



## **Ordinary Meeting of Council**

**Thursday 23 November 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**

**December 2023**

**Thursday 14th**

**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

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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:

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**Close of Meeting Time**

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



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

**Thursday 26 October 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 - Development Application No DA230294 – Shed with Amenities and Swimming Pool – 37 Camp Street, Murrumbateman**  
Ashley Smith

**Council Meeting - The Mayor declared the meeting open at 4:11 pm.**

### Present

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

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

**(Turner/Abbey) 208**

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

AGAINST: Nil

#### 3. Declaration of Interest/Disclosures

Nil

#### 4. Confirmation of Minutes

**RESOLVED that the minutes of the Ordinary Council Meeting held on 28 September 2023 covered by resolution numbers 179-207 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.**

**(Abbey/Jones) 209**

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

AGAINST: Nil

#### 5. Mayoral Minute

Nil

## **6. Reports to Council**

### **6.1 DEVELOPMENT APPLICATION NO. DA230294 - SHED WITH AMENITIES AND SWIMMING POOL - 37 CAMP STREET, MURRUMBATEMAN**

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#### **SUMMARY**

To present the assessment of Development Application DA230294 for a storage shed with amenities and swimming pool at 37 Camp Street, Murrumbateman. The application is reported to Council due to the size of the shed. It is recommended that consent be issued for the swimming pool, however relevant concerns relating to the size of shed cannot be addressed by conditions and refusal is recommended.

#### **RESOLVED that :**

- 1. Conditional Development Consent be issued for Development Application No DA230294 for the swimming pool at 37 Camp Street, Murrumbateman.**
- 2. The shed with amenities proposed in Development Application No DA230294 is refused on the following basis:**
  - It is not compatible with the existing development in the locality. The scale and height of the proposed shed is significantly greater than any other shed within Fairley.**
  - The scale of the shed, as a result of the height, will have an adverse impact on the streetscape and character of the locality and Fairley generally, particularly when viewed from Fairley Street, which is one of the main streets. This is exacerbated as result of the lack of any architectural or visual features due to the inherent nature of the shed's built form.**
  - The shed is not consistent with the objectives of the RU5 Village zone under the Yass Valley Local Environmental Plan 2013 as it is not considered to be development which is compatible with the village character in the locality.**

**(Jones/Butler) 210**

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

AGAINST: Nil

### **6.2 REVISED RENEWABLE ENERGY POLICY**

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#### **SUMMARY**

To present the outcomes of the public exhibition of the revised Renewable Energy Policy. Adoption is recommended.



**RECOMMENDATION**

That:

1. *The revised Renewable Energy Policy be adopted as publicly exhibited with a revised title of 'Renewable Energy Development Projects Policy'.*
2. *The requirements of the Renewable Energy Development Projects Policy be incorporated into the comprehensive Development Control Plan currently being prepared.*
3. *Consideration be given in future Delivery Programs and Operational Plans for the inclusion of resources for a broader Renewable Energy Policy.*

Motion

That:

1. *The revised Renewable Energy Policy be adopted as publicly exhibited with a revised title of 'Renewable Energy Development Projects Policy'.*
2. *The requirements of the Renewable Energy Development Projects Policy be incorporated into the comprehensive Development Control Plan currently being prepared.*
3. *Consideration be given in future Delivery Programs and Operational Plans for the inclusion of resources for a broader Renewable Energy Policy.*

*(Jones/Poehan)*

Amendment

That:

1. *The revised Renewable Energy Policy be adopted as publicly exhibited with a revised title of 'Renewable Energy Development Projects Policy'.*
2. *The requirements of the Renewable Energy Development Projects Policy be incorporated into the comprehensive Development Control Plan currently being prepared.*
3. *A broader Renewable Energy Policy be developed immediately.*

*(Cameron/Reid)*

**RESOLVED that :**

1. ***The revised Renewable Energy Policy be adopted as publicly exhibited with a revised title of 'Renewable Energy Development Projects Policy'.***
2. ***The requirements of the Renewable Energy Development Projects Policy be incorporated into the comprehensive Development Control Plan currently being prepared.***
3. ***A broader Renewable Energy Policy be considered as a 2024-25 Budget item.***

***(Cameron/Reid) 211***

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

AGAINST: Nil

The Amendment became the motion

**RESOLVED that :**

1. ***The revised Renewable Energy Policy be adopted as publicly exhibited with a revised title of 'Renewable Energy Development Projects Policy'.***

2. ***The requirements of the Renewable Energy Development Projects Policy be incorporated into the comprehensive Development Control Plan currently being prepared.***
3. ***A broader Renewable Energy Policy be considered as a 2024-25 Budget item.***

***(Cameron/ Reid) 212***

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

AGAINST: Nil

### **6.3 TFNSW EXECUTIVE LEADERSHIP SAFETY SUMMIT**

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#### **SUMMARY**

To present an overview of the TfNSW Executive Safety Leadership Summit held in Sydney on 11 and 12 October 2023.

