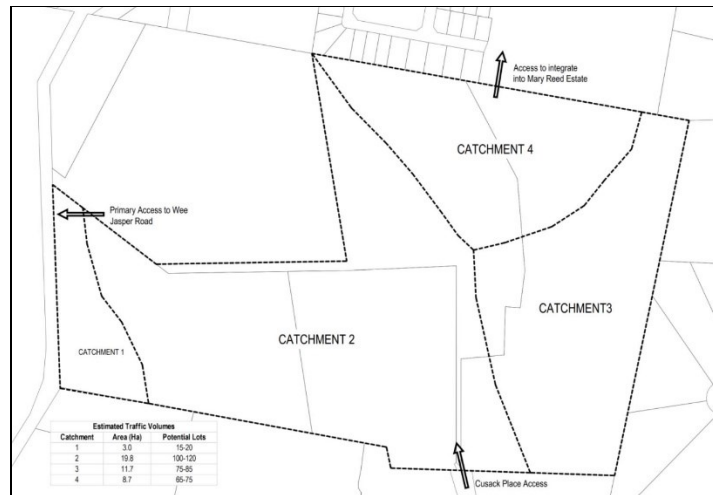


Figure 2 Proposed Access to the site

The TIA anticipates that traffic volumes will not warrant the construction of dedicated turning lanes for either direction. Instead, basic turn treatments (localised pavement widening) are recommended on Wee Jasper Road as part of any new intersection construction works.

3.3 Heritage

The site is not identified as being of heritage significance in *Schedule 5 Environmental Heritage* or within a Conservation Area under the *Yass Valley LEP 2013*.

An Aboriginal Cultural Heritage Due Diligence Assessment has been completed and revealed a previously unrecorded Aboriginal site. The site contains one artefact scatter (containing 90 stone artefacts), quarry material and a Potential Archaeological Deposit on Lot 2 DP 1185025.

The assessment suggests that the identified Aboriginal site has medium archaeological/scientific significance. The advice of Heritage NSW will be required in determining whether further assessment is required.

3.4 Bush Fire

The site is identified as Category 3 bushfire prone land and a detailed bushfire assessment will be required for the Planning Proposal. Any development on the site will be required to be designed in accordance with Planning for Bushfire Protection 2019.

3.5 Land Contamination

The Preliminary Site Investigation (PSI) warranted a further investigation including soil sampling to assess the suitability of land for residential development. This concluded that:

- The source of potential contamination identified on site includes herbicides that may have been used for pasture improvement, and lead at the soil surface possibly from vehicular traffic along Wee Jasper Road
- The contaminants of potential concern (COPC's) were below the adopted criteria while no traces of anthropogenic material were observed in soil
- A small stockpile was located in the north-western section of the site that had traces of asphalt and concrete, however concentrations of COPCs in soil were below the adopted assessment criteria

Based on this, the risk of contamination to residential development is low and therefore the site is considered suitable.

4. Strategic Planning Assessment

The proposed amendment 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 18: Secure Water Resources*
The Preliminary Servicing Strategy accompanying the Planning Proposal provides conceptual analysis to demonstrate that the development of the site can be designed in such a way to minimise downstream impacts.
- *Direction 22: Build socially inclusive, safe and healthy communities*
The subdivision will have an integrated walking and cycling network that will link to existing facilities.
- *Direction 24: Deliver greater housing supply and choice*
The proposal would create an opportunity to deliver approximately 300 residential lots that would offer varying housing choices in Yass.
- *Direction 25: Focus housing growth in locations that maximise infrastructure and services*
The proposal would create an opportunity to deliver approximately 300 dwelling houses in Yass with existing infrastructure, services and community facilities.

5. Conclusion

The draft Planning Proposal is consistent with the regional and local strategic planning directions for the future growth of Yass. It is recommended that the draft Planning Proposal be endorsed and forwarded to the Minister for Planning to request a Gateway determination. Council should also seek the delegation to make the amendment as the local plan-making authority.

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 –	Complete the comprehensive development control plan

- ATTACHMENTS:**
- A. Proposed Rezoning of Land - South Yass (*Under Separate Cover*) ➡
 - B. Planning Proposal (*Under Separate Cover*) ➡
 - C. Vegetation Map (*Under Separate Cover*) ➡

6.3 DEVELOPMENT CONSENT NO DA200277 - DRAFT VOLUNTARY PLANNING AGREEMENT, SUBDIVISION, 927 MARKED TREE ROAD, GUNDAROO

SUMMARY

To present a draft Voluntary Planning Agreement (VPA) with Council for the payment of a development contribution in lieu of physical road upgrade associated with Development Consent DA200277, a two lot subdivision at 927 Marked Tree Road, Gundaroo. The VPA is the result of an agreement reached during Land and Environment Court conciliation conference earlier in the year.

RECOMMENDATION

That the draft Voluntary agreement for the payment of a one-off monetary contribution of \$15,500 in relation to road works associated with Development Consent DA200277, the two lot subdivision of 927 Marked Tree Road, Gundaroo, be adopted if no significant submissions are received during the public exhibition period

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
- Road Standards Policy
- Development Consent DA200277
- [2022] NSWLEC 1084
- Planning Agreements Practice Note

REPORT

In May 2021 Development Consent DA200277 was issued for a two lot subdivision of 927 Marked Tree Road, Gundaroo (refer **Attachment A** and **Attachment B**). Conditions of Development Consent required 600m of Marked Tree Road to be upgraded from the end of the existing seal on Marked Tree Road in accordance with Council's Road Standards Policy.

In November 2021 the Applicant filed proceedings in the Land & Environment Court (LEC) in relation to the road upgrade requirements and other miscellaneous conditions. The proceedings were challenging the validity of the road upgrade requirement. In February 2022 an LEC conciliation conference was held and agreement reached between Council and the Applicant to accept a one-off monetary contribution a one-off monetary contribution of \$15,500 in relation to road works. The Land & Environment Court have since issued a modified Development Consent with a Voluntary Planning Agreement (VPA) requirement.

The draft VPA (refer **Attachment C**) has been reviewed by Council staff and our solicitors, and is agreed to by the Applicant. In this regard, the draft VPA has been placed on public exhibition for 28 days as required by the planning legislation.

It is recommended that the draft VPA be adopted if no significant submissions are received during the public exhibition period.

STRATEGIC DIRECTION

Theme	1. –	Our Environment
Long Term Goal	EN4 –	Maintain a balance between growth, development and environmental protection through sensible planning
Strategy	EN4.2 –	Ensure development application assessment is thorough and efficient
Strategic Action	EN4.2.1 –	Implement the development process and implement changes aligning with the NSW Government's best practice guidelines.

- ATTACHMENTS:**
- A. Locality Plan (*Under Separate Cover*) [⇒](#)
 - B. Approved Plan of Subdivision (*Under Separate Cover*) [⇒](#)
 - C. Draft Voluntary Planning Agreement (*Under Separate Cover*) [⇒](#)

6.4 DEVELOPMENT CONSENT NO. DA175279C - REVIEW OF DETERMINATION, MONTESSORI PRE-SCHOOL, 37 CHURCH STREET, YASS.

SUMMARY

To present a request for a review of determination of Development Consent DA175279B for the Montessori Pre-School, 37 Church Street, Yass. The request seeks to delete condition 101 relating to the provision of a footpath adjacent to Church Street connecting to the existing footpaths on Meehan and Lead Streets and instead retrospectively contribute to a proposed bridge over Chinamans Creek as part of the broader improvement of access as the preschool moves towards larger numbers in the medium term. The review request received one submission. It is recommended that the review of determination be refused.

