



Minutes of the Ordinary Meeting of Council

Wednesday 17 December 2014

4:30pm

Council Chambers

209 Comur Street, Yass

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Mayor

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General Manager

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Mayor

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General Manager

Present

Councillors Rowena Abbey, Mayor, in the chair, Cecil Burgess, Greg Butler, Ann Daniel, Geoff Frost, Jasmin Jones, David Needham and Garry Ware.

Also present were the General Manager – David Rowe, Director of Planning & Environmental Services – Chris Berry, Director of Operations – Simon Cassidy, Director of Corporate & Community Services – Sheri Norton and Corporate Administration Coordinator – Julie Buckley.

Open Forum

Presentation - Item 8.4 Asbestos Issues – Hume Park and Allen Park

The Mayor welcomed Mr Brendan Price to the meeting and invited him to address Council. Mr Price raised concerns about the alleged asbestos at Hume Park that were raised in 2009 and asked Council "how did we end up here, what do we do from here and who is responsible for it?"

The Mayor opened the meeting at 5.01pm.

1. Prayer

2. Apologies

Apology

RESOLVED that the apology be received from Councillor Michael McManus and leave of absence be granted.

(Ware/Daniel) 295

3. Declaration of Interest/Disclosures

Nil

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Mayor

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General Manager

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 November 2014 covered by page numbers 1 - 23 inclusive and resolution numbers 269 - 294 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Butler/Ware) 296

5. Business arising from Minutes of Ordinary Meeting

Nil

6. Minutes and Recommendations of Council Committees

6.1 DRAFT MINUTES OF THE MURRUMBATEMAN RECREATION RESERVE GROUNDS COMMITTEE MEETING HELD ON 25 NOVEMBER 2014

FILE: C.02.04.02 - TS

SYNOPSIS

To provide Council with the draft minutes of the Murrumbateman Recreation reserve Grounds Committee meeting held on 25 November 2014. The following recommendations are presented for Council's consideration and adoption.

RESOLVED that Council receive the draft Committee Minutes of the Murrumbateman Recreation Reserve Grounds Committee meeting held on 25 November 2014.

(Butler/Frost) 297

7. Mayoral Minute

8. Director of Planning Reports

8.1 GUNDAROO GROUNDWATER

FILE: PP-2012-03 & PP-2013-01 - LM

SYNOPSIS

Council has been made aware of potential groundwater contamination risks within the Gundaroo Village. This report considers options for assessing the extent of the problem and ways it could be addressed.

RESOLVED that -

- 1. Gundaroo landowners be encouraged to register unlicensed bores within the Gundaroo Village to*

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Mayor

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General Manager

the NSW Office of Water;

- 2. An offer to undertake voluntary water testing of bores within the Gundaroo Village be extended free of charge to residents.*

(Needham/Burgess) 298

FOR: Councillors R Abbey, C Burgess, G Butler, A Daniel, G Frost, J Jones, D Needham and G Ware

AGAINST: Nil

8.2 PARKWOOD PLANNING PROPOSAL - GATEWAYFILE: PP-2014-01 - LM

SYNOPSIS

For Council to consider progression of the Parkwood Planning Proposal and seek a Gateway Determination for public consultation.

RESOLVED that -

- 1. Planning Proposal PP-2014-01 for 'Parkwood' be endorsed and forwarded to the Minister for Planning to request a Gateway Determination pursuant to s56 Environmental Planning & Assessment Act 1979;*
- 2. The Department of Planning & Environment be requested to assist in undertaking Community Consultation and any Public Hearing for the Planning Proposal.*

(Butler/Needham) 299

FOR: Councillors R Abbey, C Burgess, G Butler, A Daniel, G Frost, J Jones, D Needham and G Ware

AGAINST: Nil

8.3 DEVELOPMENT APPLICATION NO 5.2014.177.1 - DWELLING HOUSE, 380 GREENWOOD ROAD, YASS RIVER

FILE: PR.2703.B - JTK

SYNOPSIS

To consider Development Application 5.2014.117.1 for a dwelling house at 380 Greenwood Road, Yass River (refer Attachment A).

The proposal has received one submission and involves a variation to Council Policy.

RESOLVED that -

- 1. Crown Lands be advised:*

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Mayor

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General Manager

- *Applications for the transfer of any Crown Roads to Council will not be made without appropriate financial resources for ongoing maintenance on the basis it is contrary to the 'Intergovernmental Agreement to Guide NSW State – Local Government Relations on Strategic Partnerships';*
 - *The inclusion of such a requirement in a Development Consent is not a matter an applicant can comply with and is therefore invalid;*
 - *In the absence of any Crown Lands requirements or policy for Crown Road construction standards that Council's 'Road Standards Policy' should apply to ensure appropriate access is provided;*
2. *Conditional Development Consent be issued under delegation for Development Application No 5.2014.117.1 for a dwelling house at 380 Greenwood Road, Yass River including a requirement for adequate public road access to be provided to the requirements of Crown Lands.*

(Frost/Ware) 300

FOR: Councillors R Abbey, C Burgess, G Butler, A Daniel, G Frost, J Jones, D Needham and G Ware
AGAINST: Nil

8.4 ASBESTOS ISSUES - HUME PARK AND ALLEN PARK

FILE: PR1617 & PR001942 - CB

SYNOPSIS

To present a report on the status of the asbestos issues at Hume Park and Allen Park.

