



## **Ordinary Meeting of Council**

**Thursday 25 May 2023  
4.00pm  
Council Chambers  
209 Comur Street, Yass**

**PRAYER:**

**All Stand:**

**Mayor:**

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

**All say together:**

*Almighty God, we ask your blessing upon this Council.*

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

**FUTURE MEETINGS**

**June 2023**

**Thursday 29th**

**4.00pm**

**Ordinary Meeting of Council**

# Ordinary Meeting of Council

## A G E N D A

Open Forum

Page No.

### Webcasting

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

### Acknowledgement of Country

Yass Valley Council recognises the Ngunnawal people, the Traditional Custodians of the land, water, and sky. We pay our respect to their Elders past, present and future emerging leaders. We extend our respect to other Aboriginal and Torres Strait Islander people who live in the Yass Valley Local Government Area.

#### 1. Prayer

#### 2. Apologies

#### 3. Declaration of Pecuniary Interests/Special Disclosures

#### 4. Confirmation of Minutes

Minutes of Ordinary Council Meeting held on 27 April 2023 .....5

Minutes of Extraordinary Council Meeting held on 11 May 2023 ..... 18

#### 5. Mayoral Minute

5.1 Mayoral Minute - Damaging Increase in Emergency Services Levy Costs ..... 22

#### 6. Reports to Council

6.1 Variations to Development Standards Quarterly Report.....24

6.2 Development Application No DA230018 - Four Lot Subdivision Creating One  
Additional Lot, 4338 Gundaroo Road, Gundaroo .....25

6.3 Third Quarterly Budget Review 2022/23 Statements.....28

6.4 Investments and Borrowings Report - April 2023 .....30

6.5 Rates Arrears as at 31 March 2023 .....32

6.6 Work Health & Safety Improvement Program Update.....33

6.7 Councillor Fees 2023/24 .....35

6.8 2024 Local Government Election .....37

6.9 Review of Delegations to Mayor and Chief Executive Officer .....39

6.10 Draft Councillor Induction & Professional Development Policy .....42

6.11 June 2023 Meeting Date .....44

6.12 Minor Organisational Restructure .....45

6.13 Water Rebate for Undetected Leaks and Disputed Charge ..... 46

#### 7. Notice of Motion

Nil

#### 8. Questions with Notice

Nil

**9. Minutes and Recommendations of Council Committees**

9.1 Minutes of the Rescue and Local Emergency Management Committee meetings held on 11 May 2023 .....47

9.2 Minutes of the Sustainability Advisory Committee held on 20 April 2023.....48

9.3 Minutes of the Youth Council held on 8 May 2023. .... 50

**10. Confidential Matters .....51**

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

10.1 Water Rebate for Undetected Leaks and Disputed Charge ..... 51

**Close of Meeting Time**

**Chris Berry**  
**CHIEF EXECUTIVE OFFICER**



## **Minutes of the Ordinary Meeting of Council**

**Thursday 27 April 2023**

4.00pm

Council Chambers

209 Comur Street, Yass

## Table of Contents

<b>1.</b>	<b>Prayer .....</b>	<b>2</b>
<b>2.</b>	<b>Apologies .....</b>	<b>2</b>
<b>3.</b>	<b>Declaration of Interest/Disclosures .....</b>	<b>3</b>
<b>4.</b>	<b>Confirmation of Minutes .....</b>	<b>3</b>
<b>5.</b>	<b>Mayoral Minute.....</b>	<b>3</b>
<b>6.</b>	<b>Reports to Council .....</b>	<b>3</b>
6.1	Development Application No DA210093 - Residential Subdivision, 46 Hillview Drive, Murrumbateman .....	3
6.2	Contaminated Waste Removal .....	4
6.3	Murrumbateman Transfer Station Automated Pump .....	4
6.4	Yass Water Treatment Plant Upgrade Project Update .....	4
6.5	Investments and Borrowings Report - March 2023 .....	5
6.6	Presentation of Audited Financial Statements 2021/22.....	5
6.7	2022/23 Q2 Amended Quarterly Budget Review Statements.....	5
6.8	ARIC Non-Voting Council Member.....	6
6.9	Grants Update: October 2022 to March 2023 .....	6
6.10	2023 Seniors Festival Review .....	6
6.11	Tender Evaluation Report - Provision of Engineering Geotechnical Services YVC.IA.07.2023 - 3 Year Contract .....	7
6.12	Tender Evaluation Report - Provisions of Engineering Survey Services YVC.IA.08.2023 - 3 Year Contract.....	7
6.13	Tender Evaluation Report - Murrumbateman Recreation Ground Amenities Building Construction YVC.IA.01.2023 .....	7
6.14	2023/24 Community Financial Assistance Applications .....	8
6.15	Crago Mill Precinct Borrowings.....	8
<b>7.</b>	<b>Notice of Motion .....</b>	<b>8</b>
<b>8.</b>	<b>Questions with Notice.....</b>	<b>8</b>
<b>9.</b>	<b>Minutes and Recommendations of Council Committees.....</b>	<b>9</b>
9.1	Minutes of the Country Mayors Association Meeting held on 9 March 2023 .....	9
<b>10.</b>	<b>Confidential Matters.....</b>	<b>9</b>
10.1	Tender Evaluation Report - Provision of Engineering Geotechnical Services YVC.IA.07.2023 - 3 Year Contract. ....	10
10.2	Tender Evaluation Report - Provision of Engineering Survey Services - YVC.IA.08.2023 - 3 Year Contract.....	11
10.3	Tender Evaluation Report - Murrumbateman Recreation Ground Amenities Building Construction YVC.IA.01.2023 .....	11
10.4	2023/24 Community Financial Assistance Applications .....	11
10.5	Crago Mill Precinct Borrowings.....	12

## Open Forum

### Presentations to Council – Items on the Meeting Agenda

#### 6.1 Development Application No DA210093 – Residential Subdivision, 46 Hillview Drive, Murrumbateman

Annaliese Caston  
Rowan Geddes  
Iain McCall  
Stephanie McCall  
Stephanie Helm  
Andrew Connor  
Rachel Doberer (DPS)

#### Dave Salmon, Principal Deloittes - Financial Statements

**Council Meeting - The Mayor declared the meeting open at 4.54 pm.**

### Present

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

Also present were the Chief Executive Officer – Chris Berry, Director of Planning & Environment – Julie Rogers, Director of 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 Turner and leave of absence be granted.***

***(Abbey/Butler) 58***

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

AGAINST: Nil

### Motion

***That leave of absence be granted to Councillor Pothan for the May 2023 Council meeting.***

***(Burgess/Reid) 59***

## Minutes of the Ordinary Meeting of Council held on 27 April 2023

---

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

AGAINST: Nil

### **3. Declaration of Interest/Disclosures**

Nil

### **4. Confirmation of Minutes**

***RESOLVED that the minutes of the Ordinary Council Meeting held on 23 March 2023 covered by resolution numbers 30-57 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.***

***(Abbey/Burgess) 60***

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

AGAINST: Nil

Note: Minutes were checked in relation to Item 6.9 – Local Roads and Community Infrastructure Grant – Phase 4 Funding, and were found to be corrected reported as per the meeting.