RECOMMENDATION

That the request for a review of determination of Development Consent DA175279B for the Montessori Pre-School, 37 Church Street, Yass be refused on the following grounds:

- *The provision of the footpath increases student safety and supports the reduced need for additional parking on site*
- *The provision of the footpath links to the increased pedestrian traffic likely to occur as a result of the proposed development*

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*
- *State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *Yass Valley Local Environmental Plan 2013*
- *NSW Childcare Planning Guideline 2017*
- *Guide to Traffic Generating Development*
- *Offstreet Carparking Policy*
- *Application Assessment and Decision Making Policy*
- *Yass Floodplain Risk Management Study and Plan 2021*
- *Community Engagement Strategy*
- *Local Government Act 1993*
- *Roads Act 1993*

REPORT

1. Application Details

Date Received	-	21 March 2022
Land	-	Lot 12 DP 603281, 37 Church Street, Yass
Area	-	3400m ²
Zoning	-	R1 General Residential

2. Site Description and Locality

The site is located in Church Street, Yass, between Meehan and Lead Streets. It is zoned R1 General Residential and it is an area characterised by residential development, however is at the zone interface

with the Soldier's Club carpark adjoining at the rear. The site has fall from the Church Street and backs onto Chinamans Creek at the rear. Until recently, the site had a derelict building that had historically been used as a cordial factory, but that has since been demolished. There are some established trees on the site, mainly towards the rear. Some trees have been removed around the time of the demolition.

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

3. Proposal

On 3 December 2021 Council granted a modified Deferred Commencement Development Consent for a Change of Use from a Derelict Building (former Cordial Factor) to a Preschool (maximum 45 Children).

The Applicant has now lodged a request for review of determination of Development Consent (refer **Attachment B**) seeking to delete condition 101 being:

101. A 1.5m wide, 100mm thick, reinforced concrete footpath (with 50mm compact gravel base) shall be constructed adjacent to Church Street. The footpath shall run along the length of Church Street and connect to the existing footpaths on Meehan and Lead Streets. The footpath is to be completed in accordance with the approved engineering design drawings.

Instead of constructing the footpath the Preschool have suggested that they could contribute retrospectively to a proposed bridge over Chinamens Creek as part of the broader improvement of access to the preschool as it moves towards larger numbers in the medium term.

4. Public Exhibition

Public exhibition included notice to 17 adjoining and nearby landowners and one submission has been received (refer **Attachment C**). The submission supports the construction of the footpath as required by the Consent condition.

5. Referrals

Council's Infrastructure and Assets staff have provided the following advice:

The requirement to link the path was based on the Pre-school's submission that they would be encouraging students and parents to walk to school. This was considered along with the agreement to remove two car parking spaces required under the Off-Street Parking Policy as the footpath would increase student safety and reduce the need for additional parking at the site. It was discussed at the Council Meeting that there would also need to be additional controls considered in the future to manage congestion at drop off and pickup times and the inclusion of the footpath linking Lead and Meehan Streets would assist in managing the congestion.

Pathways on Lead and Meehan Streets were developed to support the parking on these streets as they link to Comur Street. The link along Church Street was not required until the consideration of the Development Application for the preschool as the pedestrian traffic was low and not linked to a number of traffic vulnerable movements. The inclusion of the preschool requires additional works to remove students, particularly young children from the roadway.

In relation to the comments regarding the footpaths along Grand Junction Road, these are being delivered as part of safety around schools funding program to address previous shortfalls in student safety at Berinba School. This is part of a wider program of addressing student safety around schools in the area including new paths and traffic control measures at nearly all schools in the Yass Valley. It would be remiss of Council not to address the issue up front with the organisation proposing the school when these are known problems that manifest during the life of the preschool.

6. Assessment

A review of the original assessment and determination has been undertaken in accordance with the requirements of the planning legislation another officer to the original assessment as required for reviews of determination.

It is considered that the proposed request for a review of determination cannot be supported on the basis of the advice from Infrastructure and Assets staff. In terms of a contribution towards a bridge over Chinamans Creek, the bridge did not form part of the development that has been approved and as such, is not considered relevant to this assessment.

6. Conclusion

From the assessment of the proposal, it is recommended that the application for a review of determination be refused.

STRATEGIC DIRECTION

Theme	1. –	Our Environment
Long Term Goal	EN4 –	Maintain a balance between growth, development and environmental protection through sensible planning
Strategy	EN4.2 –	Ensure development application assessment is thorough and efficient
Strategic Action	EN4.2.1 –	Implement the development process and implement changes aligning with the NSW Government's best practice guidelines.

- ATTACHMENTS:**
- A. Locality Map (*Under Separate Cover*) ➡
 - B. Review of Determination Request (*Under Separate Cover*) ➡
 - C. Submission (*Under Separate Cover*) ➡

6.5 DEVELOPMENT APPLICATION NO DA210220 - DWELLING ADDITION (DECK), 5 MICALONG CLOSE, WEE JASPER

SUMMARY

To present the assessment of Development Application No DA210220 for dwelling additions (new deck) at 5 Micalong Close, Wee Jasper. The application attracted one objection and relevant concerns cannot be addressed by conditions. Refusal is recommended.

RECOMMENDATION

That Development Application No DA210220 for dwelling additions (new deck) at 5 Micalong Close, Wee Jasper be refused on the following grounds:

- *The setback, size, bulk and scale of the proposed deck is not consistent or compatible with the locality*
- *The proposed development would have an adverse and unacceptable impact on the streetscape and character of the locality*

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*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Community Engagement Strategy*
- *Application Assessment and Decision Making Policy*
- *Building Line – Rural Residential Policy*
- *Holiday Cabins – Micalong Creek Subdivision Policy*

REPORT

1. Application Details

Date Received	-	13 August 2021
Land	-	Lot 64 DP 239674, 5 Micalong Close, Wee Jasper
Area	-	390m ²
Zoning	-	RU1 Primary Production

2. Site Description and Locality

The site is located in an area characterised primarily by rural residential properties. The density of Micalong Close however is greater than the surrounding rural locality, noting the immediate area around the site is intended for the purpose of 'holiday cabins'. The land is regular in shape and encompasses one existing single storey dwelling with a street frontage to Micalong Close.

The site is surrounded by residential properties or 'holiday cabins' with Crown land to the south and south east of the site. The site is made up of three lots zoned RU1 Primary Production with an area of approximately 390m² however the works are only proposed on Lot 64 DP 239674.

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

3. Proposal

The application proposes an addition to the existing dwelling comprising an extension of the existing front deck, which is orientated towards Micalong Close. It is proposed to extend the deck to 5m in length by the existing 10m in width, resulting in an extension of the deck area by 35m² (as shown on the floor plans) resulting in a 50m² deck attached to the front of the dwelling and a height of up to 5.5m above natural ground level. The dwelling roof design will extend over the proposed deck area.

Details of the proposal are included in [Attachment B](#).

