



Ordinary Meeting of Council

**Thursday 27 July 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

August 2023

Thursday 24th

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.

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10. Confidential Matters49

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 Tender Evaluation Report - Back Creek Bridge Replacement YVC.IA.12.2023 49

Close of Meeting Time

Julie Rogers
A/g CHIEF EXECUTIVE OFFICER



Minutes of the Ordinary Meeting of Council

Thursday 29 June 2023

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

Presentations to Council – Items on the Meeting Agenda

6.1 Petition – Completion of the Winery Trail, Murrumbateman

Elizabeth Harris
Tracey Ewens

6.15 Water and Sewer Headworks Charges 7 Adele Street, Yass

Simon Cassidy

Council Meeting - The Mayor declared the meeting open at 4.20 pm.

Present

Councillors Allan McGrath, Mayor, in the chair, Jim Abbey, Cecil Burgess, Jasmin Jones, Cayla Pothan, Mike Reid 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 Councillors Butler and Cameron and leave of absence be granted.

(Turner/Abbey) 111

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

AGAINST: Nil

3. Declaration of Interest/Disclosures

Councillor Jones advised that in relation to Item 7.1 – Notice of Motion – Building Inspection, 234 Comur Street, Yass, that a family member of the builder in question was previously a co-director in her current business. This is no longer the case and therefore believed no interest exists.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 25 May 2023 covered by resolution numbers 88-110 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Abbey/Reid) 112

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

AGAINST: Nil

5. Mayoral Minute

6. Reports to Council

6.1 PROPOSED WALLAROO SOLAR FARM

SUMMARY

To present a report on the proposed Wallaroo Solar Farm. The proposal is a State Significant Development and the Independent Planning Commission is the Consent Authority. Key issues for Yass Valley relate to compliance with the *Yass Valley Settlement Strategy*, road infrastructure, visual impacts, the community enhancement fund and community engagement.

RESOLVED that a submission be made to the Department of Planning & Environment on the proposed Wallaroo Solar Farm on the following grounds:

- ***The location is inconsistent with the Yass Valley Settlement Strategy as the proposal does not preserve the rural and landscape character of the area and is likely to negatively impact on the visual amenity of the area.***
- ***The location is inconsistent with the current rural zoning due to the potential for contamination being release into agricultural and residential areas and drinking water source waterway from the ignition of cadmium storage batteries and panels in the event of a grassfire at the site***
- ***Locating the development within the 5km buffer area undermines the intended objectives to protect the open rural landscape and environmental values of the area.***
- ***The visual assessment does not take into account the existing and proposed Ginninderry development within the ACT or the proposed Parkwood area in NSW.***
- ***The Department of Planning & Environment be requested to hold a public hearing locally as part of the assessment process.***
- ***If approved, all road work and upgrades are required to be consistent with Council's Roads Standards Policy and the road access route to the site to be maintained throughout construction phase of the development.in addition:***
 - ***A copy of the Construction Management Plan is required to be submitted and approved by Council prior to issue of the Construction Certificate to ensure that recommended mitigation measures including road maintenance and upgrade works on all Council roads that will form part of the access routes for all traffic forms are included in the project scope of the civil works.***
 - ***Council shall be consulted and liaised with during the construction phase to ensure proper implementation of road maintenance and upgrade works to Council's satisfaction.***
 - ***A copy of the post construction geotechnical investigation and review report on the structural adequacy of the pavement of the Council road network, included the access routes, is required to be submitted to Council.***
- ***If approved, a fund is to be established in accordance with Council's Community Enhancement Fund Policy based on 1% of the capital cost for the project or alternatively a \$150,000 initial contribution plus an annual contribution of \$50,500 (adjusted in line with CPI) while ever the project is in operation.***
- ***If approved, the project is to be commenced within 5 years of a Consent being issues and completed within 5 years of commencement.***

- *If approved, any landscaping plan is to incorporate species which are endemic to the local area and planted prior to construction commencing.*

(Jones/Reid) 113

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

AGAINST: Nil

6.2 DEVELOPMENT APPLICATION DA230012 - BEE KEEPING APIARY CONTAINING SIX (6) BEEHIVES FOR COMMERCIAL PURPOSES

SUMMARY

To present the assessment of Development Application No DA230012 for beekeeping apiary containing six (6) beehives for commercial purposes at 26 Woodleigh Drive, Murrumbateman. The application attracted four objections and relevant concerns can be address by conditions. Approval is recommended.

RESOLVED that conditional Development Consent be issued for Development Application DA230012 for beekeeping apiary containing six beehives at 26 Woodleigh Drive, Murrumbateman.

(Jones/Pothan) 114

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

AGAINST: Nil

6.3 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 updated report and work completed on the Water Treatment Plant Upgrade Project be noted.

(Turner/Reid) 115

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

AGAINST: Nil

6.4 TOWN WATER RISK REDUCTION PROGRAM - REGIONAL NETWORK LEAKAGE DETECTION PROJECT

SUMMARY

Information on support from DPE Water's Regional Network Leakage Detection Project to detect water leaks in the Yass Water Supply System in Yass, Binalong, Bowning and Murrumbateman is provided.

RESOLVED that the support received from DPE Water through the Regional Network Leak Detection Program be recognised.

(Jones/Reid) 116

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

AGAINST: Nil

6.5 STRATEGIC ASSESSMENT OF THE YASS RAIL TRAIL

SUMMARY

To report to Council the outcome of the preparation of a Strategic Assessment of the Yass Rail Trail.

RESOLVED that :

- 1. The Strategic Assessment prepared for the Yass Rail Trail be noted.***
- 2. Opportunities to fund the detailed design, community consultation and construction of the Yass Rail Trail be pursued.***

(Reid/Pothan) 117

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

AGAINST: Nil

6.6 2023/24 INTERGRATED PLANNING & REPORTING DOCUMENTS

SUMMARY

Following public exhibition, community submissions, and a final review by Council's financial team, Council is forecasting a surplus of \$2.3M for the 2023/24 *Operating Result from Continuing Operations*, with a deficit of \$12.5M *Net Operating Result before Grants and Contributions provided for Capital Purposes*.

RESOLVED that Council adopt:

1. **The 2023/24 Operational Plan, 2023-33 Long Term Financial Plan, 2023/24 Revenue Statement, and the 2022-26 Delivery Program.**
2. **The annual Ordinary Rates for 2023/24 as detailed in the following table, in accordance with the 2023/24 Revenue Statement.**

Category	Sub-Category	Ad Valorem	Minimum Charge	Base Charge	Gross Income
<i>Farmland</i>		<i>0.0011508</i>		<i>\$745.50</i>	<i>\$4,704,389</i>
<i>Residential</i>	<i>Non Urban</i>	<i>0.0012169</i>		<i>\$486.00</i>	<i>\$4,194,524</i>
<i>Residential</i>	<i>Yass</i>	<i>0.0025382</i>	<i>\$739.00</i>		<i>\$2,143,880</i>
<i>Residential</i>	<i>Binalong</i>	<i>0.0016952</i>	<i>\$739.00</i>		<i>\$153,224</i>
<i>Residential</i>	<i>Bowning</i>	<i>0.0017004</i>	<i>\$739.00</i>		<i>\$84,696</i>
<i>Residential</i>	<i>Wee Jasper</i>	<i>0.0016952</i>	<i>\$739.00</i>		<i>\$33,255</i>
<i>Residential</i>	<i>Bookham</i>	<i>0.0016952</i>	<i>\$739.00</i>		<i>\$11,824</i>
<i>Residential</i>	<i>Murrumbateman</i>	<i>0.0017628</i>	<i>\$739.00</i>		<i>\$198,042</i>
<i>Residential</i>	<i>Gundaroo</i>	<i>0.0014629</i>	<i>\$739.00</i>		<i>\$189,891</i>
<i>Residential</i>	<i>Sutton</i>	<i>0.0018078</i>	<i>\$739.00</i>		<i>\$78,704</i>
<i>Business</i>	<i>Sutton & Gundaroo</i>	<i>0.0012163</i>		<i>\$486.00</i>	<i>\$19,514</i>
<i>Business</i>	<i>Yass & Other Villages</i>	<i>0.0068155</i>	<i>\$739.00</i>		<i>\$908,388</i>
<i>Estimated Yield</i>					<i>\$12,720,337</i>

3. **Each annual and consumption charge for water, sewer, liquid trade waste and waste as detailed in the 2023/24 Revenue Statement.**
4. **A 9.0% p.a. interest payable on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive) in accordance with section 566(3) of the Act.**

(Jones/Reid) 118

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

AGAINST: Nil

6.7 INVESTMENTS AND BORROWINGS REPORT - MAY 2023

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 May 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 May 2023 be noted.