### **5. Mayoral Minute**

### **6. Reports to Council**

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

---

##### **SUMMARY**

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

***RESOLVED that deferred commencement Development Consent be issued for Development Application No DA210093 for a 37 lot subdivision of Lots 5 & 6 DP1220039, 46 Hillview Drive, Murrumbateman, with the following additions:***

- ***Footpath connection from existing footbridge to the Murrumbateman Recreation Grounds***
- ***Entry feature***
- ***Contamination testing.***

***(Jones/Butler) 61***

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

AGAINST: Councillor A Cameron



## 6.2 CONTAMINATED WASTE REMOVAL

---

### SUMMARY

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

***RESOLVED that \$215,000 be transferred from the Waste Reserve to fund the removal of contaminated waste piles from Binalong \$120,000, Bowning \$60,000, and Murrumbateman \$35,000 Transfer Stations.***

***(Butler/Burgess) 62***

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

AGAINST: Nil

## 6.3 MURRUMBATEMAN TRANSFER STATION AUTOMATED PUMP

---

### SUMMARY

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

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

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

***(Burgess/Pothan) 63***

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

AGAINST: Nil

## 6.4 YASS WATER TREATMENT PLANT UPGRADE PROJECT UPDATE

---

### SUMMARY

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

***RESOLVED that the update report and work completed on the Water Treatment Plant Upgrade Project be noted.***

***(Reid/Pothan) 64***

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

AGAINST: Nil

## 6.5 INVESTMENTS AND BORROWINGS REPORT - MARCH 2023

---

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 March 2023. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

**RESOLVED that the Investment & Borrowings Report for March 2023 be noted.**

**(Reid/Abbey) 65**

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

AGAINST: Nil

## 6.6 PRESENTATION OF AUDITED FINANCIAL STATEMENTS 2021/22

---

### SUMMARY

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

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

**(Reid/Pothan) 66**

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

AGAINST: Nil

## 6.7 2022/23 Q2 AMENDED QUARTERLY BUDGET REVIEW STATEMENTS

---

### SUMMARY

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

**RESOLVED that :**

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

**(Jones/Reid) 67**

## Minutes of the Ordinary Meeting of Council held on 27 April 2023

---

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

AGAINST: Nil

### 6.8 ARIC NON-VOTING COUNCIL MEMBER

---

#### SUMMARY

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

***RESOLVED that Council nominate Cr Cameron as a Non-Voting Councillor to sit on the CRJO Audit & Risk Improvement Committee.***

***(Jones/Butler) 68***

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

AGAINST: Nil

### 6.9 GRANTS UPDATE: OCTOBER 2022 TO MARCH 2023

---

#### SUMMARY

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

***RESOLVED that the report on Community Grants be noted.***

***(Abbey/Reid) 69***

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

AGAINST: Nil

### 6.10 2023 SENIORS FESTIVAL REVIEW

---

#### SUMMARY

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

***RESOLVED that the 2023 Seniors Festival Review report be noted.***

***(Cameron/Reid) 70***

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

AGAINST: Nil

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

---

**SUMMARY**

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

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

*(Jones/Pothan) 71*

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

AGAINST: Nil

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

---

**SUMMARY**

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

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

*(Jones/Pothan) 72*

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

AGAINST: Nil

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

---

**SUMMARY**

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

***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.***

*(Jones/Pothan) 73*

## Minutes of the Ordinary Meeting of Council held on 27 April 2023

---

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

AGAINST: Nil

### 6.14 2023/24 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

---

#### SUMMARY

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

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

(Jones/Pothan) 74

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

AGAINST: Nil

### 6.15 CRAGO MILL PRECINCT BORROWINGS

---

#### SUMMARY

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

***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 business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.***

(Jones/Butler) 75

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

AGAINST: Nil

### 7. Notice of Motion

Nil

### 8. Questions with Notice

Nil

**9. Minutes and Recommendations of Council Committees**

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

---

**RESOLVED** that the minutes of the Country Mayors Association meeting held on 9 March 2023 be noted.

(Pothan/Reid) 76

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

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 - Provision of Engineering Geotechnical Services YVC.IA.07.2023 - 3 Year Contract.**

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

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

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

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

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

**10.4 2023/24 Community Financial Assistance Applications**

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

**10.5 Crago Mill Precinct Borrowings**

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

(Jones/Pothan) 77

## Minutes of the Ordinary Meeting of Council held on 27 April 2023

---

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

AGAINST: Nil

Closed Council commenced at 6.20 pm.

Open Council resumed at 7.09 pm

***RESOLVED that the meeting move into Open Council.***

***(Reid/Pothan) 78***

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

AGAINST: Nil

***RESOLVED that the recommendations in Closed Council be adopted.***

***(Reid/Burgess) 79***

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

AGAINST: Nil

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

---

#### **SUMMARY**

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

***RESOLVED that the tender submitted by D&N Geotechnical Pty Ltd To under the Contract YVC.IA.07.2023 for the Provision of Engineering Geotechnical Services YVC.IA.07.2023 - three Year Contract with a two year option for extension be accepted as per the unit rates provided.***

***(Reid/Pothan) 80***

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

AGAINST: Nil

### **10.2 TENDER EVALUATION REPORT - PROVISION OF ENGINEERING SURVEY SERVICES - YVC.IA.08.2023 - 3 YEAR CONTRACT**

---

#### **SUMMARY**

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

***RESOLVED that the tender submitted by Diverse Project Solutions Pty Ltd (DPS) To under the Provision of Engineering Survey Services - YVC.IA.08.2023 - 3 Year Contract with an option for a two year extension be accepted as per the unit rates provided.***

***(Burgess/Reid) 81***

## Minutes of the Ordinary Meeting of Council held on 27 April 2023

---

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

AGAINST: Nil

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

---

#### SUMMARY

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

***RESOLVED that the tender submitted by Rice Construction Group under the Murrumbateman Recreation Ground Amenities Building Construction (YVC.IA.01.2023) be accepted for a total cost of \$1,279,000.00 ex gst.***

***(Reid/Pothan) 82***

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

AGAINST: Nil

### 10.4 2023/24 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

---

#### SUMMARY

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

***RESOLVED that :***

- 1. \$90,950 be approved for 2023/24 Community Financial Assistance applications be included in the 2023/24FY Operational Plan.***
- 2. \$5,000 be approved from the current 2022/23 financial year Economic Development budget towards a community event in conjunction with the impacted community by the recent Murrumbateman Road closure.***
- 3. All successful applicants be placed on public exhibition as part of the draft 2023/24FY Operational Plan.***

***(Reid/Pothan) 83***

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

AGAINST: Nil



## 10.5 CRAGO MILL PRECINCT BORROWINGS

---

### SUMMARY

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

### **RESOLVED that :**

- 1. The Chief Executive Officer be delegated to negotiate a loan up to \$50M with Westpac when the DA is approved by the Regional Planning Panel to proceed with the full build cost plan.***
- 2. The Mayor and the Chief Executive Officer be authorised to use the Council seal, if required, to secure the loan.***

***(Jones/Reid) 84***

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

AGAINST: Nil

The meeting closed at 7.10 pm.