4. Public Exhibition

Public exhibition included notice to the five adjoining and nearby landowners for a period of 14 days, from 30 September 2021 until 14 October 2021. One submission was received (refer [Attachment C](#)) which included objection on the following grounds:

- The deck will have an overbearing presence on the streetscape
- The deck will create a visual impedance and disturbance to 7 Micalong Close (eastern neighbour)
- Incorrect information shown on plans and Statement of Environmental Effects
- Impeded on neighbouring amenity

The Applicant and their consultant have both provided a written response to the submission included at [Attachment D](#).

5. Assessment

The proposed development has been assessed against the requirements of s4.15 *Environmental Planning & Assessment Act 1979*. It is considered that the proposed development cannot be supported for the reasons outlined in the Assessment Report (refer [Attachment E](#)).

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

5.1 Setback, Size, Bulk and Scale

There is an existing 1.6m deck located to the front of the dwelling that extends across the entirety of the facade. The proposed development would result in a 50m² deck located further forward of the dwelling line. The proposed deck would be setback 2.96m from the front boundary. The deck is proposed to extend outwards from the existing deck across the entirety of the dwelling frontage, resulting in it having a significant height of up to 5.5m above natural ground level at the point closest to the front boundary.

Council's *Building Line – Rural and Rural Residential Land Policy* would usually apply to land zoned RU1 Primary Production and requires a 10m front setback and 5m side setback for a lot of this size. The Applicant has requested a variation to this policy in their supporting documentation. However, the circumstances of Micalong Close are unique in that whilst the land is zoned RU1 Primary Production and the policy would usually apply, the lot sizes are significantly smaller and the setting different. In this regard, it is not considered suitable to strictly apply the policy in this instance and the setback should be instead assessed on a merit basis.

The deck addition is proposed to be located forward of the existing dwelling, resulting in a front setback of 2.96m. The setbacks of existing buildings along Micalong Close varies and there is not a consistent setback pattern. There are buildings set very close to front boundaries on the northern side of Micalong Close, however on the southern side where the development site is located, the dwellings are generally setback further.

The setback of the adjoining 7 Micalong Close is approximately 6.5m from the front boundary and this is consistent with the current setback of the subject building. The proposed deck addition reduces the front setback substantially. The issue with this proposed setback is

exacerbated by the size, bulk and scale of the deck addition, as well as its height of 5.5m above natural ground level.

In the current form the proposed development is inconsistent with, and not compatible with, the existing locality character and streetscape. The proposed deck is considered to be excessive and visually dominant when viewed from Micalong Close and would adversely impact the character and streetscape. Noting the proposed design, the bulk and scale of the deck are not considered appropriate for the context or setting of the locality.

It was suggested to the Applicant that the proposal be amended to reduce the size of the proposed deck by half, which would have increased the setback to the front boundary as well as the overall bulk and scale and reduced the overall height above natural ground level. This suggestion was rejected by the Applicant who requested that the proposal be determined as presented.

5.2 Supporting Documentation – Incorrect and Inconsistent Information

The submission received suggested that the documentation supporting the Development Application had numerous incorrect statements and inconsistencies. This included missing dimensions on plans and aerial images which did not show correct boundary alignment. These have been reviewed during the assessment and the Applicant has provided a revised site plan and a response to the submission

6 Conclusion

From the assessment of the proposal and consideration of issues raised in the submission it is recommended that the application be refused on the basis that the setback, size, bulk and scale of the proposed deck is not compatible with the locality and would have an adverse and unacceptable impact on the character of the locality.

STRATEGIC DIRECTION

Theme	1. –	Our Environment
Long Term Goal	EN4 –	Maintain a balance between growth, development and environmental protection through sensible planning
Strategy	EN4.2 –	Ensure development application assessment is thorough and efficient
Strategic Action	EN4.2.1 –	Implement the development process and implement changes aligning with the NSW Government’s best practice guidelines.

ATTACHMENTS:	A. Locality Plan (<i>Under Separate Cover</i>) ➡
	B. Submitted Plans (<i>Under Separate Cover</i>) ➡
	C. Submission (<i>Under Separate Cover</i>) ➡
	D. Response to Submission (<i>Under Separate Cover</i>) ➡
	E. Assessment Report (<i>Under Separate Cover</i>) ➡

6.6 DEVELOPMENT APPLICATION NO DA210260 - STORAGE SHED, 78 RED HILL ROAD, BOWNING

SUMMARY

To present the assessment of Development Application No 210260 for a storage shed at 78 Red Hill Road, Bowning. The application attracted no objections and relevant concerns can be address by conditions. Approval is recommended.

RECOMMENDATION

That conditional Development Consent be issued for Development Application No 210260 for a storage shed at 78 Red Hill Road, Bowning

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*
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Yass Valley Local Environmental Plan 2013
- Yass Valley Community Engagement Strategy
- Application Assessment and Decision Making Policy
- Building Line – Rural Residential Policy (DA-POL-8)

REPORT

1. Application Details

Date Received	-	8 October 2021
Land	-	78 Red Hill Road, Bowning
Area	-	7,765m ²
Zoning	-	R5 Large Lot Residential

2. Site Description and Locality

The site is located in an area characterised by rural residential and agricultural land uses. The site is bounded by rural residential and farming lots in all directions and an unformed Crown Road to the east. The Main Southern Railway is located to the east of the site, beyond the unformed Crown Road.

The subject site comprises of three lots, being Lots 4 and 5 Sec 30 DP758149 and Lot 6 DP1068107. The site is a regular shaped parcel of land with an area of approximately 7,765m² with direct frontage to Red Hill Road. The site is currently being used for residential purposes, supporting a single storey dwelling that is located approximately 16m from the road. There is an existing vehicle access from Red Hill Road.

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

3. Proposal

The application seeks consent for the construction of a storage shed, which will be orientated towards Red Hill Road. The proposed shed will have an overall length of 12m with 3 x 4m wide bays, 9m wide and an apex height of 5.21m. The total floor area will be 108m².

The shed will be located forward of the existing dwelling on the site, being 5.45m from the front boundary and 4.27m from the closest side boundary to the east.

A water tank with a 50,000L capacity is proposed to the east of the shed, 4.5m from the eastern property boundary. The Applicant has indicated this water tank will be used by the NSW Rural Fire Service during emergency events.

The proposal does not involve any major construction works or detract from any aspects of either local heritage, remnant bushland, threatened species or natural water courses.

Details of the proposal are included in [Attachment B](#).

4. Public Exhibition

Public exhibition included notice to five adjoining and nearby landowners for a period of 14 days from 29 November 2021 until 13 December 2021 with no submissions received.

5. Assessment

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

The key planning issue relates to the building setback. Setbacks for the proposed shed are not in accordance with *Building Line – Rural and Rural Residential Land Policy*. The aim of the policy is to assist with establishing and maintaining the character of rural and residential areas.

The policy does not allow class 10 buildings to be located forward of the building line set by a dwelling and must have a 5m setback from side and rear boundaries for lots under 5ha. The shed is situated on the site with a front setback forward of the building line and a side setback of 4.27m requiring a variation to Council's policy.

During high rain events there is a significant amount of water that flows between the existing house and the proposed location of the shed, this is illustrated as the overland flow path on the submitted site plan. In this respect, the shed has been positioned in the proposed location due to the overland flow path. In the request to vary the policy, the applicant also notes the shed and tank location is for ease of access and proximity to the road for the Rural Fire Service who will use the water tank during emergencies.