***RESOLVED that the report of the TfNSW Executive Safety Leadership Summit and the signing of the common commitment to work, health and safety for TfNSW and Regional Councils by the Chief Executive Officer be noted.***

***(Turner/Reid) 213***

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

AGAINST: Nil

### **6.4 RATES ARREARS**

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#### **SUMMARY**

This report is to provide an update council on rate arrears to the end of the first quarter of the 2023/24 financial year. Rate arrears totalled \$1,472,547.22 at 30 June 2023 and has now been reduced to \$1,277,170.71 as of 30 September 2023. This represents an improvement of \$195,376.51 or 13.27 %.

***RESOLVED that the rates arrears report be noted.***

***(Turner/Reid) 214***

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

AGAINST: Nil

## 6.5 INVESTMENT REPORT - SEPTEMBER 2023

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### SUMMARY

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

**(Turner/Pothan) 215**

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

AGAINST: Nil

## 6.6 2023/24 FIRST QUARTERLY BUDGET REVIEW STATEMENTS

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### SUMMARY

This report represents the 2023/24 First Quarterly Budget Review Statements (QBRs) for the period 1 July to 30 September 2023. This review demonstrates Council's projected year end **Net Operating Result from Continuing Operations** remains positive and is predicted to be \$2.9M, with actuals as at 30 September 2023 the budget is sitting at a \$14.7M result for the first quarter.

**RESOLVED that :**

- 1. The 2023/24 First Quarterly Budget Review Statements and approve adjustments, 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 at 30 September 2023 be noted as being satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.**

**(Butler/Abbey) 216**

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

AGAINST: Nil

## 6.7 SPRING SENIORS, SCHOOL HOLIDAY, AND NAIDOC PROGRAMS

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### SUMMARY

This report provides a summary of the activities undertaken as part of Council's Spring Seniors, Spring School Holiday, and NAIDOC community programs.

**RESOLVED that the Spring Seniors, School Holiday, and NAIDOC programs report be noted.**

**(Pothan/Reid) 217**

## Minutes of the Ordinary Meeting of Council held on 26 October 2023

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

AGAINST: Nil

### 6.8 2023 YASS VALLEY COMMUNITY LATE NIGHT SHOPPING AND CHRISTMAS PARADE

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#### SUMMARY

Council staff assist community groups to provide an annual Community Late Night Shopping and Christmas Parade event over two nights in December. The events are planned for the 14 and 21 December 2023. This report is looking for financial and in-kind assistance from Council to ensure the events can continue due to the withdrawal of key community members due to their inability to assist this year.

***RESOLVED that an additional budget allocation of \$22,000 from General Funds to the 2023 Community Late Night Shopping and Christmas Parade events be approved.***

***(Jones/Butler) 218***

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

AGAINST: Nil

### 6.9 TENDER EVALUATION REPORT - PROVISION OF CARAVAN PARK MANAGEMENT SERVICES - YVC.PE.41.2023

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#### SUMMARY

This report provides advice on the submission of tenders for a contract for the provision of management services for the Yass Caravan Park.

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

***(Turner/Reid) 219***

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

AGAINST: Nil

## **7. Notice of Motion**

### **7.1 NOTICE OF MOTION - SAFETY OF YASS VALLEY CHILDREN AND YOUTH TRAVELLING TO THE ACT FOR EDUCATION**

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Councillor Kristin Butler has given notice that at the Ordinary Council Meeting on 26 October 2023, she will move the following motion.

## MOTION

*That Council writes to the appropriate government representative, including the Member for Goulburn, Wendy Tuckerman MP, to advocate for the safety of Yass Valley children and youth during physical bus transportation from NSW to the ACT, and at the Hall Bus Interchange when travelling to the ACT for education.*

### **RESOLVED that Council:**

- 1. Request a meeting with the ACT Chief Minister.**
- 2. Write to the appropriate Government representatives, including the Member for Goulburn, Wendy Tuckerman MP, to advocate for the safety of Yass Valley children and youth during physical bus transportation from NSW to the ACT, and at the Hall Bus Interchange when travelling to the ACT for education.**

**(Butler/Pothan) 220**

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

AGAINST: Nil

## **8. Questions with Notice**

### **8.1 QUESTION WITH NOTICE - DIRECT NEGOTIATIONS OVER CRAGO MILL DEVELOPMENT**

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Councillor Adrian Cameron submitted the following Question with Notice:

- 1. How does the Yass Valley Council resolution of 28 September 2023 regarding the Crago Mill precinct, ensure that it complies fully with Office of Local Government Tendering Guidelines in Section 3.19 when the reasons for declining to advertise and invite fresh tenders are not included in the resolution and the resolution fails to include the possible option to re-tender?*
- 2. What assurance can be given to our community that the conduct of any direct negotiations over the Crago Mill redevelopment will be done in compliance with the other points listed in Section 3.19 of the OLG Tendering Guidelines?*