## **Minutes of the Extraordinary Meeting of Council**

**Thursday 11 May 2023**

4.00pm

Council Chambers

209 Comur Street, Yass

## Table of Contents

<b>1.</b>	<b>Prayer .....</b>	<b>2</b>
<b>2.</b>	<b>Apologies .....</b>	<b>2</b>
<b>3.</b>	<b>Declaration of Interest/Disclosures .....</b>	<b>2</b>
<b>4.</b>	<b>Reports to Council .....</b>	<b>2</b>
4.1	Public Exhibition - Integrated Planning & Reporting Documents .....	2
4.3	Supplementary Report: Public Exhibition - IP&R Documents.....	3
4.2	Variation to Tender No. YVC.IA.17.2022 - Stage 1 Back Creek Road Rehabilitation Project .....	3

**The Mayor declared the meeting open at 4.00 pm.**

**Present**

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

Also present were the Chief Executive Officer – Chris Berry, Director Planning & Environment – Julie Rogers, Director Infrastructure & Assets – Nathan Cooke, 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 Abbey and leave of absence be granted.***

***(Porthan/Turner) 85***

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

AGAINST: Nil

**3. Declaration of Interest/Disclosures**

Nil

**4. Reports to Council**

**4.1 PUBLIC EXHIBITION - INTEGRATED PLANNING & REPORTING DCOUMENTS**

---

**SUMMARY**

This report provides an overview of the draft 2023-24 Operational Plan, draft Long Term Financial Plan, updated 2022-26 Delivery Program, and the draft 2023-24 Revenue Statement to be placed on public exhibition for 28 days, to enable residents to provide feedback via submission to Council no later than 4.00pm on Friday 9 June 2023. The documents will be reviewed in line with submissions and presented for adoption to Councillors at the June 2023 Council Meeting.

**4.3 SUPPLEMENTARY REPORT: PUBLIC EXHIBITION - IP&R DOCUMENTS**

---

**SUMMARY**

This report is to provide Council with an updated draft 2023/24 Operational Plan and Long Term Financial Plan Assumptions document to be placed on public exhibition for 28 days, to enable residents to provide feedback via submission to Council no later than 4.00pm on Friday 9 June 2023.

***RESOLVED that the amended draft 2023-24 Operational Plan and 2023-33 Long Term Financial Plan, amended 2022-26 Delivery Program, and draft 2023-24 Revenue Statement be placed on public exhibition until 9 June 2023.***

***(Turner/Jones) 86***

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

AGAINST: Nil

#### **4.2 VARIATION TO TENDER NO. YVC.IA.17.2022 - STAGE 1 BACK CREEK ROAD REHABILITATION PROJECT**

---

##### **SUMMARY**

To present a report detailing a proposed variation to Tender No. YVC.IA.17.2022 – Stage 1 Back Creek Road Rehabilitation Project.

***RESOLVED that the contract price approved by Council at its October 2022 meeting for Tender YVC.IA.17.2022, Back Creek Road Upgrade – Stage 1 and the subsequent contract entered with Lento Earthworks Pty Ltd, be amended by variation of \$680,000 to undertake additional earthworks associated with the Replacement of the Back Creek Road Low Level Crossing project.***

***(Pothon/Burgess) 87***

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

AGAINST: Nil

The meeting closed at 4.25 p.m.

## 5.1 MAYORAL MINUTE - DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

### SUMMARY

The NSW Government recently announced that it will not subsidise the increase in the Emergency Services Levy (ESL) this year.

### RECOMMENDATION

*That:*

1. *Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):*
  - a. *Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for Councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community*
  - b. *Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 4.2% rate increase to provide essential community services and infrastructure has been significantly eroded*
  - c. *Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects*
  - d. *Calling on the NSW Government to take immediate action to:*
    - i. *Restore the ESL subsidy in 2023/24*
    - ii. *Urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost*
    - iii. *Develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government*
2. *Council writes to the Chair of the Independent Pricing & Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress*
3. *Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.*

### REPORT

I am calling on Councillors to support representations to the NSW Government in response to the highly damaging increase in the Emergency Services Levy (ESL) imposed on all councils without warning for the 2023/24 financial year.

The ESL is a cost imposed on Councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7% funded by Councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on Councils without any mechanism for Councils to recover costs.

The levy increase for the State's 128 Councils in 2023/24 amounts to almost \$77 Million, with the total cost imposed on the Local Government sector increasing from \$143 Million in the current financial year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24, and Council's rate increase of 4.2%.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on

Councils' finances will be particularly severe in 2023/24 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many Councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing Local Government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW Councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the ESL has increased by \$71,339 for 2023/24, bringing the total Council contribution to \$549,366 (an 87% increase). If the NSW Government's decision is not reversed, the potential impacts on Council's services, infrastructure maintenance and delivery across the entire services of Council.

The timing of this development is particularly challenging for Councils as it comes so late in the Local Government budgeting cycle, well after IPART's rate determination for the coming financial year.

All Councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are Councillors and Council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

Local Government NSW has raised the serious concerns of the Local Government sector with the NSW Government and is seeking the support of Councils across NSW in amplifying this advocacy.

This Mayoral Minute recommends that Council call on the NSW Government to take immediate action to:

- a. Restore the ESL subsidy
- b. Decouple the ESL from the rate peg to enable Councils to recover the full cost
- c. Develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Mayoral Minute also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

**ATTACHMENTS:** Nil

---

## 6.1 VARIATIONS TO DEVELOPMENT STANDARDS QUARTERLY REPORT

---

### SUMMARY

Reporting on development standard variations approved in the first quarter (January – March) of 2023.

### RECOMMENDATION

*That the report on approved development variations for the first quarter of 2023 be noted.*

### 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*
- *Yass Valley Local Environmental Plan 2013*
- *Yass Valley Local Environmental Plan (Parkwood) 2020*
- *Planning Circular PS-20-002 Variations to Development Standards (5 May 2020)*

### REPORT

Development Applications involving variations to development standards may be made under clause 4.6 *Yass Valley Local Environmental Plan 2013* and *Yass Valley Local Environmental Plan (Parkwood) 2020*. Variations to development standards must be accompanied by a written submission and the Secretary's concurrence cannot be assumed by a Council delegate if the development contravenes a numerical standard by greater than 10% or the variation is to a non-numerical standard.

Clause 4.6 of the Local Environmental Plans have requirements for the assessment of variations to the development standards and *Planning Circular PS 20-002 Variations to Development Standard* details the assumed concurrence, governance and reporting requirements for Council. Any variations approved are reported quarterly to the Department of Planning & Environment (DPE), detailed in a publicly available online register on Council's website and must be presented to Council on a quarterly basis. Monitoring of these variations enables the DPE and Council to determine whether development standards are appropriate, or whether changes are required.

The variations to development standards approved by Council or its delegate during first quarter (January – March 2023) are included in **Attachment A**.

**ATTACHMENTS:** A. Variations to Development Standard Report for the First Quarter (January - March) of 2023 [↔](#)



## 6.2 DEVELOPMENT APPLICATION NO DA230018 - FOUR LOT SUBDIVISION CREATING ONE ADDITIONAL LOT, 4338 GUNDAROO ROAD, GUNDAROO

### SUMMARY

To present the assessment of Development Application No DA230018 for a four lot subdivision, creating one additional lot, at 4338 Gundaroo Road, Gundaroo. The application attracted six objections and relevant concerns can be addressed by conditions. Approval is recommended.