The position of the shed will not impact on the privacy of the neighbours due to the rural nature of the surrounding area and separation between dwellings and structures, along with the presence of boundary tree plantings. Additionally, the dwelling on the subject site is already built close to the front boundary orientated to Red Hill Road, with no clear uniformity in the streetscape to the east or west of the site.

The proposed design, along with the bulk and scale of the shed are considered appropriate for the context and setting of the locality. Noting the proximity of the shed to the side boundary and being located forward of the dwelling line, a condition has been recommended that landscaping be planted around the shed to screen it and mitigate adverse visual impacts.

With consideration to the site constraints and context of the streetscape, the application is recommended for approval with regard to the objectives and requirements of Council's policy.

6. Conclusion

From the assessment of the proposal, it is recommended that a Development Consent be issued. Draft conditions are included in [Attachment D](#).

STRATEGIC DIRECTION

Theme	1. –	Our Environment
Long Term Goal	EN4 –	Maintain a balance between growth, development and environmental protection through sensible planning
Strategy	EN4.2 –	Ensure development application assessment is thorough and efficient
Strategic Action	EN4.2.1 –	Implement the development process and implement changes aligning with the NSW Government’s best practice guidelines.

- ATTACHMENTS:**
- A. Locality Plan (*Under Separate Cover*) [⇒](#)
 - B. Site Plan (*Under Separate Cover*) [⇒](#)
 - C. Assessment Report (*Under Separate Cover*) [⇒](#)
 - D. Draft Consent Conditions (*Under Separate Cover*) [⇒](#)

6.7 CRAGO MILL PRECINCT BUSINESS CASE AND APPROVAL TO PROGRESS TO DETAILED DESIGN

SUMMARY

The Crago Mill Precinct Project has reached a point where a decision is required to commit additional funding to continue with detailed design.

RECOMMENDATION

That:

1. *The Business Case for the Crago Mill Precinct be endorsed.*
2. *\$1,205,000 be allocated from the Infrastructure Reserve to completing detailed design.*

FINANCIAL IMPLICATIONS

All funding will be committed from the Infrastructure Reserve. The Infrastructure Reserve currently has a balance of \$2,534,653 and can support this allocation. The expenditure will be broken across two financial years with the majority to be expended in FY 2022/23. The Current Estimate is \$150,000 in FY 2021/22 and the remainder in FY 2022/23.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

1. Development Application

The Crago Mill Precinct Project has been submitted and the Development Application is currently under consideration by the Southern Regional Planning Panel. A sit visit will occur on 27 April 2022. The final decision date for the application is as yet unknown but it is anticipated that the assessment and conditions will have minimal impact on the detailed design of the precinct.

2. Business Case

The Business Case for the project has been completed and is included in **Attachment A**. The detailed project construction cost estimate (Appendix B to the Business Case) is at **Attachment B** and is Commercial in Confidence.

2.1 Issues identified

The business case discusses the five key issues that need addressing as part of the development:

- The current facility has no capacity to meet expected increases in staff numbers necessary to support the growth of Council operations
- Deficiencies in current facility (including non-compliances) resulting in increased maintenance and operations costs
- Inadequate Library facilities
- Lack of amenity for staff and community
- Lack of Commercial and Flexible Co-Working facilities in Yass

2.2 Options to address the issues

Based on previous decisions and work completed on the project to date, the business case presents four options for addressing the issues identified:

- Do nothing, culminating in **Option 0**. This approach did not attempt to solve any of the identified problems but retained Council's operations in the existing facility.
- Complete a refurbishment and refresh of the existing assets to increase the life span and bring the building to a code compliant standard, culminating in **Option 1**.
- **Option 2** includes for the construction of the full scope of the redevelopment including commercial spaces identified as a separate Commercial and Co-working Building
- **Option 3** includes for the construction of a limited scope of the redevelopment excluding the separate commercial spaces.

2.3 Delivery options

The analysis of the available delivery options and contracting methods determined that the completion of the design to an 80% stage prior to seeking tenders for a Head Contractor to complete the final design and deliver the works. This provided the best option for enabling Council to maintain significant control over the design, manage costs and to seek a contractor to include innovation in construction post tender. This will allow Council to have shovel ready designs available to seek grant funding opportunities.

2.4 Financial Analysis

The financial analysis identified that, should Council be able to make commitments to funding in the Long-Term Financial Plan, that Option 3, the full development provides the best financial outcome due the additional income generated by the commercial and co-working space. This is subject to Council being able to secure funding at the appropriate rate or grants to complete the works. Further analysis will be completed as part of the Detailed Design development when Council's Long-term Financial Plan has been updated and funding opportunities further explored.

3. Next Steps

Should Council wish to continue with the project, a decision is required to proceed with design to the 80% level, including the development of tender and contract documents. This will ensure Council retains the services of the architects and consultants currently employed on the project. Consultant fees were tendered as part of the Concept Design stage and have been renegotiated based on the Concept Design and identified delivery method. The fee breakdown for the Detailed Design Development and tender documentation preparation is included in **Attachment C** and is commercial in confidence.

The development of the designs and tender packages will make the project shovel ready and allow Council to seek grants to assist in the financing and delivery of the project.

The estimated timeline for the completion of the 80% Design and Tender Documents is November 2022. The program based on a best-case scenario is in the table below. Key risks to the program are approvals in funding and the current global risk to supply chains which all pose a potential to delay the project.

Milestone dates	
Task	Target Date
Business case approval	April 2022
Design Team engaged for ongoing phases of works	May 2022
Decision point for progressing the project to construction	September 2022
Completion 80% Detailed Design	Detail November 2022
Complete head contractor tender and award building contract	January 2023
Construction – Stages 1 & 2	
Construction commencement	February 2023
Construction completion (including commissioning)	January 2024
Defects Liability Period	January 2025
Construction – Stages 3 & 4	
Construction commencement	January 2024
Construction completion (including commissioning)	November 2024
Defects Liability Period	November 2025

STRATEGIC DIRECTION

Key Pillar	2.	Our Economy
CSP Strategy	EC3 -	Support and foster conditions that enable local and small/home-based businesses to grow
Delivery Program Action	EC3.1 -	Identify and participate in initiatives that assist small business
Operational Plan Activity	EC3.1.1 -	Develop a Value In Kind (VIK) retail space

- ATTACHMENTS:**
- A. Crago Mill Precinct Business Case (*Under Separate Cover*) [↗](#)
 - B. Detailed Construction Cost Estimate (*Under Separate Cover*) - **Confidential**
 - C. Detailed Design Development Cost Estimate (*Under Separate Cover*) - **Confidential**

6.8 YASS WATER TREATMENT PLANT UPGRADE PROJECT UPDATE

SUMMARY

The Yass Water Treatment Plant Upgrade Project is an important and challenging project for the Yass Valley Council. Council requested bimonthly update reports be provided on the project.