**Note: Response provided in the [Business Papers](#).**

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

### **9.1 MINUTES OF THE ABORIGINAL CONSULTATIVE COMMITTEE MEETING HELD ON 7 SEPTEMBER 2023**

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**RESOLVED that the minutes of the Aboriginal Consultative Committee meeting held on 7 September 2023 be noted.**

**(Turner/Abbey) 221**

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

AGAINST: Nil

**9.2 MINUTES OF THE MURRUMBATEMAN PLAYGROUND PROJECT COMMITTEE HELD ON 16 OCTOBER 2023**

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***RESOLVED that the minutes of the Murrumbateman Playground Project Committee meeting held on 16 October 2023 be noted.***

***(Reid/Butler) 222***

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

AGAINST: Nil

**9.3 MEETING NOTES OF THE PUBLIC ART FOCUS GROUP HELD ON 9 OCTOBER 2023**

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***RESOLVED that the meeting notes of the Public Art Focus Group meeting held on 9 October 2023 be noted.***

***(Pothan/Reid) 223***

FOR: Councillors J Abbey, K Butler, A Cameron, 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 Tender Evaluation Report - Provision of Caravan Park Management Services - YVC.PE.41.2023***

***Item 10.1 is confidential in accordance with 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 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.***

***(Turner/Reid) 224***

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

AGAINST: Nil

Closed Council commenced at 5:10 pm.

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

**(Turner/Abbey) 225**

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

AGAINST: Nil

Open Council resumed at 5.20 pm.

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

**(Jones/Pothan) 226**

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

AGAINST: Nil

### **10.1 TENDER EVALUATION REPORT - PROVISION OF CARAVAN PARK MANAGEMENT SERVICES - YVC.PE.41.2023**

---

#### **SUMMARY**

This report provides advice on the submission of tenders for a four-year contract with two, three-year extensions for the provision of management services for the Yass Caravan Park.

**RESOLVED that :**

- 1. The tender submitted by Belgravia Pro under the YVC.PE.41.2023 -Provision of Caravan Park Management Services be accepted for a total cost of \$341,000 per annum incl GST be accepted subject to annual CPI increases on the anniversary of the contract, indexed under (all groups) for Sydney published by the ABS.**
- 2. A four-year contract be entered into with Belgravia Pro Pty Ltd from 1 December 2023 to 30 November 2027 for the management of the Yass Caravan Park, subject to a further two, three-year extensions based on satisfactory performance as determined by Council.**
- 3. The Chief Executive Officer be authorised to sign documents associated with the contract.**

**(Abbey/Reid) 227**

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

AGAINST: Nil

The meeting closed at 5.21 pm.

## 6.1 MINISTER FOR PLANNING & PUBLIC SPACES - NSW HOUSING CRISIS

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### SUMMARY

To present a letter from the Minister for Planning & Public Spaces seeking Council to review its local policy settings and approaches to the interests of increasing housing supply.

### RECOMMENDATION

*That the Minister for Planning & Public Spaces be advised:*

- 1. Of the initiatives being pursued by Council to increase housing supply.*
- 2. The urgent need for water security to unlock the development of Murrumbateman.*
- 3. The urgent need for the resolution of the cross border servicing arrangements (especially those of State agencies) for Parkwood or agreement to move the NSW/ACT border.*
- 4. Fast track the Exempt and Complying Development arrangements for Canberra Region Joint Organisation member Councils to free up the requirements for new houses and house additions.*

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### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Settlement Strategy 2036 (Aug 2019)*
- *Local Strategic Planning Statement (May 2020)*

### REPORT

The Minister for Planning & Public Spaces has written to all NSW Councils on the need to increase the supply and diversity of housing (refer **Attachment A**).

Through the National Housing Accord, Councils and the State Government are committed to working together to look at all the opportunities to increase housing supply. The target is for an additional 377,000 homes by 2029.

The Minister is seeking Councils to review their local policy settings and approaches to the interests of increasing housing supply.

Council has been working for several years toward increasing housing to accommodate the growth identified in *Yass Valley Settlement Strategy 2036* and *Local Strategic Planning Statement* (both documents have been endorsed by the Department of Planning & Environment). The three main growth areas are Yass, Murrumbateman and Parkwood.

A summary of the actions aimed at increasing housing supply are as follows:

#### **Yass**

- Two key residential subdivisions are underway in Yass i.e. Yarrah (457 lots) and Hamilton Rise (180 lots).
- Council owned land in Dutton Street, Yass has been identified for community housing (once the land title issues have been addressed).
- There is considerable older State housing stock in Yass that could be redeveloped for more medium density housing.



## Murrumbateman

- An area of approximately 350ha has been identified in North Murrumbateman for urban residential growth (approximately 2,700 lots) and Council is seeking funding assistance through Round 2 of the Regional Housing Strategic Planning Fund.
- Council has commenced a master planning and planning proposal project for this area.
- The limiting factor for this development is water supply. Council has suggested a 'satisfactory arrangements for servicing' for any rezoning.
- Council has identified water from the ACT as its preferred option. Cross border water supply is currently subject to negotiations between NSW DPE (Water), ACT Environment, Planning & Sustainable Development Directorate, Yass Valley Council and Queanbeyan Palerang Regional Council.