### RECOMMENDATION

*That conditional Development Consent be issued for Development Application No DA230018 for a four lot subdivision creating one additional lot at 4338 Gundaroo Road, Gundaroo.*

### 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*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Yass Valley Local Environmental Plan 2013 (LEP)*
- *Rural and Rural Residential Land Policy*
- *Application Assessment and Decision-Making Policy*
- *Road Standards Policy*
- *Yass Valley Development Contributions Plan 2018*
- *Biodiversity Conservation Act 2016*
- *Local Government Act 1993*
- *Roads Act 1993*

### REPORT

#### 1. Application Details

Date Received	-	13 January 2023
Land	-	Lots 3, 4, & 5 DP1284692 – 4350 & 4338 Gundaroo Road and 194 Wurungul Lane GUNDAROO
Area	-	178 ha
Zoning	-	RU1 Primary Production

#### 2. Site Description and Locality

The site is located in an area characterised by rural development. It is a regular shaped parcel of land with an area of approximately 178ha fronting Gundaroo Road and Wurungul Lane. There is an existing dwelling house located on the subject land.

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

#### 3. Proposal

The submitted application involves:

- A four lot Torrens Title subdivision of the existing three lots creating one additional lot
- Retention of three existing building envelopes on proposed Lots 201, 203 and 204
- Retention of existing dwelling house on proposed Lot 202

It should be noted that the Development Application proposes no construction works as part of this subdivision as these have been completed under a previous Consent (see comments below). Also no native vegetation will be cleared for this subdivision and issues of effluent disposal have previously been considered.

Details of the proposal are included in **Attachment B**.

#### **4. Background**

The application seeks to re-subdivide Lots 3, 4, and 5 DP1284692 into four new lots.

DP1284692 (refer **Attachment C**) was registered on 24 June 2022 via Consent No DA210036. The proposed new lot layout utilises the existing lot layout with changes to the lot sizes and creates one additional lot (with the subdivision of Lot 5 DP1284692 into two smaller lots).

It should be noted that Lot 5 DP1284692 was created with two building envelopes, both of which will be retained, with one now located on proposed Lot 203 and one now located on proposed Lot 204.

#### **5. Public Exhibition**

Public exhibition included notice to adjoining and nearby landowners and six submissions have been received (refer **Attachment D**).

#### **6. Assessment**

The proposed development has been assessed against the requirements of s4.15 *Environmental Planning & Assessment Act 1979*, and the proposed development can be supported as detailed in the Assessment Report (refer **Attachment E**).

The following planning issues (including those raised in submissions) have been identified following assessment. The applicant has also provided a written response to all submissions received (refer **Attachment F**).

##### **6.1 Traffic/Dust**

Concern has been raised that the one additional lot created will generate more daily vehicle movements resulting in traffic safety, maintenance and dust issues in relation to the existing access points to the subject land.

Council have inspected the site and should consent be granted, conditions are recommended requiring upgrade works to be carried out on the existing right-of-way off Wurungul Lane and on the substandard sections of Wurungul Lane. Any increase in dust generated from the one additional lot is not expected to be detrimental to existing landowners.

##### **6.2 Lot Size**

The submissions argue that the proposed subdivision does not satisfy the minimum average lot size requirement of 40ha of the RU1 Primary Production zone.

The minimum lot size in this area is 40ha, however the applicant proposes to utilise the provisions for subdivision using average lot sizes contained within cl 4.1B *Yass Valley LEP 2013*.

The proposed lot sizes are as follows:

- Lot 201 – 63.32ha
- Lot 202 – 67.44ha
- Lot 203 – 25.54ha
- Lot 204 – 21.89ha

The average lot size of the subdivision is 44.5 ha.

As such, the proposal satisfies the minimum average lot size requirement of 40ha and no lot is below 20ha or above 70ha as stipulated in the LEP.

**6.3 Crown Road**

Concerns have been raised that the future owner of proposed Lot 203, located to the north of the development site, will use the existing Crown Road which leads to Kerrick Lane. Council is requested to intervene in closing the Crown Road or stop existing legal access.

The existing Crown Road provides legal access to a number of properties, and any application to close it is not a relevant head of consideration under the *Environmental Planning & Assessment Act 1979*. Access to proposed Lot 203 is not proposed via the existing Crown Road.

**6.4 Building Envelopes**

The submissions have queried the total number of new building envelopes that will be created if the proposed subdivision is approved by Council.

As stated in the background section to this report, all proposed building envelopes are existing and already established under the previous subdivision. No new building envelopes are proposed. Each of the four lots created will have a dwelling entitlement.

**7. Conclusion**

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

**STRATEGIC DIRECTION**

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

- ATTACHMENTS:**
- A. Locality Plan [⇨](#)
  - B. Proposal [⇨](#)
  - C. Deposit Plan 1284692 [⇨](#)
  - D. Submissions [⇨](#)
  - E. s4.15 Assessment [⇨](#)
  - F. Applicant Response to Submissions [⇨](#)
  - G. Draft Conditions [⇨](#)

## 6.3 THIRD QUARTERLY BUDGET REVIEW 2022/23 STATEMENTS

### SUMMARY

This report represents the 2022/23 Third Quarterly Budget Review Statements (QBRs) for the period 1 January to 31 March 2023. This review shows Council's projected year end **Net Operating Result from Continuing Operations** remains positive and is predicted to be \$9.19M. Actuals at 31 March 2023 are showing a positive \$14.62M result.

### RECOMMENDATION

*That:*

1. *The 2022/23 Third Quarterly Budget Review Statements and approve adjustments, be adopted, as detailed in the report.*
2. *Note that in accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 31 March 2023 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.*

### FINANCIAL IMPLICATIONS

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

### POLICY & LEGISLATION

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

### REPORT

This Quarterly Budget Review Statements (QBRs) presents a summary of Council's financial position as at 31 March 2023 for the 2022/23 financial year.

Council has forecast an increased **Net Operating Result from Continuing Operations** to \$9.19M for the 2022/23 Financial Year budget. Due to continued staff turnover and shortages commencing in the third quarter review last financial year, the end of financial year reporting periods, and a prolonged 2021/22 year end audit, staff have not been available to complete a full search for all possible savings.

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

This is highlighted by:

- *The Net Operating Result from Continuing Operations remaining positive and predicted to be \$9.19M. Actuals at 31 March 2023 are also showing a positive \$14.62M result.*
- *Council is projecting a year end result of \$32.89M in Total Cash & Investments with an actual result of \$29.62M as at 31 March 2023.*

The QBRs appear as **Attachment A** and has been produced in accordance with the guidelines and standards issued by the NSW Office of Local Government.

Council is provided with a breakdown of the budget by functional/service unit and key performance indicators (financial ratios).

## Summary

- **Operational Revenue:** Council’s original budgeted **Total Income from Continuing Operations** was \$44.86M. Based on previous QBRS changes and the current review, this has increased to \$48.85M in the March Quarter. This is mainly due to the increase in interest earned on investments from the continuing higher than budgeted returns on investment. This is assisted by higher than expected *Grant and Contribution – Operating, and Rates & Annual Charges* income.
- **Operational Expenditure:** As part of the third QBRS **Total Expenses from Continuing Operations** increase by an estimated \$516K. This is made up of:
  - A \$516K increase in borrowing costs due to higher than budgeted interest charges on the refinanced Yass Dam Wall loan.

Comparing the new March adjusted forecast to the March Actual, demonstrates that Council is tracking at 71.59%.

- **Capital Budget:** Council’s capital budget while still increased from the original budgeted amount of \$24.0M to \$30.72M, has decreased due the Nanima (Jeir Creek) bridge project being deferred until early 2023/24. The \$1.9M reduction in expenditure has been moved into an externally restricted reserve.