(Pothan/Reid) 119

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

AGAINST: Nil

6.8 COMMUNITY STRATEGIC PLAN UPDATE

SUMMARY

Council collaborated with six other Canberra Region Joint Organisation (CRJO) Councils to deliver the updated 2042 Community Strategic Plan (CSP). This report seeks Councils support to continue a similar process for the next CSP prior to the 2024 Local Government Election.

RESOLVED that Council:

- 1. Participates in a CRJO regionally coordinated project to deliver the updated 2042 Community Strategic Plan in collaboration with the member Councils of the CRJO.**
- 2. Undertake community engagement on the CSP 2042 prior to the Local Government election in 2024.**

(Abbey/Reid) 120

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

AGAINST: Nil

6.9 INDEPENDENT PRICING & REGULATORY TRIBUNAL RATE PEGGING REVIEW

SUMMARY

The Independent Pricing & Regulatory Tribunal (IPART) has released a draft report proposing changes to the way the Council rate peg is set and are inviting submissions to be made.

RESOLVED that a submission to the IPART draft report proposing changes to the way the Council rate peg is set be made in the terms outlined in this report.

(Reid/Abbey) 121

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

AGAINST: Nil

6.10 LIBRARY OUSTANDING ITEMS WRITE OFF

SUMMARY

The Yass Library withdrew from the Regional Library Service officially on 1 July 2017. Following a full stocktake over 30,000 items were accounted for with 145 not accounted for. Providing Council options to 'tidy up' the items unaccounted for.

RESOLVED that all items not returned prior to 1 January 2021 be written off to the value of \$8,527.28.

(Abbey/Turner) 122

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

AGAINST: Nil

6.11 MURRUMBATEMAN PLAYGROUND PROJECT COMMITTEE

SUMMARY

To recommend nominations for positions on the Murrumbateman Playground Project Committee.

RESOLVED that this item be classified CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).

(Jones/Turner) 123

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

AGAINST: Nil

6.12 TENDER EVALUATION REPORT - VICTORIA PARK, SKATE PARK EXTENTION YVC.IA.13.2023

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Victoria Park Skate Park Extension YVC.IA.13.2023 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 it.

(Jones/Turner) 124

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

AGAINST: Nil

6.13 CARAVAN PARK MANAGEMENT SERVICES AGREEMENT

SUMMARY

To inform Council that the current Yass Caravan Park Management Services Contract will expire on 30 November 2023. This report informs council of management options available in consideration of the Yass Caravan Park management options moving forward.

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

(Jones/Turner) 125

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

AGAINST: Nil

6.14 MEMORANDUM OF AGREEMENT - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP

SUMMARY

The purpose of this report is to provide an update to Council regarding waste management activities associated with the South West Regional Waste Management Group (SWRWMG), the status of the Memorandum of Agreement (MOA) for the group and the current situation with the landfill operations at the Bald Hill Quarry (trading as Ecofill) including the reinstatement of the MOA.

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

(Jones/Turner) 126

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

AGAINST: Nil

6.15 REQUEST FOR REVIEW - WATER AND SEWER HEADWORKS CHARGES, DEVELOPMENT CONSENT DA200271, 7 ADELE STREET, YASS

SUMMARY

A review has been requested of water and sewer headworks charges required in Development Consent DA200271. Report provides information for Council's review and determination.

RESOLVED that This item is classified CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).

(Jones/Turner) 127

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

AGAINST: Nil

6.16 PETITION - COMPLETION OF THE WINERY TRAIL, MURRUMBATEMAN

SUMMARY

Tabling a petition lodged in relation to the completion of the Murrumbateman Winery Trail along MacIntosh Circuit from Scrubby Lane to Murrumbateman Winery.

RESOLVED that :

- 1. The tabled petition on the completion of the Murrumbateman Winery Trail along MacIntosh Circuit from Scrubby Lane to Murrumbateman Winery be noted.**
- 2. Once the highway duplication design has been completed Council continues to seek further grant funding to finalise the design and construction of the Murrumbateman Winery Trail along Macintosh circuit from Scrubby Lane to Murrumbateman Winery.**
- 3. Council staff be requested to investigate interim access options and report back to the July 2023 Council meeting.**
- 4. Council engage its media team to communicate current constraints and Council's plan for the Winery Trail completion.**

(Jones/Turner) 128

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

AGAINST: Nil

7. Notice of Motion

7.1 NOTICE OF MOTION - BUILDING INSPECTION, 234 COMUR STREET, YASS

SUMMARY

Councillor Kim Turner has given notice that at the Ordinary Council Meeting on 29 June 2023, he will move the following motion.

Motion

That the inspection conducted at 234 Comur Street on 8 December 2022, at the request of the builder was conducted as a final inspection and the matters identified as unsatisfactory were, in fact, incomplete or unfinished works already known to the application. Further that the builder be offered the opportunity to respond to the identified matters with appropriate Council staff, prior to the next scheduled inspection without further expense.

(Turner/Abbey)

Amendment

Amendment to Motion accepted by Mover and Seconder

RESOLVED that :

- 1. The inspection conducted at 234 Comur Street on 8 December 2022, at the request of the builder was conducted as a final inspection and the matters identified as unsatisfactory were, in fact, incomplete or unfinished works already known to the applicant.**
- 2. As a result of the prematurely conducted Final Building inspection:**
 - The builder of the development at 234 Comur Street has been provided with a list from Council staff of the outstanding works to be completed.**
 - Once the builder has completed the outstanding works at 234 Comur Street he can book a final inspection.**
 - Any requests for building inspections conducted by Council staff are only for critical stage inspections and bookings are to be made online through Council's web site. Council acknowledges in this particular instance, the builder was directed by Council to select this option instead of booking a progress meeting on site.**

- *Any request seeking clarification of building requirements is to be made as an appointment to discuss with a relevant officer through Council's Customer Service Officers (Planning). In acknowledgement of Council's role in this matter to date, a meeting has already been provided to the builder along with a clarification of BCA requirements. If any further clarification is needed this can be booked as an appointment.*

(Turner/Abbey) 129

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

AGAINST: Nil

8. Questions with Notice

8.1 QUESTION WITH NOTICE - A HEATED SWIMMING POOL FOR YASS VALLEY?

Councillor Adrian Cameron submitted the following Question with Notice:

Yass FM in its Facebook fundraising promotion to build a new studio mentioned that they need to vacate the Caretaker cottage at the Yass Soldiers' Memorial Pool by September 2023 as....'it must be bulldozed to make way for our new heated swimming pool for the town.'

Does this mean that the heated pool is to commence in the last quarter of 2023 and what is the projected completion date?

Note: Response provided in the Business Papers.

8.2 QUESTION WITH NOTICE - FINANCIAL SUSTAINABILITY OF THE 2023/24 BUDGET

Councillor Adrian Cameron submitted the following Question with Notice:

The Integrated Planning and Reporting Guidelines stress that Local Councils in framing their budgets should have regard to their financial sustainability over the longer term.

How is Yass Valley Council meeting the financial benchmarks for long term financial sustainability set by the Office of Local Government, and if it is not meeting these benchmarks, what plans are in place to ultimately meet these over the coming years?

Note: Response provided in the Business Papers.

9. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD ON 3 MAY 2023

RESOLVED that the minutes of the Local Traffic Committee meeting held on 3 May 2023 be noted and the following recommendations be adopted:

Item 7.1 Request for a Loading Zone, Lead Street, Yass

That:

- 1. The Committee gives in principle support to install a loading zone in Lead Street adjacent to the Club House Hotel to operate Monday to Friday 12.00pm to 5.00pm***
- 2. Council place the proposed works on public exhibition***

Item 7.2 Request for Stop or Give Way Sign at the intersections of Mulligans Flat Road with East Tallagandra Lane and Read Road

That:

- 1. The Committee gives in principle support to install a 'Give-Way' sign & line marking at the Mulligans Flat Road and East Tallagandra Lane intersection***
- 2. No new signage be installed at the Read Road intersection***
- 3. Council place the proposed works on public exhibition***

Item 7.4 Safety Improvements Intersection of Fifield Road and Meehan Street, Yass

That:

- 1. The Committee gives in principle support to proposed modified stages of work to improve safety at the intersection of Fifield Lane and Meehan Street as below:***
 - Stage 1 –temporary works to close the access into Fifield Lane via the driveway adjacent to the eastern side of 116 Meehan Street. Installation of reduce speed signs and convex mirrors on blind bends in Fifield Lane. This is considered minor works and can be undertaken using existing operational budgets.***
 - Stage 2 – Preparation of a detailed design and implementation of agreed works including:***
 - Widening the 90 degree access from Meehan Street to Fifield Lane to cater for heavy vehicle movements;***
 - Associated landscaping including replacing timber sleepers with concrete edging***
 - Formalisation of any temporary works from Stage 1***
 - Installation of kerb and guttering as appropriate to improve road drainage***
 - Reviewing on street parking options and current signage***
 - Current parking area on Meehan Street to be maintain although landscaped area to be reviewed for opportunity to increase adjacent width of Fifield Lane***

These works will be subject to a separate budget request in a future operation plan or undertaken at the same time as the Main Street Plan implementation

- 2. Local resident consultation to be undertaken to inform the above proposed works for Stages 1 and 2***
- 3. Council to place the final detailed proposed works for Stage 2 on public exhibition prior to implementation***

Minutes of the Ordinary Meeting of Council held on 29 June 2023

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

AGAINST: Nil

9.2 MINUTES OF THE COUNTRY MAYORS ASSOCIATION MEETING HELD ON 26 MAY 2023

RESOLVED that the minutes of the Country Mayors Association meeting held on 26 May 2023 be noted.

(Turner/Reid) 131

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

AGAINST: Nil

9.3 MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON 30 MAY 2023

RESOLVED that the minutes of the Sustainability Advisory Committee meeting held on 30 May 2023 and adopt the following recommendations:

Item 5.1 – 2023/24 Integrated Planning & Reporting Documents

1. The Committee note the contents of the 2023/24 Integrated Planning & Reporting documents
2. The Committee indicated support for the following budget items:
 - Conduction of waste services review
 - Engagement of a Waste Manager

(Reid/Burgess) 132

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

AGAINST: Nil

9.4 MINUTES OF THE YOUTH COUNCIL HELD ON 5 JUNE 2023

RESOLVED that the minutes of the Youth Council meeting held on 5 June 2023 be noted.

(Pothan/Burgess) 133

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

AGAINST: Nil

9.5 MINUTES OF THE YASS SOLDIERS MEMORIAL HALL ADVISORY COMMITTEE HELD ON 1 JUNE 2023

RESOLVED that the minutes of the Yass Soldiers Memorial Hall Advisory Committee meeting held on 1 June 2023 be noted.

(Turner/Abbey) 134

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

AGAINST: Nil

10. Confidential Matters

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

- 10.1 Murrumbateman Playground Project Committee**
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 discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.2 Tender Evaluation Report - Victoria Park, Skate Park Extension YVC.IA.13.2023**
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 Caravan Park Management Services Agreement**
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 section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.4 Memorandum of Agreement - South West Regional Waste Management Group.**
Item 10.4 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and section s10(A)(2)(diii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
- 10.5 Request for Review - Water and Sewer Headworks Charges, Development Consent DA200271, 7 Adele Street, Yass**
Item 10.5 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 discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Turner/Abbey) 135

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

AGAINST: Nil

Closed Council commenced at 5.44 pm.

RESOLVED that the meeting move into Open Council.

(Reid/Abbey) 136

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

AGAINST: Nil

Open Council resumed at 6.09 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Jones/Turner) 137

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

AGAINST: Nil

10.1 MURRUMBATEMAN PLAYGROUND PROJECT COMMITTEE

SUMMARY

To recommend nominations for positions on the Murrumbateman Playground Project Committee.

RESOLVED that the nominations for the Murrumbateman Playground Project Committee from the Murrumbateman Community Association – Stephanie Helm, Annaliese Caston and Hayden Rosser be accepted.

(Reid/Pothan) 138

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

AGAINST: Nil

10.2 TENDER EVALUATION REPORT - VICTORIA PARK, SKATE PARK EXTENTION YVC.IA.13.2023

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Victoria Park Skate Park Extension YVC.IA.13.2023 Contract.

RESOLVED that the tender submitted by VFG Skateparks Pty Ltd under the Victoria Park Skate Park Extension (YVC.IA.13.2023) be accepted for a total cost of \$360,000 ex GST.

(Turner/Jones) 139

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

AGAINST: Nil

10.3 CARAVAN PARK MANAGEMENT SERVICES AGREEMENT

SUMMARY

To inform Council that the current Yass Caravan Park Management Services Contract will expire on 30 November 2023. This report informs council of management options available in consideration of the Yass Caravan Park management options moving forward.

RESOLVED that :

- 1. Council undertake an open tender process and advertise the Yass Caravan Park Management Services Contract for a term of 4 years with an optional 1 x two-year extension.**
- 2. A further report recommending awarding of the tender for Contract Management of the Yass Caravan Park be reported to the October 2023 Council meeting for adoption.**

(Jones/Abbey) 140

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

AGAINST: Nil

10.4 MEMORANDUM OF AGREEMENT - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP

SUMMARY

The purpose of this report is to provide an update to Council regarding waste management activities associated with the South West Regional Waste Management Group (SWRWMG), the status of the Memorandum of Agreement (MOA) for the group and the current situation with the landfill operations at the Bald Hill Quarry (trading as Ecofill) including the reinstatement of the MOA.

RESOLVED that :

- 1. The Memorandum of Agreement between the Councils of the South West Regional Waste Management Group at Attachment A be reinstated.**
- 2. The Chief Executive Officer be delegated to execute all associated documentation.**

(Reid/Pothan) 141

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

AGAINST: Nil

**10.5 REQUEST FOR REVIEW - WATER AND SEWER HEADWORKS CHARGES,
DEVELOPMENT CONSENT DA200271, 7 ADELE STREET, YASS**

SUMMARY

A review has been requested of water and sewer headworks charges required in Development Consent DA200271. Report provides information for Council's review and determination.

RESOLVED that the Section 64 water and sewer headworks charges for developments for water and sewer services be calculated as per the Water Directorate Guidelines 2017 and its subsequent updates.

(Reid/Abbey) 142

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

AGAINST: Nil

The meeting closed at 6.09 pm.

6.1 PLANNING PROPOSAL - LEP HOUSEKEEPING AMENDMENT

SUMMARY

To present the outcomes from the public exhibition of the Housekeeping Planning Proposal to amend the Yass Valley Local Environmental Plan, 2013. Endorsement of the Planning Proposal is recommended.

RECOMMENDATION

That:

1. *The Planning Proposal – LEP Housekeeping Amendment (PP2022-2147) be adopted.*
2. *The amendment to the Yass Valley Local Environmental Plan 2013 by made as a local plan making authority.*

FINANCIAL IMPLICATIONS

Nil

POLICY & LEGISLATION

- *Environmental Planning and Assessment Act, 1979*
- *Yass Valley Local Environmental Plan 2013*

REPORT

A draft Planning Proposal was prepared to rectify a number of anomalies and administrative/housekeeping matters. A Gateway Determination was received on 11 April 2023 permitting the proposal to proceed to public exhibition.

The Planning Proposal (refer **Attachment A**) was placed on public exhibition from 15 May 2023 to 16 June 2023 and two submissions were received (refer **Attachment B**). The submissions supported the introduction of *artisan food and drink premises* to the RU1 Primary Production and RU4 – Primary Production Small Lots Zones as a way of providing additional opportunities to the local tourism sector.