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

Final approval of the Stage 1 Grant for \$2.543m is still awaiting final sign off from Treasury.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT 1. Background

The upgrade of the Yass Water Treatment Plant is being progressed in three stages:

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

2. Progress to date

2.1 Stage 1 – Early Works

- Long lead time items including the compressor, dosing skids, electrical switchboards, and water quality instrumentation have all been ordered
- Tendering, evaluation and approvals of the work packages were completed by the end of January 2022
- Contracts were issued in early February for three works packages listed below:
 - Electrical and mechanical works
 - Civil and Building Works
 - Integration Works (control systems)
- Works mainly involves the followings:
 - Yass Dam (construction of pipeline and underwater installation of diffuser pipes in the floor of the dam)
 - RWPS (new electrical switch board, control system, refurbishing of pumps and a compressor for bubble plume aeration)
 - Yass WTP (installation of dosing equipment for alum, potassium permanganate, water quality monitoring equipment, control system)
- Construction works commenced in early March and scheduled for completion by the end of June 2022
- Funding Deed was executed by the NSW Treasury for \$2,542,966 on 14 March 2022

- There are latent risks associated with the effects of pandemic on the supply chain for equipment and construction materials

2.2 Stage 2 – New Water Treatment Facilities

Design and business case development for Stage 2 works based on the recommendations of the Peer Reviewer is progressing. Currently awaiting final proposal from Hunter H2O for the completion of the design and business case and advice from HAF on the requirements for preparation of Business Case. Hunter H2O Have merged with Beca, a New Zealand based consulting engineering firm, expanding their capacity, and providing additional Australian offices in Brisbane, Sydney, Melbourne, and Canberra. Meeting with DPE is required for overall design development and tender requirements. Existing Deed expires in June 2022 and to be renegotiated with RestartNSW.

2.3 Stage 3 – Rehabilitation of Existing Treatment Process Units

The Stage 3 design and business case tasks have not yet commenced and will recommence based on the recommendations of the Peer Reviewer once Stage 2 works have been consolidated.

2.4 Consultation with DPE (Water)

Council continues to consult with DPE on Stage 1 designs and the Stage 2 development process. DPE have provided additional design guidance on the bubble plume aeration system. Final design review meeting is scheduled with DPE in the week of 25 April 2022.

3. Next Steps

- Complete Stage 1 Construction and commission new assets
- Progress with Stage 2 and 3 Concept Design, Detailed Design and Business Case
- Liaison and procurement for additional land for expanding the WTP site

STRATEGIC DIRECTION

Key Pillar	4.	Our Infrastructure
CSP Strategy	IN5 -	Ensure high quality water supply options for the towns in the region
Delivery Program Action	IN5.1 -	Council to supply quality water, cater for growth and quality enhancements that addresses the community needs
Operational Plan Activity	IN5.1.4 -	Carry-out 'urgent' works at Yass Water Treatment Plan (WTP) to reduce the risks to water quality and supply (Stage 1)

ATTACHMENTS: Nil

6.9 INVESTMENT AND BORROWINGS REPORT - FEBRUARY 2022

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 March 2022. In accordance with paragraph (1)(b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RECOMMENDATION

That the Investment Report be noted.

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

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

REPORT

1. Comments on Economic Climate – March 2022

The RBA continues to hold the cash rate at 0.10%.

Global inflation reports showed price pressures continued to surge in many major economies. US CPI jumped to 7.9%. The Eurozone inflation rate hit 5.8%. Surging energy prices were the key driver reflecting strains on supply to Europe from sanctions against Russia.

Economic data for Australia was robust. Employment continues to outperform expectations. Retail sales rose 1.8% and business confidence improved.

The Federal budget revealed a material reduction in budget deficits, at \$104bn over the next five years. A temporary fuel excise cut and tax cuts for lower-income earners are expected to keep spending afloat.

The Reserve Bank of Australia continued to emphasize patience in its communications, reaffirming it is in no rush to raise rates. It highlighted the need for faster wage growth for tightening to commence and did not yet see these pressures as sufficient. Still, the market expects aggressive hiking from here, with the cash rate expected to reach 2.45% in 12 months' time.

Source: TCorp Monthly Economic commentary – March 2022

2. Summary of Movements in Council Investments for the Month of March 2022

Opening Balance 1 March 2021		\$26,700,000
Less Investments redeemed:		\$6,400,000
BOQ	\$1,400,000	
Judo Bank	\$1,000,000	
Bendigo Bank	\$1,500,000	
Macquarie	\$1,000,000	
Illawarra Credit Union	\$1,500,000	
Plus Investments placed:		\$4,900,000
BOQ	\$1,400,000	
NAB	\$1,000,000	
Macquarie	\$1,000,000	
MyState	\$1,500,000	
Closing Balance 31 March 2021		\$25,200,000

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

3. Council Loans

Council has four loans with balance owing as of 30 June 2021 of \$15.46m. The table below provides loan details. Indicative repayments for 2021/22 are shown for both principal and interest, for all current loans. Balances will not change monthly as the most frequent repayment cycle is quarterly.

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 returns on commercial activities and investment instruments

ATTACHMENTS: A. March 2022 Investment Report (*Under Separate Cover*) [⇒](#)

6.10 RATE ARREARS

SUMMARY.

The report is to provide an update on rate arrears at the end of the third quarter of the 2021/22 financial year. Rate arrears totalled \$1,241,261.36 as at 30 June 2021 and this has now been reduced to \$569,975.92 as of 31 March 2022. This represents an improvement of \$671,285.44 or 54.08 %.

RECOMMENDATION

That the report on Rates Arrears be noted.

FINANCIAL IMPLICATIONS

Nil

POLICY & LEGISLATION

- Debt Recovery Policy

REPORT Arrears as of 31 March 2022

	Rates and Charges Levied (incl interest)	Paid 1 July to 31 March	Balance Outstanding	Percent paid 1 July to 31 March
Arrears at 30/6/2021	\$1,241,261.36	\$671,285.44	\$569,975.92	54.08%
Current Years Rates, Charges and Interest billed since 1/7/2021	\$19,103,181.69	\$14,349,574.39	\$4,753,607.30	75.12%
Total	\$20,344,443.05	\$15,020,859.83	\$5,323,583.22	73.83%

In comparison to the same period for 2021, \$5,184,207.79 was the balance outstanding as of 31/3/2021. A total of 26.55% of total rates and charges.

Council deals with Hardship Requests from the community on a case-by-case basis. For the third quarter of 2021/22, Council did not have any hardship requests.

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL4 -	Actively investigate and communicate funding sources and collaboration opportunities
Delivery Program Action	CL4.1 -	Monitor and distribute information from government agencies relating to funding opportunities
Operational Plan Activity	CL4.1.1 -	Distribute grant opportunities to community groups

ATTACHMENTS: Nil

6.11 PUBLIC EXHIBITION - DRAFT INTEGRATED PLANNING & REPORTING DOCUMENTS

SUMMARY

This report provides an overview of the draft 2022-23 Operational Plan, draft 2022-32 Long Term Financial Plan, draft 2022-26 Delivery Program, draft 2022-23 Revenue Statement, draft 2022-26 Workforce Management Plan, and 2022 Asset Management Plans to be placed on public exhibition to enable residents to provide feedback via submission to Council no later than 4.00pm on Friday 3 June 2022. The documents will then be finalised and presented to the June 2022 Council Meeting for adoption.

RECOMMENDATION

That:

1. *The draft 2022-23 Operational Plan, draft 2022-32 Long Term Financial Plan, draft 2022-26 Delivery Program, draft 2022-23 Revenue Statement, draft 2022-26 Workforce Management Plan, and 2022 Asset Management Plans until 1 June 2022 be placed on public exhibition for public comment.*
2. *The application for a permanent Additional Special Rate Variation under s508(2) Local Government Act 1993 of 1.0% to the Independent Pricing & Regulatory Tribunal be approved.*

FINANCIAL IMPLICATIONS

The financial implications are contained with the draft 2022-23 Operational Plan and Long Term Financial Plan which are presented in this report.