## Cash and Investments

Councils Cash & Investments stay relatively steady for the whole year. The opening balance of \$35.68M has reduced as capital works are completed. The funds are moved out of reserves and recognised as income.

## STRATEGIC DIRECTION

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

**ATTACHMENTS:** A. Third Quarter Budget Review Statement [↔](#)

---

## 6.4 INVESTMENTS AND BORROWINGS REPORT - APRIL 2023

---

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 March 2023. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

### RECOMMENDATION

*That the Investment & Borrowings Report for April 2023 be noted.*

---

### FINANCIAL IMPLICATIONS

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

### POLICY & LEGISLATION

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

### REPORT

#### 1. Comments on Economic Climate

##### **The Australian economy**

The Reserve Bank of Australia (RBA) left its policy interest rate unchanged in April, which marked the first pause since it began raising rates in May last year. The RBA noted that it wants to see additional data and an updated set of internal forecasts before assessing when – and by how much more – monetary policy needs to be tightened to return inflation to target.

A key piece of data received was March quarter consumer price inflation numbers, which confirmed that inflation peaked at the end of 2022 but remains elevated. Although headline inflation was slightly stronger than expected and underlying inflation was a little weaker, the data was broadly in line with the RBA's February inflation forecasts, predicated on the cash rate being 25bps higher than it is currently.

The labour market also remained very tight in March, with employment increasing by much more than expected and the unemployment rate unchanged at 3.5%. Despite the current inflation and employment conditions, financial markets do not expect any more rate rises from the RBA in this cycle and are pricing in rate cuts towards the end of the year.

Survey measures of business conditions remained resilient in March and consumer confidence improved in April but remains very weak. Overseas arrivals to Australia have continued to rebound strongly. Although building approvals are trending lower, auction clearance rates and property prices have increased over the past couple of months

*Source: Tcorp*

*Monthly Economic commentary – 1 May 2023*

## 2. Summary of movements in Council Investments

Three investments matured and were three new investments created during April 2023.

Opening Balance 1 April 2023	\$23,400,000
Less: 3 x Maturities	\$4,000,000
Add: 3 x New Deposit	\$2,710,351
Closing balance at 30 April 2023	\$22,110,351

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

During the month of April 2023 some investments were not renewed, and the monies were brought into our NAB working account to be used as working capital and coupled with last month's maturities and the associated ratings of the maturing term deposits at the time, coupled with MyState changing from "Not rated" to being rated "A2 / BBB+", we have exceeded our limit on "Investment Exposure by Credit Rating Type" in Category "BBB Category / A-3)". This is a timing issue with the next chance to upgrade an investment due on the 3 May 2023.

## 3. Council Loans

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

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

## STRATEGIC DIRECTION

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

**ATTACHMENTS:** A. April 2023 Investment Report [↔](#)

## 6.5 RATES ARREARS AS AT 31 MARCH 2023

### SUMMARY.

The report is to provide an update on rate arrears at the end of the third quarter of the 2022/23 financial year. The total of all years outstanding at 30 June 2022 was \$1,584,014. This has been reduced to a total of \$485,193 as at 31 March 2023, an improvement of \$1,098,821 or 69.37%.

### RECOMMENDATION

*That the report on Rates Arrears be noted.*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- Debt Recovery Policy

REPORT During 2022/23 financial year the total outstanding rates have been reduced by \$1,098,821 leaving a total of \$485,193 at 31 March 2023. This represents an improvement of \$1,098,821 or 69.37%.

Rate payments, charges and interest billed for the current financial year are currently tracking at 80.80%, which is an improvement at the same time last financial year.

#### **Arrears Comparison as of 31 March 2023**

	Rates & Charges Levied (inc. interest)	Paid 1 Jul to 31 Mar 23	Balance Outstanding	Percentage paid
Arrears to 30/6/2022	\$1,584,014	\$1,098,821	\$485,193	69.37
Arrears at 30/6/2021	\$1,241,261	\$671,285	\$569,976	54.08
Current Years Rates, Charges and Interest billed since 1/7/2022	\$19,800,438	\$15,998,479	\$3,801,959	80.80
Current Years Rates, Charges and Interest billed since 1/7/2021	\$19,103,182	\$14,349,574	\$4,753,607	75.12
<b>Total 31 March 2023</b>	<b>\$21,384,452</b>	<b>\$17,097,300</b>	<b>\$4,287,152</b>	<b>79.95</b>
<b>Total 31 March 2022</b>	<b>\$20,344,443</b>	<b>\$15,020,860</b>	<b>\$5,323,583</b>	<b>73.83</b>

Council deals with Hardship Requests from the community on a case-by-case basis. For the third quarter of 2022/23, Council did not receive any hardship requests.

### STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is a financially sustainability organisation that can meet community needs
Strategies	CL2.1 – Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Actively review Fees and Charges

**ATTACHMENTS:** Nil



**6.6 WORK HEALTH & SAFETY IMPROVEMENT PROGRAM UPDATE**

**SUMMARY**

To provide an update regarding the implementation of the Work Health & Safety Improvement Program.

**RECOMMENDATION**

*That the report on Work Health & Safety Improvement Program be noted*

**FINANCIAL IMPLICATIONS**

Financial implications are included in the draft 2023/24 Operational Plan.

**POLICY & LEGISLATION**

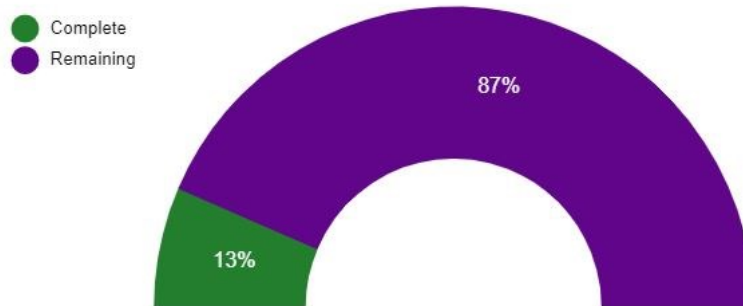
- Work Health & Safety Act 2011
- Work Health & Safety Policy

**REPORT**

The Work Health & Safety Improvement Program commenced in July 2022 with an expected completion by 30 June 2024. The Improvement Program was impacted by staff resourcing and funding, with slower than expected progress

With the appointment of a Manager Governance & Risk, a review of the Program has identified some progress, with the completion target of 30 June 2024 still achievable. The graph and table below are from the WHS Improvement Program portal, that provides the current status.

**Project Task Completion Graph**



**Milestone Summary**

Health	% Complete	Tasks
●	13%	WHS Improvement Program Project Plan
●	62%	Review, Assign and Report
●	12%	Activity Implementation
	6%	Stage 1
●	14%	Stage 2
●	16%	Stage 3
●	7%	Stage 4

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.1 - Council practices and processes are undertaken in a safe and efficient manner that meets legislative requirements
Delivery Program Action	Implement and manage an accredited WHS system

**ATTACHMENTS:** Nil

## 6.7 COUNCILLOR FEES 2023/24

### SUMMARY

To detail the determination of the Local Government Remuneration Tribunal regarding Councillor fees for the 2023/24 year.