It is recommended that this amendment to the Yass Valley Local Environmental Plan 2013 be made.

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	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete a planning proposal to insert planning controls from the Yass Floodplain Risk Management Study and Plan into the Yass Valley Local Environmental Plan 2013

- ATTACHMENTS:**
- A. Housekeeping Planning Proposal PP2022-4127 [⇨](#)
 - B. Public Submissions - PP2022-4127 LEP Housekeeping Amendment [⇨](#)

6.2 2023/24 LOCAL HERITAGE GRANTS PROGRAM

SUMMARY

To present a report on the completion of the 2022/23 Local Heritage Grants and the recommendations from the 2023/24 Local Heritage Grants Assessment Panel.

RECOMMENDATION

That:

1. The expenditure and reimbursement for the 2022/23 Local Heritage Grants Program be noted.
2. The following funding be provided in the 2023/24 Local Heritage Grant Program:

<i>"Benochy", 46 Orien Street Yass</i>	<i>\$3,370</i>
<i>Bowning Hall, 3 Short Street Bowning</i>	<i>\$630</i>
<i>The Allambee Club, 76 Comur Street Yass</i>	<i>\$3,000</i>
<i>St Marks Anglican Church Gundaroo</i>	<i>\$4,000</i>
<i>Old Paterson Hotel, 36 Fitzroy Street Binalong</i>	<i>\$4,000</i>
<i>Cobblestone Cottage, 15 Comur Street Yass</i>	<i>\$4,000</i>

FINANCIAL IMPLICATIONS

In February 2023, Council accepted a two year funding offer from Heritage NSW for 2022/23 and 2023/24 of 1:1 up to \$5,500 (ex GST) per year. In 2023/24 Council is contributing \$13,500 towards a total budget of \$19,000.

POLICY & LEGISLATION

- *Yass Valley Local Environment Plan 2013*
- Financial Assistance, Grants and Donations Policy

REPORT Each year Council, with the assistance of Heritage NSW, facilitates an annual Local Heritage Grants Program. The aim of the Program is to promote conservation of heritage items identified in the *Yass Valley Local Environmental Plan 2013* and the funds assist property owners to carry out restoration works. The funding guidelines for this year's program offer grants up to \$4,000 on a matching \$1:1 basis.

2022/2023 Local Heritage Grants Program

Seven grants were awarded in the 2022 Program with five projects successfully completed. The types of work undertaken included roof repairs, floor repairs and painting.

A total of \$10,850 was awarded and five projects have been successfully completed as follows.

Heritage Item Address	Project Description	Project cost	Applicant's contribution	Local Heritage Grant Funding
124 Comur Street Yass (DJs Butcher)	Preparation and painting of the top floor facia, gutter and downpipes	\$2,200	\$1,100	\$1,100

Heritage Item Address	Project Description	Project cost	Applicant's contribution	Local Heritage Grant Funding
112-114 Comur Street Yass (Capital Chemist)	Preparation and painting of the outside of the building	\$18,150	\$15,150	\$3,000
25 Fitzroy Street Binalong (The Old Produce Store)	Repointing, stitching and repair of cracked brickwork	\$8,740	\$5,740	\$3,000
42 Cork street Gundaroo (Graziers Capital)	Preparation and painting to the roof, undertake minor work to timber fascia boards, replace missing flashing, repoint chimneys and secure loose sheets of iron	\$7,150	\$4,150	\$3,000
3 Short Street Bowning (Bowning Hall)	Preparation and painting of the supper room, kitchen and storeroom	\$3,961.32	\$3,211.32	\$750.00
	Total	\$40,201.32	\$29,351.32	\$10,850

“Benochy” 46 Orion Street Yass, were offered a grant of \$2,900. However, the work was unable to be completed as trades were unable to commence work in the 2022/23 timeframe.

The Friends of the Liberty Theatre and Cultural Centre Inc, were offered a grant of \$3,500 to restore the large vertical street sign attached to the east façade. Unfortunately, works were unable to be completed, as the roof is to be replaced before the sign can be restored. It is anticipated that the roof will be replaced in the next 12 months.

2023/24 Local Heritage Grants Program

This year’s Program received 13 applications and were assessed by a Council Panel against the Financial Assistance, Grants and Donations Policy. Committee member Councillor Turner declared a non pecuniary interest in one of the applications; being The Allambee Club, in that a person related to him was active in The Allambee Club. Councillor Turner remained in the room but took no part in the discussion or decision on that particular application. No other panel members declared a pecuniary or non pecuniary interest in any matter prior to assessment.

A summary of the assessment is included in **Attachment A** and it recommends that the following applications be offered funding under the 2023/24 Program:

Heritage Item Address	Project Description	Proposed Project Cost	Requested Funding	Recommended Funding
“Benochy” 46 Orion Street Yass	Repairs to leaking roof to prevent further water damage of the building	\$6,756	\$3,378	\$3,370
Bowning Hall, 3 Short Street Bowning	Repairs to external gutters	\$1,950	\$630	\$630

Heritage Item Address	Project Description	Proposed Project Cost	Requested Funding	Recommended Funding
The Allambee Club, 76 Comur Street Yass	Repair, restore and paint the façade at the front of the building	\$9,000	\$4,000	\$3,000
St Marks Anglican Church, Gundaroo	Carry out maintenance on the roof	\$9,500	\$4,000	\$4,000
Old Paterson Hotel, 36 Fitzroy Street Binalong	Prepare and paint the roof	\$9,900	\$4,000	\$4,000
Cobblestone Cottage, 15 Comur Street Yass	Repair the drainage to make a more effective drain for the water to run off	\$39,000	\$19,000	\$4,000
Total				\$19,000

There were seven applications that the Panel determined not be eligible for funding in 2023/24:

Binalong Cemetery

There is no indication in the application as to why these graves are significant. Funding for restoration of graves, in general, is only supported in exceptional cases or where it is part of a program agreed to by Council.

Masonic Lodge, 94 Rossi Street, Yass

The application to renew the carpet was a low priority for this grant program as it does not conserve the building and is of limited public benefit. From a conservation perspective the cleaning and repainting of the exterior is an appropriate project however a quote was not given with the application. The applicant was provided an opportunity to amend their project to incorporate exterior works. However, the required information was not provided by the deadline.

Binalong Hotel, 34 Fitzroy Street, Binalong

From a conservation perspective it is unclear if pouring new concrete is the correct strategy for this problem as there is a risk it could exacerbate rising damp issues. The hotel has a very high degree of heritage value however the rear concrete is not considered to be a particularly significant fabric from a heritage perspective. It is suggested that Council's Heritage Advisor make contact with the applicant to discuss the most appropriate form of works for this item.

DJs Butcher, 124 Comur Street, Yass

The application to replace damaged timber has a reasonable quote and scope of work and would go a long way to the restoration of the verandah. However, given the limited funds available no funding is recommended in this round.

7 Walgrove Road, Manton

This is an important building and its restoration is encouraged. However, the property is not on the heritage schedule nor in a conservation area and may not be eligible under this program which generally focusses on listed places. To take advantage of this grant program the building should be heritage listed and the work identified as part of an overall conservation strategy.

"Ronola" 48 Orion Street, Yass

Whilst this is a valuable project, due to the limited funds available a higher priority is placed on funding works in on the central areas of Yass Township.

Old Linton, 153 Comur Street, Yass

The grant program does not apply retrospectively unless there is written advice from Council. As the external painting has already been done the project is not eligible.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN1: Our natural environment is maintained, protected and enhanced in line with community expectations
Strategies	EN1.4 - Advocate for and deliver on the protection of our built-form environment and heritage
Delivery Program Action	Provide funding for heritage projects through the Local Heritage Fund

ATTACHMENTS: A. 2023-24 LHF Assessment Matrix - **Confidential**

6.3 PUBLIC NOTIFICATION - LEASE OF YASS MEMORIAL POOL AREA FOR CONSTRUCTION OF A HEATED POOL

SUMMARY

To seek Council approval to give public notice of the proposal to lease the land for the management of the current swimming pool and construction and management of an indoor heated swimming pool at the Yass Memorial Pool site and release an Expression of Interest for the lease.