RESOLVED that Council move into Committee of the Whole.

(Jones/Butler) 301

RESOLVED that Council move out of Committee of the Whole.

(Jones/Needham) 302

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Mayor

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General Manager

RESOLVED that –

1. *The report on asbestos issues at Hume Park and Allen Park be noted and a further report be brought back to Council in the New Year.*

2. *Council seek cooperation of the operator of Hume Park to:*
 - i. *Allow access to the site for an independent assessor to undertake an assessment of the site;*
 - ii. *Restrict access to the known areas with appropriate fencing and signage;*
 - iii. *Assessment be undertaken of the known areas to advise on how best to manage the risk either in situ or by other appropriate means.*

3. *In the event the lessee of Hume Park does not comply with the Order by 5 Jan 2015 then:*
 - i. *Immediate action be taken to identify on the ground the known areas of buried asbestos and to exclude all members of the public from these areas;*
 - ii. *Engage a qualified consultant to advise on how best to manage the risk either in situ or by other appropriate means.*

(Daniel/Jones) 303

Motion

RESOLVED that Council write to the owner of Allen Park seeking them to place a lock on the gates as a matter of safety and additional signage be erected.

(Butler/Ware) 304

8.5 DRAFT POLICY: CONSOLIDATION OF LOTS

FILE: P.05.00.00 - CB

SYNOPSIS

To present the outcomes from the public exhibition of the Draft Consolidation of Lots Policy.

RESOLVED that the revised Consolidation of Lots Policy be adopted.

(Frost/Ware) 305

8.6 ENFORCEMENT POLICY

FILE: 111 - CB

SYNOPSIS

To present a *Draft Enforcement Policy* for consideration (refer **Attachment A**).

RESOLVED that the Draft Enforcement Policy be placed on public exhibition and if no significant objections are received the policy be adopted with the addition of:

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Mayor

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General Manager

Within 28 days: Council will aim to address the full complaint or keep the complainant informed of progress. For long and complicated issues updates will be provided at periodic intervals with the interval determined by the nature of the issue.

(Frost/Butler) 306

Director of Engineering Reports

9.1 PLAYGROUND STRATEGY 2014

FILE: P.01.08.01 - SB

SYNOPSIS

Council previously adopted a playground strategy in 2007 and the vast majority of the goals and projects identified in the 2007 strategy have now been achieved. A revised strategy is now presented to Council for consideration.

RESOLVED that –

- 1. The Playground Strategy 2014 be placed on public exhibition;*
- 2. The Playground Strategy 2014 be adopted if no significant objections are received.*

(Jones/Butler) 307

9.2 MINUTES STATUTORY, REGIONAL AND COUNCIL SUPPORTED COMMITTEES

FILE: R.05.00.00 - MC

SYNOPSIS

To have Council receive the draft minutes of the Traffic Committee meeting held on 4 December 2014.

RESOLVED that the draft minutes of the Traffic Facilities Management Committee Meeting held on 4 December 2014 be received and the recommendations contained within the minutes be adopted by Council.

(Ware/Frost) 308

9.3 REGIONAL WASTE STRATEGIES

FILE: M.01.01.00 - SC

SYNOPSIS

Council is a member of both the South East Resource Recovery Group (SERRG), and South West Region Waste Management Group (SWRWMG). Both of these groups have now developed regional waste management strategies which have been provided to Council for endorsement prior to completing a

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Mayor

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General Manager

draft Council waste strategy.

RESOLVED that Council endorse the Regional Waste Strategies Developed by South East Resource Recovery Group (SERRG) and South West Region Waste Management Group (SWRWMG).

(Frost/Burgess) 309

9.4 WORKS SECTION STRUCTURE

FILE: P.02.00.00 - SC

SYNOPSIS

A review of the Works Section structure has recently been undertaken which has identified a lack of resources in two key areas that is impacting on the efficient and effective delivery of services. Two additional positions are now proposed to resolve the identified problems. In addition, there have been a number of changes to responsibilities and authorities of various positions within the structure to improve work flow and execution of tasks.

RESOLVED that –

- 1. The position of Depot Administration Officer being added to the staff structure;*
- 2. The position of Water and Sewer Coordinator being added to the staff structure.*

(Ware/Frost) 310

9.5 WATER SUPPLY POLICY

FILE: W.01.00.00 - SC

SYNOPSIS

The revised policy covers numerous amendments to reflect current processes and to reduce duplication with other Council documents and standards. As part of this review it is suggested that Council offer pressure Reducing Valves (PRV's) to property owners, at no cost, in identified high pressure areas where static water pressure is likely to be over 500kPa. It would be the property owners responsibility to have the device installed at their own cost.