POLICY & LEGISLATION

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

REPORT

Staff have prepared the draft Integrated Planning & Reporting (IP&R) suite of documents in accordance with the requirements of the *Local Government Act 1993* and the IP&R Guidelines & Handbook. The Guidelines required the draft IP&R documents to be prepared and placed on public exhibition for a minimum of 28 days and submissions must be received and considered by Council prior to adoption by 30 June 2022.

During the exhibition period, Councillors and Executive Management Team will be visiting villages, community groups, and the Yass Valley Business Chamber to provide an overview of the suite of documents. At the time of writing this report, the following dates and locations have been confirmed:

- 17 May: Yass Valley Business Chamber
- 18 May: Bowring Community
- 19 May: Sutton Community
- 25 May: Gundaroo Community
- 28 May: Murrumbateman Village Market – Council stall
- 1 June: Binalong Community

1. Operational Plan and Long Term Financial Plan

The Operational Plan is Council's budget for achieving the community priorities outlined in the Community Strategic Plan (CSP) and the actions in the 2022-26 Delivery Program. The 2022-23 Operational Plan directly addresses the Delivery Program and identifies the projects, programs, or actions that the Council will undertake.

The Long Term Financial Plan is used by Council to inform decision-making in relation to the Delivery Program over 10 years.

While Council is forecasting a \$550,016 deficit net operation result before grants and contributions provided for capital purposes for 2022-23 financial year, staff believe that we will be able to reduce this deficit by June 2023, with the completion of most of the Capital Grant Projects and a 1.00% Additional Special Rate Variation (ASRV).

Due to an extremely low rate peg awarded to Councils by IPART for 2022-23 financial year, Council is required to apply for a permanent Additional Special Rate Variation of 1.00%. The additional rate will raise the rate levy for Yass Valley to 2.3% (well below the current CPI), the percentage used in 2021 to forecast the Long Term Financial Plan and provide Council with approx. \$118,120 in additional income.

It is anticipated that the ASRV will be used to support economic development, increase community events/programs, and fund a Cultural Change Manager. The Cultural Change Manager will assist staff with migration to Magiq Cloud, a new Workers Health & Safety (WHS) system, as well as improved system and communications to improve staff culture.

The impact to ratepayers of this 1.00% increase in rates income to the community has been considered. This will see the average rate assessment increase from between \$7 and \$31 per annum in 2022-23. The ongoing impact to the community will be the economic benefit of increased community events/programs. This impact is considered to be reasonable.

The draft 2022-23 Operational Plan and 2022-32 Long Term Financial Plan Assumptions is provided as **Attachments A** and **B**.

2. 2022-2026 Delivery Program

Annually, Council will prepare an Operational Plan and a 10 year Long Term Financial Plan, which details the actions that will be taken and how they may be funded. These plans are linked to the activities described in the Delivery Program.

The integration and clarity within these three documents enable Council to understand the long term financial requirements, particularly those that relate to the maintenance and renewal of Council's assets, and the staff required to undertake the actions and activities.

Council staff will report Council's progress against the Delivery Program on a six-monthly basis and those reports will be considered at a Council meeting. The 2022-26 Delivery Program will be reviewed by Council annually. If necessary, Council will make minor updates to the document. If significant changes are made to the document, it will be placed on exhibition and adopted by Council after considering all the submissions that are received.

The 2022-26 Delivery Program is provided as **Attachment C**.

3. 2022-23 Revenue Statement

The Revenue Statement outlines Council's charging philosophy, goods and services tax (GST), ordinary rating structure, valuations, pension rebates, interest on overdue rates and charges, exemptions, annual charges (Water, Waste, Stormwater and Sewer), statement of borrowings, and fees and charges.

It is anticipated that Council will yield an estimated income of:

- \$12M from Ordinary Rates
- \$1.9M from water availability charges
- \$2.6M from water usage charges
- \$40,000 from the pension rebates
- \$2.5M from sewer charges
- \$1.8M from domestic waste management charges
- \$1M from waste management environmental charges

Council will charge a range of fees in 2022/23, as detailed within the attached Schedule of Fees and Charges. The legislative basis for these fees may be found in s608 *Local Government Act 1993* which provides that Council may charge and recover an approved fee for any service it provides, including supplying a service, product, or commodity; giving information; providing a service in connection with the exercise of the Council's regulatory functions; and receiving an application for approval, granting an approval, making an inspection, and issuing a certificate.

The 2022-23 Revenue Statement and 2022-23 Fees & Charges are included as **Attachments D** and **E**.

4. 2022-26 Workforce Management Plan

Workforce management planning is about future needs of Council's workforce in accordance with the service delivery expectations of the community. It is the ongoing and proactive process of determining and shaping the capacity and capability of Council's workforce to respond to the changing needs of the community, the organisation's goals, and objectives or simply "getting the right number of people, with the right skills, in the right job, at the right time".

The Workforce Management Plan also assists Council to develop solutions to issues such as attraction and retention of staff, skill shortages, an ageing workforce, succession planning, and managing work/life balance.

The 2022-26 Workforce Management Plan is included as **Attachment F**.

5. Asset Management Plans

Council manages a large portfolio of community assets, on behalf of the Yass Valley Community, required to deliver a wide range of services to the community. These assets represent a large part of the Council budget and require close management to ensure they are maintained, renewed, and upgraded in an affordable manner that delivers the agreed level of service to the community.

Council's assets include roads, drains, water, sewerage, parks and recreation areas, and public buildings. Their lifecycle and condition can be difficult to determine and are subject to the impacts of adverse climatic conditions and natural disasters. The lifecycle costs of these assets can be large and difficult to determine and often the financing of works goes through peaks and troughs as grants become available.

Council's responsibility for the operation, maintenance, renewal, and upgrading of community assets places a significant burden on its budget. To ensure that Council maintains a sustainable asset base, detailed analysis and difficult decision making are required.

Funding for Council managed assets is divided between four funds: General, Waste, Water and Sewer. Asset Management Plans have been developed for Parks & Recreation; Swimming Pools & Caravan Parks; Stormwater Drainage; Transport Assets; Buildings; and Waste. Council has long term asset management planning (refer page 15 of the *Asset Management Strategy* for details on the asset management improvement process).

The attached asset management plans are in their early stage of development. The plans will be improved each review in accordance with the annual budget cycle.

The Asset Management Plans are included in **Attachments G** to **M**.