## Parkwood

- Parkwood is a land locked area of NSW bordered by the Murrumbidgee River and Ginninderra Creek making the area only accessible from the ACT.
- The Master Planning for the area provides for 3,000 houses and 13,000 people providing satisfactory arrangements for servicing are in place. Construction of the first houses are programmed for 2029.
- There is a cross border steering committee overseeing the negotiations for servicing.
- Funding under the Round 2 of the Regional Housing Strategic Planning Fund is being sought for a joint project with Regional NSW, Office of the Cross Border Commissioner and Council to examine servicing arrangements (especially those of the State agencies).

## Exempt and Complying Development

- Council endorsed the adaption of the *Bathurst Regional Local Environmental Plan 2014* as a model for Exempt and Complying Development to assist with streamlining the approvals process for new houses and house additions.
- Several Councils in the Canberra Region Joint Organisation have been working with DPE and this approach as an alternative to the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008*. A workshop was held between DPE and CRJO Councils in March 2023 but has not progressed any further.
- The issue has now been referred to the CRJO Planners Network to develop a regional approach for each Councils' LEPs but will require support from DPE to implement.

It is recommended that the Minister for Planning & Public Spaces be advised:

1. Of the initiatives being pursued by Council to increase housing supply.
2. The urgent need for water security to unlock the development of Murrumbateman.
3. The urgent need for the resolution of the cross border servicing arrangements (especially those of State agencies) for Parkwood or agreement to move the NSW/ACT border.
4. Fast track the Exempt and Complying Development arrangements for Canberra Region Joint Organisation member Councils to free up the requirements for new houses and house additions.

## 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	EN3.2 - Future developments should complement existing settlement structure, character and uses and allow for the creation of legible and integrated growth
Delivery Program Action	Complete review of the Yass Valley Settlement Strategy 2036

**ATTACHMENTS:** A. Letter from Minister for Planning & Public Spaces 30 October 2023 [↔](#)

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## 6.2 DEVELOPMENT APPLICATION NO. DA230034 - SHED, 50 MERRYVILLE DRIVE, MURRUMBATEMAN

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### SUMMARY

To present the assessment of Development Application DA230034 for a storage shed at 50 Merryville Drive, Murrumbateman. The application is reported to Council due to the size of the shed. It is recommended that the application be refused due to concerns relating to the size of shed which cannot be addressed by conditions.

### RECOMMENDATION

*That Development Application No DA230034 for a storage shed is refused on the following grounds:*

- *It is not compatible with the existing development in the locality. The scale and height of the proposed shed is significantly greater than other sheds within the locality.*
- *The scale of the shed, as a result of the height, will have an adverse impact on the streetscape and character of the locality, particularly when viewed from Merryville Drive, which is the main route through the subdivision. This is exasperated as result of the lack of any architectural or visual features due to the inherent nature of the its built form.*
- *The shed is not consistent with the objectives of the R5 Large Lot Residential zone as it is not considered to be development which is compatible with the rural residential character of the locality.*
- *Approval would set an undesirable precedent for the size of sheds that may then be considered acceptable on rural residential lots within Merryville Estate and the Yass Valley more generally.*

### 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 2021*
- *Biodiversity Conservation Act 2016*
- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Contributions Plan 2018
- Building Line Policy – Rural and Rural Residential Land
- Application Assessment and Decision-Making Policy

### REPORT

#### 1. Application Details

Date Received	-	10 February 2023
Land	-	Lot 37 DP 285843
Area	-	7,631m <sup>2</sup>
Zoning	-	R5 Large Lot Residential

#### 2. Site Description and Locality

The site is located on Merryville Drive in “Merryville Estate” which is characterised by dwelling houses and ancillary outbuildings. The site is predominantly flat with a slight slope from the rear of the site down towards the road frontage.

Development Consent for a single dwelling house was granted by Council in October 2010. Council has confirmed that this consent has not lapsed and remains in force, however the dwelling house has not been constructed. The site is not currently occupied by permanent structures, however four shipping containers were observed on the site at the time of the site inspection.

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

### **3. Proposal**

The application involves the construction of a storage shed ancillary to the approved dwelling house (yet to be constructed). The shed is proposed to have a floor area of 480m<sup>2</sup> (32m x 15m) and a ridge height of 6.46m.

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

### **4. Public Exhibition**

Public exhibition included notice to the four adjoining landowners and one submission was received (refer **Attachment C**).

### **5. Assessment**

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

The following planning issues have been identified:

#### **5.1 Size of Shed**

The proposed shed is 15m wide x 32m long, with a ridge height of 6.46m. Concern was identified during the assessment in relation to the scale of the shed as a result of the height and the impact this will have on the amenity of neighbours, in particular the streetscape when viewed from Merryville Drive.