RECOMMENDATION

That:

1. *The proposal to lease the land for the management of the current swimming pool and construction and management of an indoor heated swimming pool at the Yass Memorial Pool site be placed on public notification for a period no less than 28 days in accordance with the Local Government Act 1993.*
2. *If no objections are received, Council develop and release an Expression of Interest for the lease.*

FINANCIAL IMPLICATIONS

Any costs associated with the public advertisement and development of the EOI be included in the 2023/24 Operational budget.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Crown Lands Management Act 2016*

REPORT

At its meeting on 28 July 2021, Council resolved:

“That the process required under the Local Government Act 1993 and the Crown Lands Management Act 2016 be commenced to enable the release of an expression of interest for the lease of the Yass Memorial Pool site for the purpose of construction and operating an indoor heated pool and (if requested) the operation of the existing pool facility.”

The construction of a new indoor heated pool for swimming lessons and rehabilitation is part of the Council’s vision for the development of the Victoria Park Precinct. The adopted Victoria Park Masterplan and the Victoria Park Plan of Management has identified the area around the existing Yass War Memorial Pool as the location of the indoor heated pool. Council has previously been approached by a private company looking for a location to develop an indoor heated pool. The option for a lease of the site exists to enable the construction and management of an appropriate facility for the community.

The first step is to give public notice of the proposal of the lease with a period of no less than 28 days.

If no objections are received from the public notice, Council will develop and release an expression of interest for the lease.

If objections are received from the public notice period, the proposal will be returned to Council for consideration and a request made to the Minister for approval or the proposal halted for re-evaluation.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.2 - Our community infrastructure is accessible, adaptable and suitable for multiple user groups and fosters inclusive, healthy, and active recreation opportunities
Delivery Program Action	Implementation of priority projects identified in the Yass Valley Open Space strategy

ATTACHMENTS: A. Proposed Lese Area [⇨](#)

6.4 INVESTMENTS REPORT - JUNE 2023

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 30 June 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 June 2023 be noted.

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

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

REPORT

1. Comments on Economic Climate

RBA Recap

- RBA paused, keeping the cash rate at 4.10% for the month of July.
- The RBA faces difficult decisions ahead, failure to return inflation back to target means higher rates for longer. However, how much pain is enough to ensure targeted progress?
- The narrative needs to stay in control of the RBA to avoid consumer sentiment and demand running rampant.

The Australian Economy

- An easing in monthly inflation sees some reprieve potentially on the horizon as we approach quarterly CPI.
- Consumer sentiment was buoyed by falling inflation but tempered by ongoing RBA tightening bias.

Market Dynamics

- The EOFY liquidity target and balance sheet strengthening has seen a strong demand for funds.
- Reference rates continue to climb slowly, with thin trading in interest rate markets making for dramatic price movements.
- Both demand for funds and increases in reference rates has favoured investors seize the opportunity lock in longer duration placements.

Source: Curve

2. Summary of movements in Council Investments

There were eight (8) new investments totaling \$9M during June 2023. This was due to additional cashflow from maturing investments as well as the early payment of the 2023/24 Financial Assistance Grant (FAG) on 28 June 2023 to all Councils.

The investments were placed with three financial institutions with a rating of A2/BBB and ranged from \$1M to \$1.5M (refer to the investment table below for details).

3. Council Cash, Cash Equivalent, and Term Deposit Investments at 30 June 2023

Investment Type	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Cash Working Accounts						
NAB Working Account1	2,296,453.56	A1+/AA-	n/a	n/a	at call	4.10%
Tcorp Strategic Cash Facility	5,015,323.31	AAA	n/a	n/a	3 day call	3.78%
Total Cash \$ 7,311,776.87						

Investment Type	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Term Deposits < 12 Months						
CBA	1,000,000.00	AA-	28/02/23	30/08/23	183	4.64%
CBA	1,400,000.00	AA-	24/02/23	04/10/23	222	4.85%
CBA	1,500,000.00	AA-	28/02/23	29/11/23	274	4.85%
CBA	1,500,000.00	AA-	11/05/23	26/07/23	76	4.32%
NAB	10,350.92	A1+/AA-	11/04/23	13/07/23	93	3.00%
NAB	1,500,000.00	A1+/AA-	24/05/23	22/08/23	90	4.65%
NAB	1,200,000.00	A1+/AA-	05/04/23	06/09/23	154	4.40%
NAB	1,500,000.00	A1+/AA-	09/03/23	06/09/23	181	4.60%
NAB	1,000,000.00	A1+/AA-	10/05/23	13/09/23	126	4.60%
NAB	1,000,000.00	A1+/AA-	10/05/23	20/09/23	133	4.60%
NAB	1,500,000.00	A1+/AA-	09/03/23	04/10/23	209	4.65%
NAB	1,500,000.00	A1+/AA-	26/04/23	25/10/23	182	4.50%
AMP	1,000,000.00	A2/BBB	11/01/23	12/07/23	182	4.50%
Great Southern Bank	1,000,000.00	A2/BBB	31/01/23	02/08/23	183	4.45%
Bank of Queensland	1,000,000.00	A2/BBB+	08/02/23	09/08/23	182	4.40%
MyState Bank	1,500,000.00	A2/BBB+	10/03/23	06/09/23	180	4.70%
AMP	1,500,000.00	A2/BBB	14/06/23	11/12/23	180	5.40%
AMP	1,500,000.00	A2/BBB	14/06/23	11/12/23	180	5.40%
AMP	1,000,000.00	A2/BBB	20/06/23	20/12/23	183	5.55%
AMP	1,000,000.00	A2/BBB	30/06/23	26/06/24	362	5.70%
AMP	1,000,000.00	A2/BBB	30/06/23	03/01/24	187	5.60%
Bank of Queensland	1,000,000.00	A2/BBB	30/06/23	24/04/24	299	5.50%
Bandigo & Adelaide Bank	1,000,000.00	A2/BBB	30/06/23	28/03/24	272	5.40%
Great Southern Bank	1,000,000.00	A2/BBB	30/06/23	24/05/24	329	5.63%
Total Term Deposits \$ 28,110,350.92						

Total Cash and Investments \$ 35,422,127.79

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: Nil

6.5 AGENCY INFORMATION GUIDE

SUMMARY

To inform Council that the Agency information Guide has been updated.

RECOMMENDATION

That the updated Agency Information Guide be noted.

FINANCIAL IMPLICATIONS

NIL

POLICY & LEGISLATION

- *The Government Information (Public Access) Act 2009 (GIPA Act)*

REPORT

The Agency Information Guide is prepared in accordance with section 20 of *the Government Information (Public Access) Act 2009*. The Guide:

- Describes the structure and functions of the Council
- Describes the ways in which the functions of the Council affect members of the public
- Specifies any arrangements that exist to enable members of the public to participate in the formulation of the Council's policy and the exercise of its functions
- Identifies the various kinds of government information held by Council and how this information is available to the public

Council will review this Guide annually. **Attachment A** is the revised Agency Information Guide and **Attachment B** is the current Guide.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL3: Our community is informed and engaged in decision making
Strategies	CL3.2 - Residents have access to timely, relevant and accurate information about issues that affect them
Delivery Program Action	Accessible website and social media platforms

- ATTACHMENTS:**
- A. Agency Information Guide Updated [⇒](#)
 - B. Guidelines to accessing Council Information Current [⇒](#)

6.6 TENDER EVALUATION REPORT - BACK CREEK BRIDGE REPLACEMENT YVC.IA.12.2023

SUMMARY

This report provides advice and recommendations on the submission of tenders for the Back Creek Bridge Replacement Contract YVC.IA.12.2023.

RECOMMENDATION

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.

FINANCIAL IMPLICATIONS

The total budget for this project is \$3,562,605, which is jointly funded by Round 6 of the Bridges Renewal Program (\$2,850,084) and Council's Contribution Reserve (\$712,521).

The current actual and committed expenditure for this project is approximately \$1M, which covers designs, preliminaries, construction of bridge approaches, service relocations etc. This leaves a budget allocation for this component of the project including contingencies of \$2,562,605.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

1. Background

Council manages an extensive road network of over 1,200km throughout the Local Government Area (LGA). Council has received funding under the Bridges Renewal Grant Program and in conjunction with internal funding intends to replace the existing low-level crossing on Back Creek Road, Back Creek Bridge. This will not only provide increased flood immunity for residents but also improve the serviceability and safety of the road.