### RECOMMENDATION

*That:*

1. *The decision of the Local Government Remuneration Tribunal that there will be an increase of 3% on Councillor Fees and Mayoral Allowance for 2023/24 be adopted.*
2. *The annual payment for Councillors will be \$17,680 and \$37,925 for the Mayor, to be paid in arrears in equal monthly instalments.*
3. *In accordance with clause 4.1.2 Councillor Expenses & Facilities Policy, an amount of \$1,500 to be paid in arrears in equal monthly instalments to the Deputy Mayor from the Mayoral Allowance.*

### FINANCIAL IMPLICATIONS

A 2% increase was included in the 2023/24 draft budget. Therefore, the draft 2023/24 budget will be adjusted prior to adoption in June 2023 to cover the new fees, as advised by the Local Government Remuneration Tribunal. No adjustment to the 2022/23 budget is required as this takes effect from 1 July 2023.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- Councillor Expenses and Facilities Policy

### REPORT

In accordance with s239 and s241 *Local Government Act 1993*, the Local Government Remuneration Tribunal determines in each category of Council the maximum and minimum amount of fees to be paid to Mayors and Councillors of Councils. The Tribunal has determined an increase of 3% to Mayoral and Councillor fees. The Local Government Remuneration Tribunal Annual Report and Determination is provided in **Attachment A**.

In accordance with the *Local Government Act 1993* the Tribunal undertook a review of the categories and allocation of Councils into each listed category as part of its 2020 review and will next review these categories in 2023. A review of the categories has been undertaken and Yass Valley Council is now listed as a Large Rural Council

Yass Valley Council is categorised as a Large Rural Council and in the past has resolved to adopt the maximum levels for Councillor fees and Mayoral allowance. The 2022/23 fee for Councillors was \$12,650pa and the Mayoral allowance was \$27,600pa (prior to any payment to the Deputy Mayor).

Council may determine the annual fees to be any amount between the minimum and maximum amounts determined by the Tribunal for a Large Rural Council. The minimum annual fee for a Councillor is \$9,850pa and the maximum fee is \$17,680. The minimum annual Mayoral allowance is \$15,735pa and the maximum allowance is \$37,925pa.

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** A. 2023 Local Government Remuneration Tribunal Determination [↗](#)

## 6.8 2024 LOCAL GOVERNMENT ELECTION

### SUMMARY

The estimated cost of the NSW Electoral Commission conducting the 2024 Local Government elections for Council have been received. The estimated costs represent an increase of 30% above the 2021 elections. Unfortunately, there is no realistic alternative to using the NSW Electoral Commission.

### RECOMMENDATION

*That:*

1. *The estimated cost of conducting the 2024 Local Government elections for Yass by the NSW Electoral Commission be accepted*
2. *Representations through the Canberra Region Joint Organisation be made to the State Government to review the methodology of conducting Local Government elections*

### FINANCIAL IMPLICATIONS

The estimated cost of the NSW Electoral Commission conducting the 2024 Local Government Elections for Yass Valley represents a 30% increase over the 2021 election. Provision has been included in the draft 2023/24 Operational Plan to cover this cost.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

In December 2022 Council determined that NSW Electoral Commission be engaged to conduct the 2024 Local Government Elections for Council.

The NSW Electoral Commission have now provided their standard contract (refer **Attachment A**) with an estimated fee of \$171,648.

The estimated cost in 2021 was \$141,252. The estimated costs for 2024 represents a cost increase of \$30,400 or a 17% increase. This is significantly more than the annual rate peg. Unfortunately, there is no realistic alternative to using the NSW Electoral Commission.

At the upcoming meeting in June 2023 with State Government Ministers, the Canberra Region Joint Organisation is intending to raise the issues of election cost increases and to suggest a different approach. The NSW Electoral Commission generally delivers the Local Government elections on behalf of Local Council. The cost of these elections continues to substantially increase election after election. The proposed costs of the 2024 compared to the 2021 elections in two Election cost across our region have increase by an average on nearly 20%

There seems to be a reluctance to change election methodologies that have been in place for many years – that is the numerous polling booths all around the Council area, numerous election staff and an outdated paper base system.

Many jurisdictions around the world have invested successfully in electronic voting – either voting a home or electronic kiosk in supermarkets etc. Postal voting is used in some jurisdictions – but that is still an antiquated process that modern communities have moved on from. There is no objective argument against voter security for electronic voting when so many of our household day to day transactions are electronic.

The Joint Organisation intends to ask if the State Government in partnership with Local Government commit to introducing electronic voting for the 2028 Local Government Elections?

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL3: Our community is informed and engaged in decision making
Strategies	CL3.4 - We value the voice of our community, and their input informs our decisions
Delivery Program Action	Increased promotion of community input when items are put out for public comment and submissions

**ATTACHMENTS:** A. NSW Electoral Commission Contract [⇨](#)

## 6.9 REVIEW OF DELEGATIONS TO MAYOR AND CHIEF EXECUTIVE OFFICER

### SUMMARY

Under s377 *Local Government Act 1993*, Council is able to delegate various powers, authorities, duties and functions to support the effective governance and efficient day-to-day operations of Council's organisation. It is appropriate for Council to regularly review its delegations for currency and legislative compliance. This report recommends that Council formally review its delegations to the Mayor and Chief Executive Officer and endorse the Instruments of Delegation appended at **Attachment A** and **Attachment B**, respectively.

### RECOMMENDATION

*That:*

1. *The Mayor, and in the Mayor's absence, the Deputy Mayor, be delegated the powers, authorities, duties and functions of the Council listed in the Instrument of Delegation appended at **Attachment A**, subject to the conditions and limitations specified.*
2. *The Chief Executive Officer, and in the Chief Executive Officer's absence, the Senior Staff employee acting in the position of Chief Executive Officer, be delegated the powers, authorities, duties and functions of the Council listed in the instrument of Delegation appended at **Attachment B**, subject to the conditions and limitations specified.*
3. *All previous delegations of powers, authorities, duties and functions to the Mayor and Chief Executive Officer be revoked*

### FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report.

### POLICY & LEGISLATION

- s226 *Local Government Act 1993* ([Role of Mayor](#))
- s335 *Local Government Act 1993* ([Functions of General Manager](#))
- s377 *Local Government Act 1993* ([General Power of the Council to Delegate](#))
- s380 *Local Government Act 1993* ([Review of Delegations](#))

### REPORT

#### 1. Background

The *Local Government Act 1993*, along with other legislation relevant to Local Government, authorises Council to undertake a wide range of functions. In most cases, the relevant Acts grant those obligations and powers directly on the Council as a body. However, s377 *LG Act 1993* enables Council to delegate powers, authorities, duties and functions to the General Manager (Chief Executive Officer) or any other person or body (not including another employee of the Council) any of its functions, other than those specifically exempted at s377(a)-(u).

The delegation of functions under s377 *LG Act 1993* enables the Chief Executive Officer to make most of the decisions and perform most of the functions required for Council to operate on a day-to-day basis. The Chief Executive Officer in turn sub-delegates all or some of these delegations to relevant Council Officers as they relate to their role and position accountabilities.

Section 380 *LG Act 1993* requires all Councils in NSW to review their delegations within 12 months following a Local Government Ordinary Election. However, noting that Councils operate in a complex legislative environment and legislation (and in turn, Councils' legislative obligations) are frequently changing; it is good practice for delegations to be regularly reviewed for currency and updated accordingly.