The bulk and scale of the proposed shed is generally consistent with a rural property. For the purposes of scale comparison, the following sheds have been approved in recent years within Merryville Estate:

- 5 Governor Drive, Murrumbateman – 14m (L) x 7m (W) maximum height 3.93m.
- 84 Merryville Drive, Murrumbateman – 20m (L) x 7m (W) maximum height 3.08m.
- 1 Thoroughbred Drive, Murrumbateman – 23m (L) x 8m (W) maximum height of 3.83m

The location of the proposed shed is to the left hand side of the proposed dwelling, set behind the building line. As the proposed shed will be directly in front of the existing access way and is not shielded from view by the dwelling it will dominate the street view of the property.

The application being presented for consideration is an amendment to the application that was first submitted by the applicant, which proposed the construction of a shed being 15m wide x 50m long, with a ridge height of 5.95m. It was suggested to the Applicant after a preliminary assessment that they consider reducing the size of the proposed shed. For the purposes of understanding what may be appropriate, the Applicant was advised to consider reducing the size of the shed.

In response, the Applicant amended the application, proposed a shed with a length reduced by 18m, but with an increase in the height to 6.46 (as currently proposed). As such, it was considered necessary to notify surrounding landowners due to the potential to impact on neighbourhood amenity.

In conclusion, the shed is of such a height that it has the potential to impact on the rural residential setting of Merryville Estate and reduce the scenic quality for surrounding residential neighbours. This is contradictory to the first objective of the zone, being “to provide residential

*housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.”*

## 5.2 Use of Shed

Being a rural residential zone, the construction of a storage shed for commercial purposes would be considered a prohibited land use. Although the application is for a shed that is ancillary to the residential use of the land, the height of the shed exceeds what would generally be considered as justifiably ancillary to the residential use. In response to these concerns, the Applicant provided a list of items that are proposed to be stored within the shed, they are as follows:

- Storage of personal effects and the contents of four, 40-foot onsite shipping containers
- storage of cement mixers x6
- Storage racking / shelving x40 (each 2m in length)
- Box trailers x4
- Car trailers x2
- Horse float x1
- Ride-on mowers x8
- Trailer mounted 60-ton log splitter
- Care of the family collection of antique and classic cars / vehicles, either a “survivor” or restored
- 15 antique cars (Australian historic vehicles): manufactured 1975 or earlier (>45 years old)
- 14 classic cars, USA manufactured 2000 or earlier (>20 years old).
- Establishment of suitable personal workshop

Whilst these items are presumably in possession of the owners of the land it is difficult to conclude that the storage of these items necessitates a shed with a height in excess of 5m to the ridge.

## 5.3 Draft DCP

The application was assessed under the *Draft Yass Valley Council Development Control Plan 2023* (Draft DCP), which is currently being tested. The Draft DCP currently proposes a maximum height of five metres for outbuildings within the R5 Large Lot Residential zone. The application submitted proposes a maximum building height of 6.46m. Whilst it is acknowledged that the Draft DCP is not yet required to be considered in the assessment of the application, it has been used to provide guidance in this instance.

## 5.4 Submission

One objection was received during the public exhibition period, which raised the following concerns:

- (i) Shed size: the height of the proposed shed is believed to be out of character with the properties in the area and has the potential to drastically affect rural outlook.
- (ii) Use of the shed: concern was raised that a shed of this scale will be used for industrial purposes. In particular, the possibility of working on cars and the excessive noise that would be associated with this impacting on the amenity of the surrounding neighbours.
- (iii) Boundary plantings: concern was raised regarding the location of the proposed boundary plantings associated with the development have the potential to become a nuisance to surrounding neighbours. In particular, branch overhand, excessive shading, leaves, pine needles and root systems increasing maintenance on adjacent properties.

The concerns raised in relation to size and use of the shed have been addressed in this report. The issue relating to planting can be addressed by condition, if approval is granted. Outside of a Development Consent, this is a civil matter.

## 6. Conclusion

From the assessment of the proposal and consideration of issues raised in the submission it is recommended that the application is refused.

### 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 the comprehensive development control plan

- ATTACHMENTS:**
- A. Locality Plan [⇒](#)
  - B. Plans [⇒](#)
  - C. Submission [⇒](#)
  - D. s4.15 Assessment Report [⇒](#)

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## 6.3 DEVELOPMENT APPLICATION DA135005 - SUBDIVISION, 1B ROSAMEL STREET, GUNDAROO

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### SUMMARY

To present the assessment of Development Application No. DA135005 for a four lot subdivision at 1B Rosamel Street, Gundaroo. The application was notified three times due to the submission of additional information and re-design of the proposed lot layout. The application attracted 16 objections over the three notification periods and relevant concerns can be address by conditions. Approval is recommended.