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL1 -	Effect resourceful and respectful leadership and attentive representation of the community
Delivery Program Action	CL1.4 -	Be compliant, more efficient and effective
Operational Plan Activity	CL1.4.6 -	Conduct the Local Government elections in accordance with the relevant legislation

- ATTACHMENTS:**
- A. 2022-23 Operational Plan and Long Term Financial Plan Assumptions (Attachment A1) *(Under Separate Cover)* [⇒](#)
 - B. Draft Long Term Financial Plan (Attachment A2) *(Under Separate Cover)* [⇒](#)
 - C. Delivery Program 2022-2026 (Attachment B) *(Under Separate Cover)* [⇒](#)
 - D. Delivery Program 2022-26 (Attachment C) *(Under Separate Cover)* [⇒](#)
 - E. Fees & Charges (Attachment D) *(Under Separate Cover)* [⇒](#)
 - F. Workforce Management Plan 2022-26 (Attachment E) *(Under Separate Cover)* [⇒](#)
 - G. Asset Management Strategy 2022-2036(Attachment F1) *(Under Separate Cover)* [⇒](#)
 - H. Waste Assest Management Plan March 2022 (Attachment F2) *(Under Separate Cover)* [⇒](#)
 - I. Stormwater Drainage Asset Management Plan (Draft) (Attachment F3) *(Under Separate Cover)* [⇒](#)
 - J. Transport Infrastructure Asset Management Plan (Draft) (Attachment F4) *(Under Separate Cover)* [⇒](#)
 - K. Buildings Asset Management Plan (September 2021) (Attachment F5) *(Under Separate Cover)* [⇒](#)
 - L. Parks & Recreation Asset Management Plan September 2021 (Attachment F6) *(Under Separate Cover)* [⇒](#)
 - M. Swimming Pool & Caravan Park Asset Management Plan September 2021 (Attachment F7) *(Under Separate Cover)* [⇒](#)

6.12 FINANCIAL ASSISTANCE, GRANTS & DONATIONS POLICY

SUMMARY

This Policy is returned to Council for adoption following public exhibition.

RECOMMENDATION

That the Financial Assistance, Grants & Donations Policy be adopted.

FINANCIAL IMPLICATIONS

Council has included a budget line for community financial assistance of \$120,000. This funding includes \$83,000 for community financial assistance, \$2,000 Mayoral Discretionary Donations, and \$35,000 of Local Heritage Grants.

Council will continue to provide in-kind assistance in the form of free access by the community to Council facilities and parks. An additional Community Services/Economic Development budget of \$50,000 to assist with community programs/events and economic development has been included in the 2022/23 Operational Plan.

POLICY & LEGISLATION

- Sections 8 and 356, *Local Government Act 1993*
- Yass Valley Heritage Strategy 2017-2020

REPORT

In February 2022 Council considered a draft Financial Assistance, Grants & Donations Policy and endorsed it for public exhibition. The policy is committed to providing consistent, open, and equitable financial assistance to the community within the Yass Valley Local Government Area. Council is looking to manage funding opportunities to support community organisations and individuals to conduct activities, build capacity, host events, and build strong partnerships.

During the public exhibition period, Council received three submissions (refer **Attachment A**) which are all in support of the policy in principle. However, they would like to change the period of application from annually to a long term arrangement.

While it would be easier for staff to process financial assistance for longer terms, it does not allow other community groups or organisations to take advantage of the funding during this time. The main purpose of Council's financial assistance is to help as many community organisations as possible, with the limited funds available. Applications will be assessed on how they contribute and achieve one or more of the Community Strategic Plan 2016-2036 strategies.

It is recommended that the policy (refer **Attachment B**) be adopted as exhibited.

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL1 -	Effect resourceful and respectful leadership and attentive representation of the community
Delivery Program Action	CL1.4 -	Be compliant, more efficient and effective
Operational Plan Activity	CL1.4.10 -	Review the project management framework

- ATTACHMENTS:**
- A. Submissions (*Under Separate Cover*) ➡
 - B. Financial Assistance, Grants and Donations Policy (*Under Separate Cover*) ➡

6.13 POLICY REVIEW - SIGNS AS REMOTE SUPERVISION & PUBLIC LIABILITY POLICY

SUMMARY

Good governance underpins the effective delivery of Council services to our community. Council policies are a key component of our governance framework and support the outcomes sought in the *Our Civic Leadership* strategic pillar within the *Tablelands Regional Community Strategic Plan 2016-2036*.

Council policies are reviewed to ensure they remain fit for purpose. To that end, the *Signs as Remote Supervision Policy* and the *Public Liability-Professional Indemnity Risk Management Policy* have been reviewed and determined to be unnecessary.

RECOMMENDATION

That the Signs as Remote Supervision Policy and the Public Liability – Professional Indemnity Risk Management Policy be rescinded.

FINANCIAL IMPLICATIONS

The maintenance of Council policies is a recurrent labour expense in Council's annual budget. Changes to the *Signs as Remote Supervision Policy* and the *Public Liability – Professional Indemnity Risk Management Policy* are unlikely to have material impact on Council's budget.

POLICY & LEGISLATION

- *Local Government Act 1993*
- Model Code of Conduct for Local Councils in NSW

REPORT

The current *Signs as Remote Supervision Policy* and the *Public Liability – Professional Indemnity Risk Management Policy* (refer **Attachments A** and **B**) have been reviewed and determined to be unnecessary. The content of these policies are incorporated in Council's Risk Management Framework.

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	CL2.1 -	Make doing business with Council easier
Operational Plan Activity	CL2.1.1 -	Undertake a review of Council's Customer Service Charter

- ATTACHMENTS:**
- A. Signs as Remote Supervision Policy (*Under Separate Cover*) ➡
 - B. Public Liability Professional Indemnity Risk Management Policy (*Under Separate Cover*) ➡

6.14 DISCLOSURES BY DESIGNATED PERSONS

SUMMARY

To comply with s440AAB *Local Government Act 1993* a register and tabling of returns must be maintained.

RECOMMENDATION

The Register of disclosures by Designated Persons Return 2020-2021, as tabled, be noted

FINANCIAL IMPLICATIONS

Nil.

POLICY & LEGISLATION

The tabling of these returns is a statutory obligations under the *Local Government Act 1993*.

REPORT

Section 440 *Local Government Act 1993*, prescribes that Council have a *Model Code of Conduct*. Under this section and as part of Council's *Model Code of Conduct* designated persons are required to complete and lodge with the General Manager, a *Disclosure by Councillors and Designated Persons Return* within three months after becoming a Councillor or designated person. Designated persons are those that have been identified as having significant contact with the general public.

Annual Returns are then due to be lodged each year prior to 30 September.

Part 4 Pecuniary Interests, s4.21 *Model Code of Conduct* states:

4.21 *A councillor or designated person must make and lodge with the general manager a return disclosing the councillor's or designated person's interests as specified within 3 months after:*

- (a) *becoming a councillor or designated person, and*
- (b) *30 June of each year, and*
- (c) *the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

Section 4.8 of the Code identifies that the General Manager and other senior staff of Council are designated persons. Council may also identify a member of staff or a delegate or members of a Council committee to be considered a designated person.

Positions have been identified which are thought to fit within this definition. The occupants of those positions are considered designated persons in accordance with Section 4.8 of the Code. The table below lists the Councillors and the positions identified as designated persons.

The returns are considered open access information in accordance with the *Government Information (Public Access) Act 2009*. The returns are placed on a Register of Returns which is available for inspection and is tabled at the Council meeting in accordance with the requirements of 4.26 of the Code.