## 2. Delegations to Mayor

Section 336 LG Act 1993 outlines the statutory role and responsibilities of the Mayor as follows:

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

The Instrument of Delegation appended at **Attachment A** lists all powers, authorities, duties and functions of the Council that are recommended to be delegated to the Mayor (and in the Mayor's absence, the Deputy Mayor). The Instrument clearly specifies the individual powers, authorities, duties and functions to be delegated, as well as any limitations attached to each delegation.

The powers, authorities, duties and functions of the Council delegated to the Mayor must be exercised in accordance with the requirements of the applicable Act of Parliament, and any resolution or policy, procedure or budget adopted from time to time by the Council.

## 3. Delegations to Chief Executive Officer

Section 335 LG Act 1993 outlines the statutory role and functions of Council's General Manager (Chief Executive Officer) as follows:

- (a) *to conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council,*
- (b) *to implement, without undue delay, lawful decisions of the Council,*
- (c) *to advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the Council,*
- (d) *to advise the Mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council,*
- (e) *to prepare, in consultation with the Mayor and the governing body, the Council's Community Strategic Plan, Community Engagement Strategy, Resourcing Strategy, Delivery Program, Operational Plan and Annual Report,*



- (f) to ensure that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions,
- (g) to exercise any of the functions of the Council that are delegated by the Council to the General Manager,
- (h) to appoint staff in accordance with the organisation structure determined... and the resources approved by the Council,
- (i) to direct and dismiss staff,
- (j) to implement the Council's Workforce Management Strategy,
- (k) any other functions that are conferred or imposed on the General Manager by or under (the Act) or any other Act.

The Instrument of Delegation appended at **Attachment B** lists all powers, authorities, duties and functions of the Council that are recommended to be delegated to the Chief Executive Officer (and in the Chief Executive Officer's absence, the Senior Staff employee acting in the position of Chief Executive Officer). The Instrument clearly specifies the individual powers, authorities, duties and functions to be delegated, as well as any limitations attached to each delegation.

All delegations provided in the Instrument of Delegation appended at **Attachment B** have been provided by Bradley Allen Love Lawyers.

The powers, authorities, duties and functions of the Council delegated to the Chief Executive Officer must be exercised in accordance with the requirements of the applicable Act of Parliament, and any resolution or policy, procedure or budget adopted from time to time by the Council.

## STRATEGIC DIRECTION

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

- ATTACHMENTS:**
- A. Instrument of Delegation for the Mayor [⇒](#)
  - B. Instrument of Delegation for the Chief Executive Officer [⇒](#)

---

## 6.10 DRAFT COUNCILLOR INDUCTION & PROFESSIONAL DEVELOPMENT POLICY

---

### SUMMARY

Council is committed to supporting its Mayor and Councillors in meeting their statutory obligation to acquire and maintain the skills necessary to perform their civic duties. This report recommends that Council formally adopt the draft *Councillor Induction and Professional Development Policy* appended at **Attachment A**, which provides a framework for Council's Councillor induction and professional development activities.

### RECOMMENDATION

*That:*

1. *The draft Councillor Induction & Professional Development Policy be endorsed for public exhibition for a period of 28 days.*
2. *The draft Councillor Induction & Professional Development Policy be adopted as exhibited, if no significant submissions are received.*

---

### FINANCIAL IMPLICATIONS

Consistent with the *Councillor Induction and Professional Development Guidelines* prescribed by the NSW Government under s23A *Local Government Act 1993*, the draft Policy provides that Council will establish and maintain a budget allocation to support induction and professional development activities undertaken by the Mayor and Councillors. The budget will be set by Council in its *Councillor Expenses & Facilities Policy* and be regularly monitored and reported on via Council's Annual Report.

### POLICY & LEGISLATION

- s323 *Local Government Act 1993* ([The Role of a Councillor](#) )
- Cl 183 *Local Government (General) Regulation 2021* ([Induction Training Courses for Councillors](#))
- Cl 184 *Local Government (General) Regulation 2021* ([Supplementary Induction Training Courses for Mayors](#))
- Cl 185 *Local Government (General) Regulation 2021* ([Ongoing Professional Development Program for Councillors and Mayors](#))
- Cl 186 *Local Government (General) Regulation 2021* ([Information about Induction Training and Ongoing Professional Development to be Included in Annual Report](#))

### REPORT

Section 232 *Local Government Act 1993* provides that Councillors have a responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.

Under Part 8A *Local Government (General) Regulation 2021*, Council's Chief Executive Officer has a statutory duty to ensure the delivery of:

- (a) An induction program for newly elected and returning Councillors and a specialised supplementary induction program for the Mayor within six months of their election, and
- (b) An ongoing professional development program for the Mayor and each Councillor over the term of Council to assist them in acquiring and maintaining the skills necessary to perform their roles.

Clauses 183-186 of the Regulation impose further requirements with respect to Councillor induction and ongoing professional development, as well as reporting on induction and professional development activities in Council's Annual Report.

On 18 December 2018, the Office of Local Government published the *Councillor Induction and Professional Development Guidelines*, which provide guidance to Councils on how they should develop and deliver their

pre-election candidate information sessions, Councillor induction programs and ongoing Councillor professional development programs.

The Guidelines include a *Model Councillor Induction and Professional Development Policy*.

The draft *Councillor Induction & Professional Development Policy* (refer **Attachment A**) has been adapted from the Model Policy and seeks to demonstrate Council's commitment to its elected representatives have access to induction and ongoing professional development opportunities so that they can develop and maintain the skills and knowledge necessary to perform their civic roles and exercise their statutory responsibilities.

It is recommended that the draft Policy be endorsed for public exhibition, and subsequently adopted subject to no significant submissions being received. Should significant submissions be received, a further report will be provided to Council for consideration prior to adoption of the draft Policy.

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** A. Draft Councillor Induction & Professional Development Policy [↔](#)

## 6.11 JUNE 2023 MEETING DATE

---

### SUMMARY

This report is to request that the June 2023 meeting date be moved to Thursday 29 June 2023 to enable the Mayor and Chief Executive Officer to attend Canberra Region Joint Organisation planned meetings with Ministers in Sydney on 22 June 2023.

### RECOMMENDATION

*That the Council Meeting scheduled for Thursday 22 June 2023 be rescheduled to Thursday 29 June 2023 at 4.00pm.*

---

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- Code of Meeting Practice

### REPORT

The June 2023 meeting is scheduled for Thursday 22 June 2023. The Canberra Region Joint Organisation is currently in the process of arranging meetings with newly elected Ministers. Rescheduling this meeting will allow the Mayor and Chief Executive Officer to attend and meet with Ministers in Sydney.

### STRATEGIC DIRECTION

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

**ATTACHMENTS:** Nil

## 6.12 MINOR ORGANISATIONAL RESTRUCTURE

### SUMMARY

Considerable work has been undertaken by the Strategic Planning Team in the Planning & Environment Division on Master Planning and the Open Space Strategy. Much of this work has incorporated input from the Recreational Assets Team. Both teams are involved in planning and developing public spaces throughout Yass Valley. It is proposed to move the Recreational Assets Team into the Planning & Environment Division.

### RECOMMENDATION

*That the organisational structure be amended to move the Recreational Assets Team from the Infrastructure & Assets Division into the Planning & Environment Division.*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- Local Government Act 1993
- Organisational Structure

### REPORT

In recent years there has been considerable work being undertaken by the Strategic Planning Team in the Planning & Environment Division on Master Planning and the Open Space Strategy. Much of this work has incorporated input from the Recreational Assets Team. Both teams are involved in planning and developing public spaces throughout Yass Valley.