### RECOMMENDATION

*That conditional Development Consent be issued for Development Application No DA135005 for a four lot subdivision at 1B Rosamel Street, 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*
- *Local Government Act 1993*
- *Biodiversity Conservation Act 2016*
- *Roads Act 1993*
- *Local Government Act 1993*
- State Environmental Planning Policy (Rural Lands) 2008
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 33—Hazardous and Offensive Development
- Gunning Local Environmental Plan 1997
- Yass Valley Community Engagement Strategy
- Yass Valley Development Contribution Plan
- Gundaroo Flood Study
- Gundaroo Floodplain Risk Management Plan
- Application Assessment and Decision Making Policy
- Road Standards Policy

### REPORT

#### 1. Application Details

Date Received	-	8 January 2013
Land	-	1B Rosamel Street, Gundaroo
Area	-	3.82ha
Zoning	-	RU1 Primary Production
	-	RU5 Village

## 2. Site Description and Locality

The site is located on the corner of Rosamel Street and Cork Street (refer to **Attachment A**). The lot is an irregular shape and is approximately 3.82ha in size. There is an existing dwelling located on the Rosamel Street frontage which is accessed via an existing access driveway. The eastern half of the site is within the Gundaroo Heritage Conservation Area and the surrounding development is primarily residential, with the exception of the land zoned RU1 Primary Production, to the west.

## 3. Proposal

The submitted Development Application involves a four lot subdivision. Proposed lots 1-3 are approximately 1.11ha, 2395m<sup>2</sup> and 2066m<sup>2</sup> respectively, which is consistent with the Yass Valley Local Environmental Plan 2013 (Yass Valley LEP 2013). Proposed lot 4 is approximately 2.27ha in size, relying on clause 4.2 Yass Valley LEP 2013 for permissibility. The existing dwelling and associated structures will be retained on proposed lot 1. The existing access and proposed new access to proposed lots 1 and 2 are to be upgraded/built to the satisfaction of TfNSW and Council.

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

## 4. Public Exhibition

Public exhibition took place on three occasions between 2013 and 2022. Refer to **Attachment C** for combined submissions.

### Round 1: 31 January 2013 – 21 February 2013

Exhibition included notice to 16 adjoining and nearby landowners and the Gundaroo Community Association. Six submissions were received with the main issue being flooding and the location of the proposed building envelopes on proposed Lots 2 and 3. It is to be noted that one submission contained 12 signatories from surrounding residents.

### Round 2: 26 February 2021 – 12 March 2021

Exhibition included notice to 19 adjoining and nearby landowners and the Gundaroo Community Association. Three submissions were received, with the key issue being flooding.

### Round 3: 14 October 2022 – 14 November 2022

Exhibition included notice to 20 adjoining and nearby landowners and the Gundaroo Community Association. Nine submissions of objection and one submission of support were received, with the key issue being flooding and the time that this application has taken to be determined. It is to be noted that video files of flooding were also submitted in this round of notification.

The Applicant's response to submissions is included in **Attachment D**.

## 5. Referrals

The proposal was referred externally to:

- Transport for New South Wales (TfNSW)
- New South Wales Rural Fire Service (NSWRFS)

No objections have been raised subject to the inclusion of requirements in any approval that may be issued.

## 6. Assessment

The proposed development has been assessed against the requirements of s4.15 *Environmental Planning & Assessment Act 1979*. The following planning issues have been identified including the response to the issues raised in submissions.

It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment E**).

### 6.1 Local Environmental Plans

At the time of lodgement of the application, the *Yass Valley LEP 2013* was in draft form and its commencement was "certain and imminent".

As per legal advice received in June 2013, if a draft local environmental plan (LEP) is "certain and imminent", determinative weight can be given to the draft LEP over the LEP in force at the time, which in this instance was the Gunning Local Environmental Plan 1997. On this basis, determinative weight is to be given to the *Yass Valley LEP 2013*.

An assessment under the provisions of the both LEPs is detailed in the Assessment Report (refer **Attachment E**).

### 6.2 Flood Prone Land

The reoccurring issue raised in the submissions was that of the high flood levels that the site, and surrounding lots receive during high rain events. A site specific Flood Impact Assessment, prepared by WMAwater, was submitted by the Applicant in 2021 (refer **Attachment F**). The Flood Impact Assessment indicates that the subdivision is compatible with the flood hazard of the land and that it can be developed in accordance with the requirements detailed in the report.

### 6.3 Onsite Sewage Management

Another concern made during exhibition is the management of onsite waste during a flood event.

An updated Land Capability Assessment Report, prepared by Franklin Consulting Australia Pty Ltd, was submitted by the applicant (refer **Attachment G**). The report finds that the site is capable of containing onsite sewage management systems if requirements in the report are conditioned.

### 6.4 Traffic Generation

This concern was raised in submissions received. It has been assessed that this proposal will not result in high levels of traffic generation as only two building envelopes are proposed and there is ample space on the lots for vehicles to park off the street.

### 6.5 Lot Less than Minimum Lot Size

Proposed lot 4 is zoned as RU1 Primary Production under the *Yass Valley LEP 2013* with a proposed area of 2.27ha. The minimum lot size of 40ha. The applicant submitted a letter to Council justifying the creation of the lot under Clause 4.2(3) *Yass Valley LEP 2013*, stating that the lot will continue to be used for primary production only and that no building envelopes are proposed.