2. Tender

Tenders were called on 5 June 2023 and closed on 7 July 2023. Six tenders were received from five organisations as detailed in the following table.

Organisation	Address
Bridge & Marine Engineering Pty Ltd	6A Barrow Place, Queanbeyan, NSW 2620
Delaney Civil Pty Ltd	Suite 13A, 24-32 Lexington Drive, Bella Vista NSW 2153
HD Civil Pty Ltd	5 Namadji Lane, Bergalia NSW 2537
HD Civil Pty Ltd – (alternate tender)	5 Namadji Lane, Bergalia NSW 2537
Lentro Earthworks Pty Ltd	342, Wallaroo Road NSW 2618
Murray Constructions Pty Ltd	362-364 Augustus Street, Deniliquin, NSW 2710

A report on the tender evaluation is included in the Closed Session of this meeting for consideration.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN1: We have transport links that connect towns within the region and increase access to significant centres
Strategies	IN1.3 - Renew, upgrade and create new road assets to meet community needs
Delivery Program Action	Bridge upgrade program (grant funded only)

ATTACHMENTS: Nil

6.7 MURRUMBATEMAN WINERY TRAIL - OPTIONS TO EXTEND STAGE 1 FROM SCRUBBY LANE TO THE BARTON HIGHWAY

SUMMARY

To provide options to extend Stage 1 of the Murrumbateman Winery Trail from Scrubby Lane to the Barton Highway.

RECOMMENDATION

That:

1. *The preferred option to connect Stage 1 of the Murrumbateman Winery Trail from Scrubby Lane to the Barton Highway be a shared path located adjacent to McIntosh Circuit;*
2. *The connection of Stage 1 of the Murrumbateman Winery Trail from Scrubby Lane to the Barton Highway be undertaken with the remaining Stage 2 works;*
3. *Council continue to seek grant funding to complete the detailed design and construction of the whole of Stage 2 of the Murrumbateman Winery Trail.*

FINANCIAL IMPLICATIONS

Nil as a result of the report recommendations.

POLICY & LEGISLATION

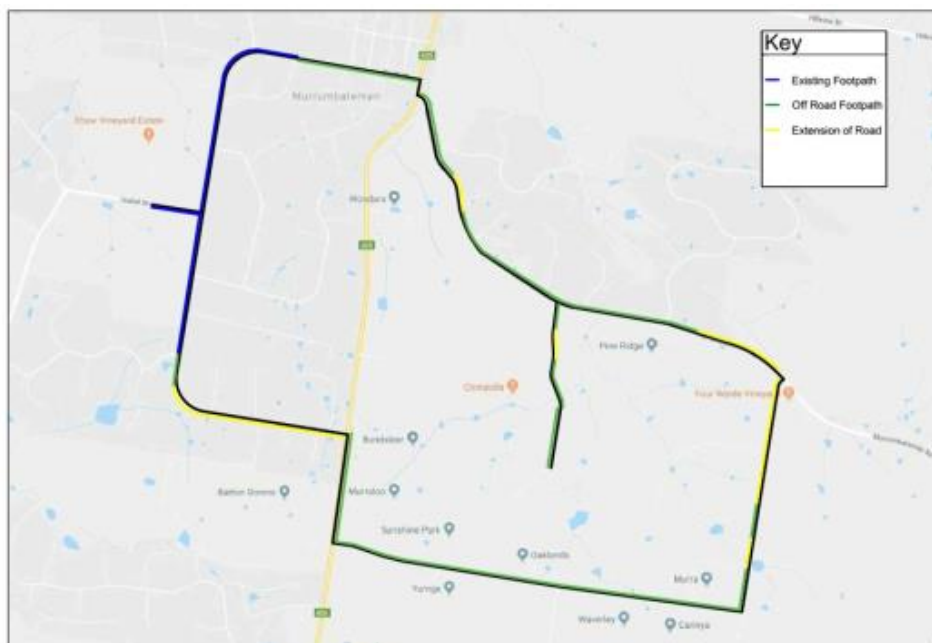
- *Local Government Act 1993*
- *Roads Act 1993*

REPORT

1. Background

Council has determined to construct a shared path Winery Trail in Murrumbateman that connects various wineries and creates links to other existing paths in the area, e.g. Jiparu Estate

This path will create a shared path loop that is approximately 14kms long that will consist of existing and new paths.



This project will be undertaken in two stages:

- Stage 1 – from Scrubby Lane to Patemans Lane via McIntosh Circuit, South Street, Murrumbateman Cemetery, Hercules Street, Murrumbateman Recreation Ground and Murrumbateman Road. This will also include a spur shared path in Crisp Lane. Stage 1 has now been completed.
- Stage 2 – from Scrubby Lane to Murrumbateman Road via McIntosh Circuit, Barton Highway, Euroka Avenue and Patemans Lane.

Council has recently received a petition to complete the shared path from Scrubby Lane to the Barton Highway and the Murrumbateman Winery. Options to undertake this work are the subject of this report.

2. Action Taken

Three general options have been identified to extend the Murrumbateman Winery Trail from Scrubby Lane to the Barton Highway;

Option 1

Construct a 2.5m shared path with 0.5m buffer in the southern verge of McIntosh Circuit from Scrubby Lane to the Barton Highway. This shared path would be adjacent to the trafficable lanes similar to what has already been constructed in McIntosh Circuit (refer following photograph).



Estimated cost – \$650,000

Estimated time to complete from receiving funding - 52 weeks

Pros

- Consistent with Stage 1 works
- Consistent with the current proposed works for Stage 2
- Duplication of the Barton Highway will have minimal impact on works
- Connects to Murrumbateman Winery

Cons

- The existing road verge has significant vegetation, is uneven, falls off steeply in areas
- Existing road shoulders are very narrow
- Loss of economy of scale as separated from other stage 2 works
- The existing road verge contains a number of services that will have to be worked around

Option 2

Construct a 2.0m wide two way on-road cycleway adjacent to the seal on the southern side of the McIntosh Circuit trafficable lanes from Scrubby Lane to the Barton Highway. Refer the following photo of a typical single way on-road cycleway in a rural area. A two way will be wider and include a dividing centre line.



Estimated cost – \$500,000

Estimated time to complete from receiving funding - 52 weeks

Pros

- Less expensive than a shared path
- Duplication of the Barton Highway will have minimal impact on works
- Connects to Murrumbateman Winery

Cons

- Inconsistent with Stage 1 works
- Inconsistent with the current proposed works for Stage 2
- Existing road shoulder very narrow
- Loss of economy of scale as separated from other stage 2 works
- Does not provided access for pedestrians
- The existing road verge has significant vegetation, is uneven, falls off steeply in areas
- The existing road verge contains a number of services that will have to be worked around

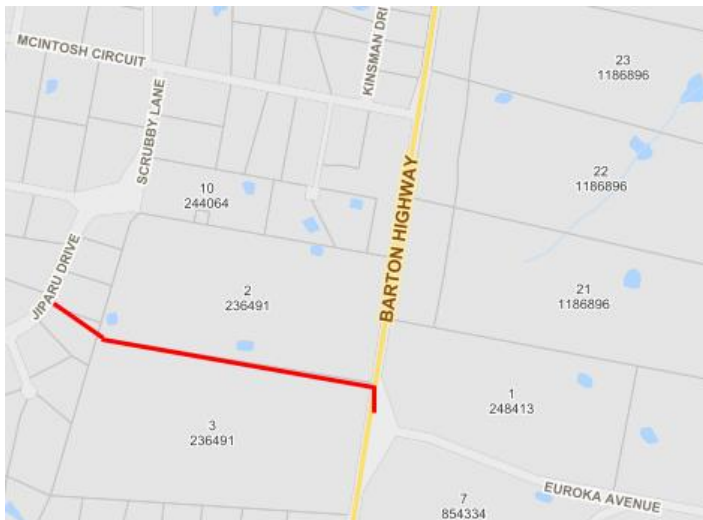
Option 3

Construct an alternate route to the Barton Highway and Euroka Avenue via the Jiparu Estate.