STAFF MEMBER	POSITION
Chris Berry	General Manager
Adam Baker	Coordinator Fleet & Procurement
Terry Cooper	Manager Engineering Services
Peter Harvey	Manager Recreational Assets
Kamrul Hasan	Asset Engineer

STAFF MEMBER	POSITION
Kuga Kugaprasatham	Manager Water & Wastewater
Nicholas Buchholz	Manager Roads Delivery
Philip Hodge	Manager Maintenance Delivery
Adrian Sheldrick	Coordinator Waste Services
Tony Stevens	Manager Facility & Waste Assets
James Dugdell	Director Infrastructure & Assets
Kellie Jones	Support Engineer
Melinda Cooke	Senior Parks Projects Officer
Seamus McGurk	Supervisor Facilities Maintenance
Julie Rogers	Director Planning & Environment
Arif Chohan	Strategic Planner
Amanda Dickens	Environmental Health Officer
John Guiney	Building Surveyor
Jeremy Knox	Development Planner
Mark Livermore	Manager Environmental Services
Kacey-Lee Ireland	Assistance Environmental Health Officer
Liz Makin	Manager Strategic Planning
Kate Baker	Manager Development Control
Ian Dencker	A/Manager Development Control
Shrey Chanchad	Assistant Development Planner
Muzaffar Rubbani	Development Planner
Bradley Peach	Building Surveyor
Vinh Ngo	Building Surveyor
Rebecca Widdows	Natural Resource & Sustainability Officer
Lynette Safranek	Director Corporate & Community
Tracy Sligar	Chief Financial Officer
Angus Chan	Financial Accountant
Melanie Collins	Manager Organisation Development
Kimberly Hughes	Manager Tourism & Business Liaison
Kevin Gaddes	Manager Governance
Craig Harman	Manager ICT
Gabby Iannelli	Manager Media & Communications
Mohammad Rahman	Water & Wastewater Engineer
Ryan Felkenmire	Development Assessment Officer
Megan Hoad	Compliance Ranger
Brett Lees	Senior Biosecurity Weeds Officer
David Jarrett	Weeds Officer

STRATEGIC DIRECTION

Key Pillar	5.	Our Civic Leadership
CSP Strategy	CL1 -	Effect resourceful and respectful leadership and attentive representation of the community
Delivery Program Action	CL1.4 -	Be compliant, more efficient and effective
Operational Plan Activity	CL1.4.6 -	Conduct the Local Government elections in accordance with the relevant legislation

ATTACHMENTS: Nil

6.15 ADVOCACY PAPER FOR FUNDING PRIORITIES

SUMMARY

To present an advocacy paper for funding priorities in Yass Valley for the purpose of advocacy to candidates in the upcoming Federal and State elections.

RECOMMENDATION

That the advocacy paper for funding priorities in Yass Valley be endorsed for the purpose of advocacy to candidates in the upcoming elections

FINANCIAL IMPLICATIONS

Securing additional government funding assists Council with delivering improved services and facilities for the Yass Valley community.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

With a Federal election scheduled for 21 May 2022 and the next State election on 25 March 2023 an advocacy paper on priorities for Yass Valley has been prepared (refer **Attachment A**).

The purpose of the paper is to enable all candidates for the upcoming elections to be aware of Council's priorities for funding.

The paper identifies the following priorities for governments to consider:

1. General

- Financing Local Government
- Rate Pegging Review
- Support for Local Environmental Work
- Support for Local government Climate Response
- Reduction in FBT on Electric Vehicles
- Address NBN and Mobile Phone Blackspots

2. Community Infrastructure

- New Yass Hospital
- Murrumbateman Adventure Playground
- Crago Mill Precinct Development
- Yass Soldiers Memorial Hall
- Yass Soldiers Memorial Pool Renovation and Heated Pool
- Yass Spur Line Active Transport Corridor
- Yass Main Street Upgrades
- Murrumbateman Winery Trail
- Way Finding Signs for the Murrumbateman Wine Region
- Implementation of Victoria Park Masterplan
- Yass Valley Towns and Villages Entry Signs
- High School Planning

3. Roads

- State Roads

- Barton Highway Duplication and Murrumbateman Bypass
 - Shingle Hill Way/Federal Highway Junction
- Regional Roads
 - Gundaroo Sutton Road Upgrade and Maintenance
 - Sutton Bypass
 - Wee Jasper Road Upgrade
- Local Roads
 - Back Creek Road and Crossing Upgrades
 - Tallagandra Lane Upgrade
 - Mulligans Flat Road Upgrade
 - Timber Harvesting Routes Maintenance and Upgrades
 - MacIntosh Circuit Upgrade

4. Water

- Yass Water Treatment Plant Upgrade
- Water Distribution Network Pipe Replacement Program
- Yass Flood Early Warning System

STRATEGIC DIRECTION

Key Pillar 5. Our Civic Leadership

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

Delivery Program Action CL1.2 - Address the community's needs in a sustainable manner

Operational Plan Activity CL1.2.2 - Utilise the Long Term Financial Plan to project the operating performance ratio

ATTACHMENTS: A. Yass Valley Council Federal and State Government Support Priorities April 2022
(Under Separate Cover) [⇒](#)

6.16 BUSH FIRE MANAGEMENT COMMITTEE

SUMMARY

To nominate a representative for the Bush Fire Management Committee.

RECOMMENDATION

That Council nominations be made for the Bush Fire Management Committee

FINANCIAL IMPLICATIONS

Nil

POLICY & LEGISLATION

- Council Committee Framework (July 2021)

REPORT

Council are required to have a delegate on the Bush Fire Management Committee.

Under s15 *Rural Fires Regulation 2013* there is provisions for the Rural Fire Service to establish Bush Fire Management Committees with representatives from:

<ul style="list-style-type: none"> • Forestry Corporation • Property NSW • Fire & Rescue NSW • NSW Police Force • Electricity distribution network provider • Any Local Land Services board • National Parks & Wildlife Service • Crown Lands • NSW Trade and Investment • Transport for NSW • Nature Conservation Council 	<ul style="list-style-type: none"> • Rural landholder nominated by the NSW Farmers' Association • 2 persons chosen by Rural Fire brigades • Local Aboriginal Land Council • Local Councils (Mayor, Councillor or senior representative) • A Council staff member having responsibilities for the performance of functions in relation to the environment or bush fire management
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The RFS are seeking Council's nominations for the Committee.

STRATEGIC DIRECTION

Key Pillar 3. Our Community

CSP Strategy CO3 - Foster and encourage positive social behaviours to maintain our safe, healthy, and connected community

Delivery Program Action CO3.2 - Connecting the community to Yass Valley Council through a range of Advisory Committees

Operational Plan Activity CO3.2.1 - Implementation of the Committees framework as detailed in the review

ATTACHMENTS: Nil

9.1 MINUTES OF THE HUMELINK COMMUNITY CONSULTATIVE GROUP HELD ON 17 FEBRUARY 2022

REPORT

The minutes of the HumeLink Community Consultative Group meetings held on 17 February 2022 are included in **Attachment A**.

From these minutes there are no items which covers a matter that:

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

Accordingly, the minutes are presented for information.

RECOMMENDATION

That the minutes of the HumeLink Community Consultative Group meetings held on 17 February 2022 be noted

ATTACHMENTS: A. Hume Link Community Consultative Committee Minutes 17 February 2022 (*Under Separate Cover*) [⇒](#)

9.2 MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE HELD ON 13 APRIL 2022

REPORT

The minutes of the Audit, Risk & Improvement Committee meeting held on 13 April 2022 are included in **Attachment A**.

From these minutes there is one items which covers a matter that:

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

RECOMMENDATION

That the minutes of the Audit, Risk & Improvement Committee meeting held on 13 April 2022 be noted and adopt the following recommendation:

Item 3.1 Southern Phone Reserve

That:

1. *The report on the Southern Phone Reserve be noted and the improvement measures be endorsed.*
2. *The delegations of authority for management members be clarified for the movement of money in and out of reserves.*

ATTACHMENTS: A. 13 April 2022 - ARIC Minutes (*Under Separate Cover*)