A site inspection was conducted on 31 October 2023 where it was noted that this portion of land is currently being used as an area for livestock and it is considered that this use will continue in perpetuity of the site. A condition can be included in any Development Consent that may issue restricting proposed lot 4 to be only used for primary production purposes.

## 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 H**.



**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. Locality Plan [⇒](#)
  - B. Plans of Subdivision [⇒](#)
  - C. Combined Submissions [⇒](#)
  - D. Applicant Response to 2022 Submissions [⇒](#)
  - E. 4.15 Assessment [⇒](#)
  - F. Flood Impact Assessment [⇒](#)
  - G. Land Capability Assessment Report [⇒](#)
  - H. Draft Development Consent [⇒](#)

## 6.4 LEASE OF YASS MEMORIAL POOL FOR CONSTRUCTION OF A HEATED POOL - PUBLIC NOTIFICATION SUBMISSIONS

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### SUMMARY

To present a report on the submissions received during the public consultation period for the proposal to lease the land for the management of the current swimming pool and construction and management of an indoor heated swimming pool and associated facilities at the Yass Memorial Pool site.

### RECOMMENDATION

*That the lease and contract documentation for the construction and management of the Yass War Memorial Pool and construction and management of an indoor heated swimming pool and associated facilities at the Pool site be prepared and presented to a Councillor Workshop prior to undertaking any Expression of Interest process.*

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### FINANCIAL IMPLICATIONS

Council currently annually expends approximately \$100,000 more than it recovers on the operation of the Yass War Memorial Pool. The development of the Yass Swimming Pool is expected to have a negative impact on Council's ongoing financial sustainability without significant external funding and increased user fees and charges to offset capital and operational expenses.

While Council has the capacity to borrow funds associated with the construction base, this project should be considered in conjunction with other competing capital projects and Council's overall facility asset portfolio needs.

### POLICY & LEGISLATION

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

### REPORT

#### 1. Report

At its meeting on 27 July 2023, Council resolved 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 and associated facilities 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.*
3. *A Councillor Workshop be held prior to release of the Expression of Interest for the lease.*

The public notification period has now closed and this report presents the submissions for Council's consideration.

#### 2. Submissions

In accordance with the *Local Government Act 1993*, Council held a public notification period from 11 September 2023 to 16 October 2023 and 11 submissions were received (refer **Attachment A**). Two submissions were "FOR" the lease and nine submissions were "AGAINST". Two "further information" emails were also provided during this period (refer **Attachment B**).

Concerns raised in the "against" submissions include the ability to control levels of service to the community (i.e. public availability for swimming clubs, school carnivals, lap swimming etc), unaffordable usage fees, contract management and feasibility of the project. There are a number of issues also raised regarding management and maintenance of the existing pool.

**3. Expression of Interest**

The Expression of Interest (EOI) will provide for the option to lease the portion of land currently allocated to the indoor heated pool as a separate entity as well as the potential to include the existing Yass War Memorial Pool and facilities. The EOI will require that as a minimum the services currently provided by Council at the Yass War Memorial Pool are continued by those wishing to lease the pool, including 6 months minimum annual operation, swimming lessons, access for school carnivals, and operation of the kiosk. Additional services desired for the indoor heated pool will also be outlined and the EOI will be assessed against the provision of these services. At the conclusion of the lease all facilities constructed will be vested in Council.

**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. Combined Submissions [⇨](#)
  - B. Combined Additional Submissions [⇨](#)

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## 6.5 PARTIAL ROAD CLOSURE OF NOTTINGHAM ROAD NEAR SWINGING BRIDGE RESERVE

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### SUMMARY

To obtain Council's approval to partially close a public road reserve near Swinging Bridge Reserve on Nottingham Road and undertake a land swap with the NSW Crown Lands area.

### RECOMMENDATION

*That:*

- 1. The partial road closure of Nottingham Road, Wee Jasper (adjacent to Lot 7008 DP96171) be approved.*
- 2. The road closure process be commenced and notification be undertaken in accordance with the Roads Act 1993.*
- 3. The closed road be dedicated as Operational Land under the Local Government Act 1993 and be transferred to Crown Lands at no cost.*
- 4. The General Manager and Mayor be authorised to sign documentation associated with the partial road closure.*
- 5. Council acquire a portion of land from Crown Lands (part Lot 7008 DP 96171) at no cost and dedicate this land as public road.*

---

### FINANCIAL IMPLICATIONS

The cost of the road closure will be funded from Council's existing 2023/24 Operational Plan budget. No land acquisition costs are required due to land swaps.

### POLICY & LEGISLATION

- *Roads Act 1993*
- *Crown Lands Management Act 2016*

### REPORT

Nottingham Road is a public road reserve where Council is the road authority. Significant sections of the road formation of Nottingham Road are located outside the dedicated public road reserve.