There are three sub-options for this option:

Option 3a

Construct a shared path eastward from Jiparu Drive across private property to the Barton Highway just north of the intersection with Euroka Avenue (refer following plan).



Estimated cost – \$1,200,000

Estimated time to complete from receiving funding - 104 weeks

Pros

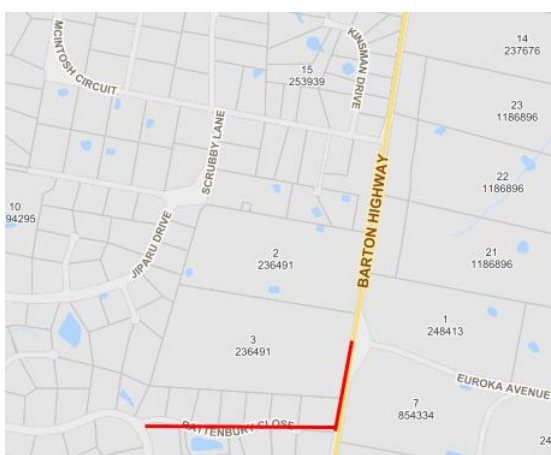
- Minimum impact of bushland;
- Reduces amount of shared path to be constructed in the Barton Highway corridor to connect McIntosh Circuit to Euroka Avenue

Cons

- Does not connect to Murrumbateman Winery
- Will require land acquisition
- Will significantly reduce the current amenity of the properties where land is being acquired
- Loss of economy of scale as separated from other stage 2 works
- Extended time and cost due to potential of compulsory acquisition without agreement
- Increased impact on work in the Barton Highway corridor due the duplication works

Option 3b

Construct a shared path eastward from Jiparu Drive along Rattenbury Close then across private property to the Barton Highway just south of the intersection with Euroka Avenue (refer following plan).



Estimated cost – \$900,000

Estimated time to complete from receiving funding - 104 weeks

Pros

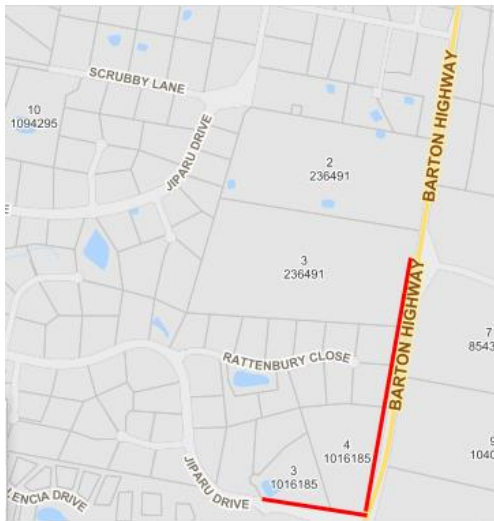
- Minimum impact of bushland;
- Reduces amount of shared path to be constructed in the Barton Highway corridor to connect McIntosh Circuit to Euroka Avenue

Cons

- Does not connect to Murrumbateman Winery
- Will require land acquisition
- Will significantly reduce the current amenity of the properties where land is being acquired
- Loss of economy of scale as separated from other stage 2 works
- Extended time and cost due to potential of compulsory acquisition without agreement
- Increased impact on work in the Barton Highway corridor due the duplication works

Option 3c

Construct a shared path in Vallencia Drive eastward from Jiparu Drive to the Barton Highway then to Euroka Avenue (refer following plan).



Estimated cost – \$1,300,000

Estimated time to complete from receiving funding - 85 weeks

Pros

- Minimum impact of bushland

Cons

- Does not connect to Murrumbateman Winery
- Loss of economy of scale as separated from other stage 2 works
- Increased impact on work in the Barton Highway corridor due the duplication works

A review of the options indicates that Option 1 provides best value for money as it generally satisfies the requirements and is an acceptable price.

STRATEGIC DIRECTION

CSP Theme	Our Economy
CSP Strategy Objective	EC2: The local and regional tourism offering is expanded, increasing visitation to the region
Strategies	EC2.2 - Support and encourage the growth of tourism infrastructure such as accommodation, visitor facilities and restaurants
Delivery Program Action	Identify and prioritise tourism development opportunities for industry taking into consideration the Tablelands Destination Development Plan and Yass Valley Destination Action Plan

ATTACHMENTS: Nil

6.8 COMPULSORY LAND ACQUISITION FOR THE REPLACEMENT OF THE LOW LEVEL CROSSING ON GREENWOOD ROAD OVER MURRUMBATEMAN CREEK

SUMMARY

To obtain Council's approval to compulsorily acquire land for the replacement of the low-level crossing on Greenwood Road over Murrumbateman Creek.

RECOMMENDATION

That:

- 1. Council approve the compulsory acquisition of lands adjacent to the low level crossing on Greenwood Road over Murrumbateman Creek, as detailed in this report;*
- 2. The compulsory land acquisitions are to be undertaken in accordance with the requirements of the NSW Land Acquisition (Just Terms Compensation) Act 1991;*
- 3. The land acquisitions are to be undertaken with agreement where possible or, where agreement cannot be obtained, without agreement with the land owner in accordance with the requirements of the NSW Land Acquisition (Just Terms Compensation) Act 1991;*
- 4. The Chief Executive Officer and Mayor be authorised to sign any associated documents and use the Council Seal, as required, on any documentation associated with these land acquisitions;*
- 5. The Chief Executive Officer be authorised to negotiate the terms of any associated agreements;*
- 6. The lands acquired be dedicated as public road and classified as operational land.*

FINANCIAL IMPLICATIONS

Nil – the project budget includes sufficient funds for the compulsory land acquisitions and associated valuation, legal costs etc, which has been included in the adopted 2023/24 Operational Plan.

POLICY & LEGISLATION

- *NSW Local Government Act*
- *NSW Land Acquisition (Just Terms Compensation) Act.*

REPORT

In response to concerns raised by residents in relation to restricted access along Greenwood Road during rain events, Council has determined to replace two low level crossings on Greenwood Road.

One crossing over Murrumbateman Creek and one over Yass River.

Council has included the replacement of these low-level crossings in the 2023/24 and 2024/25 budgets. Funding for these projects has been obtained from the Bridge Renewal Grant Program and Council's Contributions Reserve.

Council has commenced design and preliminary works for these two projects.

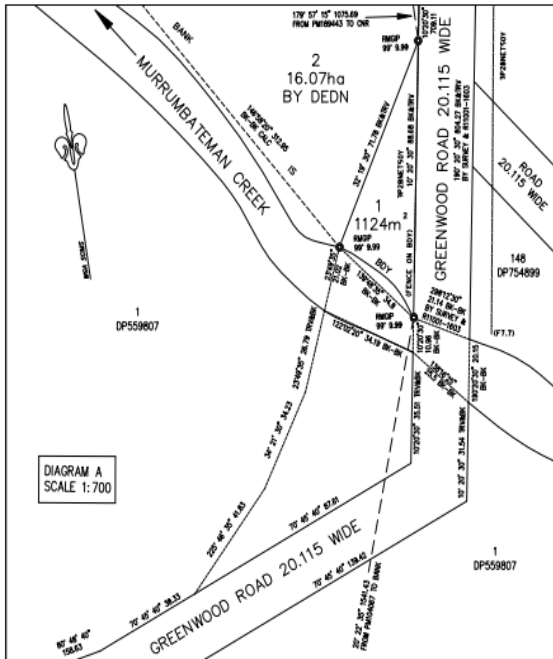
The detailed survey and design for the replacement of the low-level crossing over Murrumbateman Creek has identified the need to acquire three land portions of adjacent private land as follows:

- **Land Required for the New Bridge**

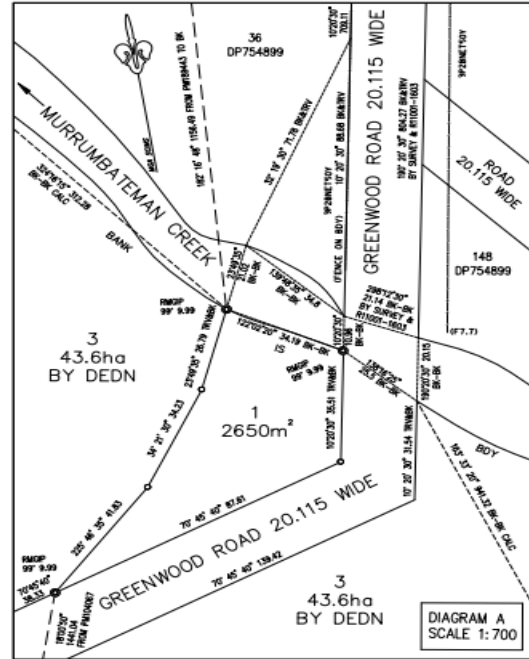
There are two portions of land required to allow the construction of the new concrete bridge that will replace the low-level crossing. One portion on the northern side of Murrumbateman Creek (1124 square metres) and one portion on the southern side (2650 square metres). Refer plans below.