RESOLVED that –

- 1. Draft Council policy WS-POL-1 – Water Supply be placed on public exhibition for 28 days;*
- 2. The draft policy be adopted if no significant objections are received.*

(Ware/Frost) 311

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Mayor

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General Manager

9.6 YASS DAM RIPARIAN REVEGETATION CONTRACT YVC/ASS/07.2014

FILE: T.01.03.00 - SC

SYNOPSIS

Submitting details of tenders received for contract YVC/ASS/07.2014 for the Yass Dam Raising Riparian Revegetation.

RESOLVED that this Item of the Director of Engineering Report be classified as CONFIDENTIAL and considered in the Closed Meeting of Council in accordance with Section 10A(2)(d)(i) of the Local Government Act as the material in this report is commercial information of a confidential nature.

(Ware/Frost) 312

10. Director of Corporate & Community Reports

10.1 FEES AND CHARGES WAIVED UNDER DELEGATION

FILE: CD.01.00.00 - CC

SYNOPSIS

To advise Council of fees and charges waived by the General Manager, in consultation with the Mayor, under delegated authority for the period September 2013 to November 2014.

RESOLVED that the information be noted.

(Needham/Butler) 313

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Mayor

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General Manager

10.2 INVESTMENT REPORT

FILE: F.01.04.04 - SD

SYNOPSIS

Submitting Investment Report as at 30 November 2014.

RESOLVED that Investment Report as at 30 November 2014 be received and it be noted that the summary has been prepared in accordance with the Act. The Regulation and Council's Investment Policy.

(Needham/Butler) 314

10.3 MODEL CODE OF CONDUCT COMPLAINT STATISTICS 2013/14

FILE: P.02.02.00 - SN

SYNOPSIS

Council is required to report, by 30 November each year, to the Office of Local Government on statistics relating to Code of Conduct complaints against Councillors and the General Manager for the period 1 September to 31 August. For the year to 31 August 2014 eight such complaints were received, seven against Councillors and one against the General Manager.

RESOLVED that the information be noted.

(Needham/Butler) 315

11. General Manager Reports

11.1 LOCAL GOVERNMENT REFORM - FIT FOR THE FUTURE

FILE: G.02.05.00 - DR

SYNOPSIS

Updating progress on Council Fit for the Future program and foreshadowing the need for Council to consider a special rate variation in 2015/16 as the first stage of ensuring ongoing sustainability of Yass Valley Council.

RESOLVED that –

- 1. An Extraordinary Council meeting be held on 4 February 2014;*
- 2. Technical advisors be engaged as required to assist with the preparation of Councils 'Fit for the Future' proposal and/or Special Rate Variation application for 2015/16.*

(Butler/Ware) 316

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Mayor

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General Manager

11.2 YASS BUSINESS AND CULTURAL PRECINCT

FILE: G.02.05.00 - DR

SYNOPSIS

Redevelopment of the precinct has been on Council's agenda for many years however the absence of a major funding source has seen a lack of progress. Broad concept plans have been developed and should now be used to develop a business case to attract future tenants and prospective business partners.

RESOLVED that -

- 1. Council seek quotations to undertake a Business Case analysis for the development of business/cultural precinct on the 209 Comur Street site;*
- 2. The General Manager in consultation with the Mayor and Deputy Mayor be authorised to engage a consultant to undertake the Business Case Analysis;*
- 3. A further report be brought back to Council on receipt of the Business Case Analysis to consider seeking a private-public partnership for the development of the site.*

(Ware/Daniel) 317

12. Notice of Motion

12.1 STRATEGY TO REDUCE COUNCIL OPERATING COSTS

FILE: C.07.00.02 - G

Councillor Geoff Frost has given notice that at the Ordinary Council Meeting on 17 December 2014, he will move the following motion.

MOVED that the General Manager make cost saving a management priority and bring to the March meeting of Council a strategy including specific measures aimed at reducing the operating costs of Council by \$100,000 during this financial year and \$500,000 in the 2015-16 financial year.

LOST

Frost/Ware

13. Questions with Notice

Councillor Ware asked that an explanation be provided on how a Development Application can be done and approved in one day and why other people were told it would take three months?

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Mayor

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General Manager

14. Confidential Matters

14.1 Yass Dam Riparian Revegetation Contract YVC/ASS/07.2014

Item 14.1 is confidential in accordance with section s10(A)(2)(2di) 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.

Closed Council commenced at 7.31 pm.

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Mayor

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General Manager

14.1 YASS DAM RIPARIAN REVEGETATION CONTRACT YVC/ASS/07.2014

FILE: T.01.03.00 - SC

SYNOPSIS

Submitting details of tenders received for contract YVC/ASS/07.2014 for the Yass Dam Raising Riparian Revegetation.

RESOLVED that contract YVC/AS/07.2014 for the Yass Dam Riparian Revegetation Works be awarded to Natural Capital Pty Ltd.

(Butler/Jones) 318

Open Council resumed at 7.32 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Burgess/Needham) 319

The meeting closed at 7.32pm.

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Mayor

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General Manager