The Executive Management Team has been discussing a review of the working relationships between the two teams since the start of 2023 and following the resignation of the former Director Infrastructure & Assets.

With the similar nature of the work, and in some instances overlapping work, between the two teams it makes sense that they work more closely with each other. This can be achieved by having both teams in the same Division.

There is no impact on the positions in the Recreational Assets Team other than the Division in which they are placed and who they report to. A copy of the minor organisational restructure is included in **Attachment A**.

It is recommended that the proposed changes to the organisational structure be endorsed.

### STRATEGIC DIRECTION

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

**ATTACHMENTS:** A. Proposed Organisational Structure [⇒](#)

---

## 6.13 WATER REBATE FOR UNDETECTED LEAKS AND DISPUTED CHARGE

---

### SUMMARY

This report presents applications for water rebate for undetected leaks and a disputed water charge for Council determination.

### RECOMMENDATION

*That this item be classified CONFIDENTIAL in accordance with Section 10A(2)(a and b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the personal hardship of a resident or ratepayer.*

---

### FINANCIAL IMPLICATIONS

Reduction in revenue.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- Water Rebate for Undetected Leaks Policy

### REPORT

Information on requests for water rebate and disputed water charge for the properties listed below are provided for Council's determination:

#### ***Water Rebate:***

- Lot 2 DP586111, 4 Wellington Street, Binalong
- Lot 2 DP1196036, 310 Henderson Lane, Binalong

#### ***Disputed Water Charge:***

- Lot 2 DP734685, 47 Meehan Street, Yass

As these applications deals with the personal hardship of a resident and personal matters, the matters need to be considered in Closed Session.

### STRATEGIC DIRECTION

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

**ATTACHMENTS:** Nil

## 9.1 MINUTES OF THE RESCUE AND LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETINGS HELD ON 11 MAY 2023

---

### REPORT

The minutes of the Rescue and Local Emergency Management Committee meetings held on 11 May 2023 are included in **Attachments A** and **B**.

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 Rescue and Local Emergency Management Committee meetings held on 11 May 2023 be noted.*

- ATTACHMENTS:**
- A. Rescue Committee Minutes 11 May 2023 [⇒](#)
  - B. Local Emergency Management Committee Minutes 11 May 2023 [⇒](#)

## 9.2 MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 20 APRIL 2023

### REPORT

The minutes of the Sustainability Advisory Committee meeting held on 20 April 2023 are included in **Attachment A**.

From these minutes there are three 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

The following comments are provided in relation to the matters being recommended to Council.

#### **Item 4.1 Draft Sustainability Policy & Sustainability Assessment Framework**

In relation to Item 4.1 on the Draft Sustainability Policy & Sustainability Assessment Framework the following comments are provided.

In January 2023 the Committee recommended to brief Councillors on the policy and the framework.

Members of the Sustainability Committee addressed Councillors at a workshop in February 2023 on their draft Sustainability Policy and Sustainability Assessment Framework.

In February 2023 Council considered a recommendation from the Sustainability Advisory Committee to adopt the policy and framework.

In the report to the February 2023 Council meeting, presenting the January 2023 Committee Minutes, there was some commentary on the draft policy highlighting some issues raised at the Councillor Workshop. The commentary on the Committee's recommendation in the report to Council identified some concerns with the draft policy and assessment framework e.g.

- *Both the policy and the framework need some further work to better reflect the corporate format for policy documents.*
- *The financial sustainability section in Part 2 of the Framework is not necessary. Council staff are responsible for preparing the statements and oversight is provided by Office of Local Government, NSW Audit Office and Council's participation in the CRJO Audit Risk & Improvement Committee. An additional oversight is not necessary.*
- *The framework has highlighted some priorities to focus the Committee and is a useful tool for the Committee however it is not necessary to for it to be included in a policy. The priorities identified for the Committee to focus its advice on include:*
  - *The design of a Food & Garden Organics service*
  - *A review of the current trends and approached for Council to move to Electric Vehicles*
  - *Engagement with other Advisory Committees on common interests*
  - *A community led (Council supported) Climate Change Action Plan**These priorities could be part of the Committee's work program.*

It was indicated in the report on the January 2023 Committee Minutes that the draft policy and assessment framework be further refined to incorporate the above suggestions.

Council determined to simply note the minutes (other than the recommendation in relation to the Regional Transport Strategy). Unfortunately, this left the policy and framework in limbo.



To address this impasse a revised policy was drafted for the Committee's consideration taking into account the issues raised at the workshop and based on a similar policy developed by the University of Newcastle. This was considered by the Committee at their meeting on 20 April 2023.

The Committee determined to endorse a further revised draft policy (refer **Attachment B**) for Council's consideration. Supporting the revised policy are the Sustainability Assessment Framework (refer **Attachment C**), the Key Findings (refer **Attachment D**) and Research Activities (refer **Attachment E**). These documents sit outside the policy and are working documents for the Committee. The revised policy is suitable for public exhibition and wider community comment.

#### **Item 4.3 Regional Waste & Sustainable Materials Strategy 2022-27 and Action Plan**

The Committee has raised some concerns in relation to the CRJO regional waste strategy and action plan particularly with its lack of ambition and concerns with the organisations ability to deliver on some of the objectives. Nevertheless, the Committee has indicated Council should endorse the documents.

#### **Item 4.6 Environmental Upgrade Financing**

The Committee suggests that the opinion of the Economic Development Committee be sought on the program to support business loans for undertaking environmental improvements in their premises (e.g. solar panels, water saving devices). The scheme seems to be based on Council underwriting the improvements by applying a charge against the property.

Once the views and interests of both the Sustainability and Economic Development Committee have been finalised an assessment of program's legal implications and financial risks will need to be undertaken.

#### **RECOMMENDATION**

*That the minutes of the Sustainability Advisory Committee meeting held on 20 April 2023 be noted and the following recommendations be endorsed:*

##### **Item 4.1 Draft Sustainability Policy and Sustainability Assessment Framework**

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

##### **Item 4.3 Regional Waste & Sustainable Materials Strategy 2022-27 and Action Plan**

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

##### **Item 4.6 Environmental Upgrade Financing**

*That:*

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

#### **ATTACHMENTS:**

- A. Sustainability Advisory Committee Minutes 20 April 2023 [⇒](#)
- B. Revised Sustainability Policy [⇒](#)
- C. Sustainability Assessment Framework 2023 [⇒](#)
- D. Key Findings 2023 [⇒](#)
- E. Research Activities 2023 [⇒](#)

### 9.3 MINUTES OF THE YOUTH COUNCIL HELD ON 8 MAY 2023.

---

#### REPORT

The minutes of the Youth Council meeting held on 8 May 2023 are included in **Attachment A**.

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

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

Accordingly the minutes are presented for information.

#### RECOMMENDATION

*That the minutes of the Youth Council meeting held on 8 May 2023 be noted.*

**ATTACHMENTS:** A. Youth Council Minutes 8 May 2023 [⇒](#)

## 10 Confidential Matters

---

### RECOMMENDATION

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

**10.1 Water Rebate for Undetected Leaks and Disputed Charge**

Item 10.1 is confidential in accordance with section s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and section s10(A)(2)(b) of the Local Government Act because it contains the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.