The additional land is required to allow:

- Improved flood immunity of the bridge by increasing the height of the approaches and the bridge deck, which will increase the bridge footprint after allowing for the increased approach batters;
- Improve traffic safety by flattening the horizontal curve prior to the new bridge.



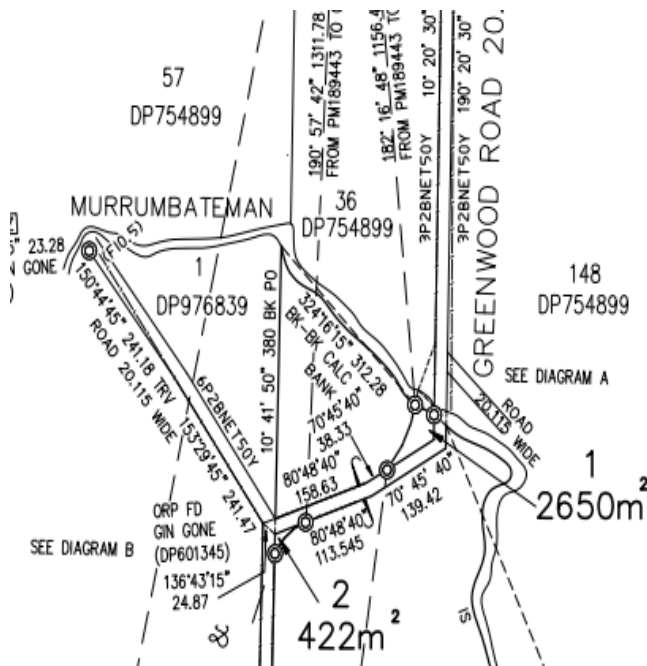
Plan of the Land Portion Northern side of Murrumbateman Creek annotated as '1'



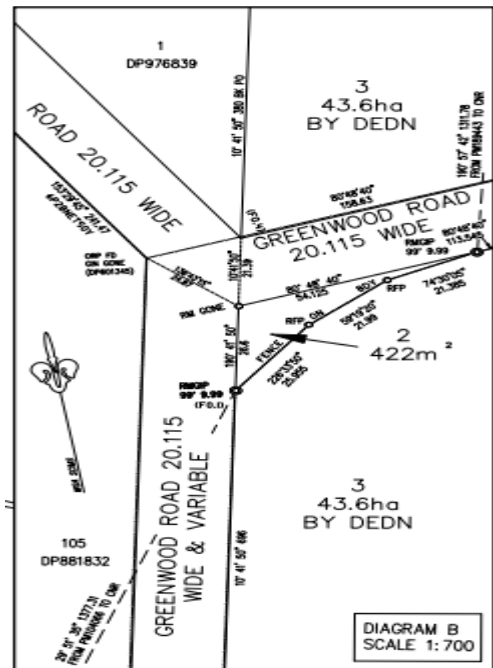
Plan of Land Portion Southern side of Murrumbateman Creek annotated as '1'

• Land to be Acquired to Address Historic Road Encroachment on Private Land

When undertaking survey work for the design of the new bridge it was identified that part of the formed section of Greenwood Road on the southern side of the low-level crossing is located on private land. Refer to plans below. It is proposed that this issue be addressed as part of the low-level crossing replacement project. As such a portion of land (422 square metres) is to be acquired.



Plan Showing Location of Land Portion to be Acquired annotated as '2'



Plan Showing Detail of Land Portion annotated as '2'

It will be recommended that the 3 portions of land identified above will be acquired under the *NSW Land Acquisition (Just Terms Compensation) Act* either with or without agreement.

All costs associated with these land acquisitions has been allowed for in the project budget. The unimproved land value in this area is approximately \$18,550 per hectare. Based on the unimproved land value, the value of the total land to be acquired is approximately \$7,800.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN1: We have transport links that connect towns within the region and increase access to significant centres
Strategies	IN1.3 - Renew, upgrade and create new road assets to meet community needs
Delivery Program Action	Bridge upgrade program (grant funded only)

ATTACHMENTS: Nil

6.9 MURRUMBATEMAN FIELD DAYS - FEES FOR SEPTIC DISCHARGE AND WATER WITHDRAWAL

SUMMARY

The Murrumbateman Field Days are an annual event held on a weekend in October. The organisers of the event have requested Council to waive the extra charges arising from the Council services from operating on the weekend. This report seeks Council approval to waive extra charges for septic disposal and allow water withdrawal at a designated location in Murrumbateman.

RECOMMENDATION

That:

1. *Extra charges due to disposal of septic waste generated during the Murrumbateman Field days be waived and charged at the rate of discharge during regular business days.*
2. *Water is withdrawn at a designated location in Murrumbateman and charged at the rate of withdrawal from the standpipe at Yass.*

FINANCIAL IMPLICATIONS

Reduction of revenue.

POLICY & LEGISLATION

Local Government Act 1993

REPORT

Murrumbateman Field Days is an annually organised event held on a weekend in October. Portable toilets are deployed to cater for the increased visitors and septic waste from portable toilets are required to be emptied regularly. Septic waste can only be discharged at Yass Sewage Treatment Plant which has a dedicated receival facility. Fee for discharging during weekends is double the fee for discharge during business hours. Organisers of the event have requested Council to waive the extra charges for weekend access. Business hours discharge per load of a tanker is \$210 and the weekend charge is \$420. Approximately six tanker loads of septic waste are estimated to be discharged and the extra cost for the weekend discharge that is requested to be waived by the organiser is \$1,260 in FY2023-24 (i.e. 6 x \$210).

The water filling point for tankers and other users is the standpipe in front of the Council Depot in Yass. Council do not allow using street hydrants to fill water due to potential discolouration and management of the hydrants. Organisers have also requested that Council allow to fill water tankers at a designated location in Murrumbateman (in the reservoir premises near Cemetery), saving trips to Yass. Water withdrawn will be metered and charged as per Council's Fees and Charges for filling from the standpipe.

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 Local Government Act and Regulations

ATTACHMENTS: Nil

9.1 MINUTES OF THE BANGO WIND FARM COMMUNITY CONSULTATIVE COMMITTEE HELD ON 27 JUNE 2023

REPORT

The minutes of the Bango Wind Farm Community Consultative Committee meeting held on 27 June 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 Bango Wind Farm Community Consultative Committee meeting held on 27 June 2023 be noted.

ATTACHMENTS: A. 27 June 2023 - Bango Wind Farm Community Consultative Committee Minutes [↗](#)

9.2 MINUTES OF THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE HELD ON 18 APRIL 2023

SUMMARY

The minutes of the Economic Development Advisory Committee meeting held on 18 April 2023 are included in **Attachment A**.

From these minutes there is one item 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 Committee discussed the need to look at affordable housing, adjustment to the LEP, policies and the DCP by inserting smaller block sizes.

RECOMMENDATION

That the minutes of the Economic Development Advisory Committee meeting held on 18 April 2023 and adopt the following recommendations:

Affordable Housing Sub Committee

That the next LEP review to include small block sizes around community parks and facilities.

ATTACHMENTS: A. 18 April 2023 - Economic Development Advisory Committee Minutes [↔](#)

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 Tender Evaluation Report - Back Creek Bridge Replacement YVC.IA.12.2023**
- 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.