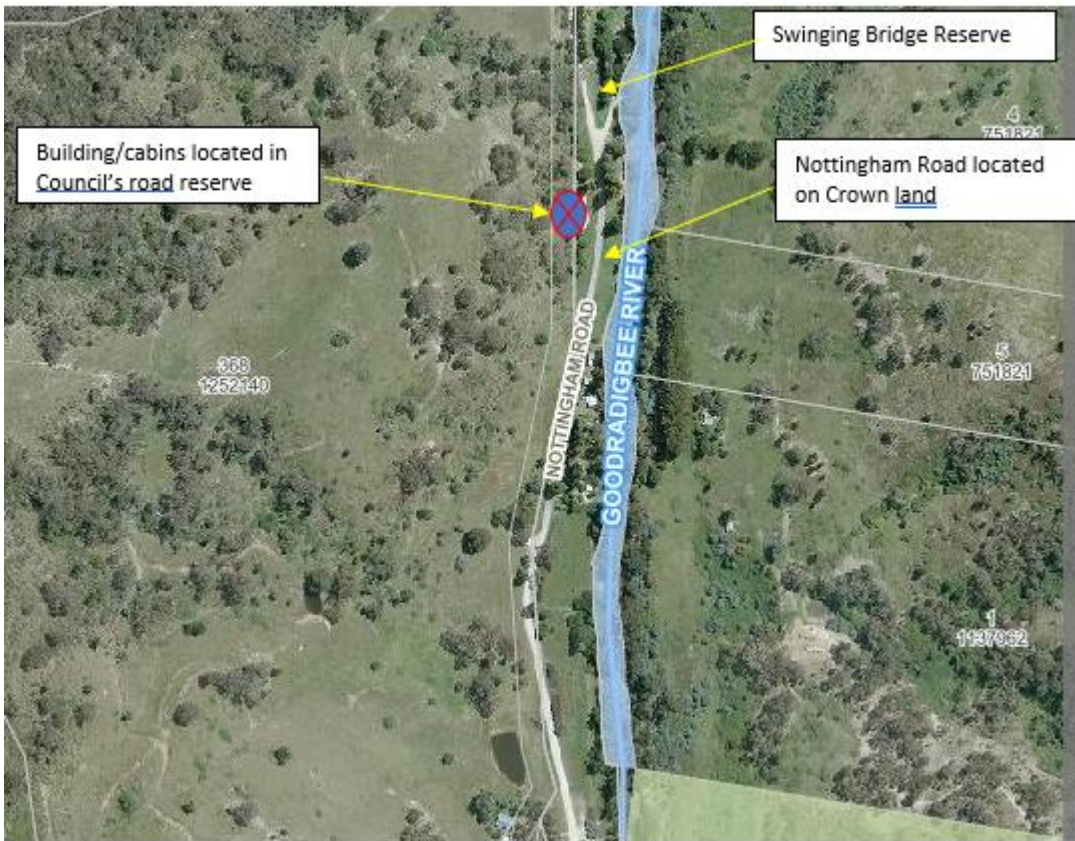
NSW Crown Land Services has identified that a number of buildings/cabins associated with the Swinging Bridge Reserve on Nottingham Road, Wee Jasper are located within the Nottingham Road public road reserve. In addition, the Nottingham Road road-formation is located within the adjacent Crown Land (Lot 7008 DP96117). Refer following plan.

NSW Crown Land Service has requested Council support in addressing this anomaly by undertaking a partial public road closure of Nottingham Road and associated land swaps.

This request will require:

- A partially road closure of Nottingham Road on the land these buildings are located on and the transfer of the closed road reserve land to the Crown at no cost to the Crown.
- The acquisition of part of the adjacent Crown Land for dedication as public road reserve at no cost to Council.

It is recommended that Council support this proposal by approving the commencement of the road closure process.



**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	IN3.3 - Manage assets in a proactive way across their lifespan
Delivery Program Action	Updating and maintenance of Council's Geospatial Information

**ATTACHMENTS:** Nil

## 6.6 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 Council.

### RECOMMENDATION

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

### FINANCIAL IMPLICATIONS

Budgets are allocated for Design and Business Case development in the Operational Plan FY2023/24.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

#### 1. Background

The project to prepare a Design and Business Case for the upgrade of the Yass Water Treatment Plant commenced in November 2019. The Housing Acceleration Fund (HAF) funded this project at a cost of \$1.2million. During the course of this project, stakeholders required that Stage 1 - Early Works be carried-out in advance in December 2020. Stage 1 Works included installation of bubble plume aeration at Yass Dam, upgrade of the Raw Water Pump Station (RWPS), and urgent works at Yass Water Treatment Plant. Stage 1 Works were completed at the end of February 2023.

A roadmap to prepare a business case to inform the investment to upgrade the WTP based on a high-level concept design was agreed in March 2023 and on a revised Scope of Works.

Purchase of land for extension of the WTP was concluded on 4 April 2023. Council owns Lot 1 DP1290121 (formerly part of 32 Cooks Hill Road).

#### 2. Business Case for Yass WTP Augmentation

INSW/Treasury approved a review of the deed reflecting the revised Scope of Works based on high-level concept design and business case.

Work to develop a Business Case (BC) to confirm the preferred option for additional investment at the Yass Water Treatment Plant (WTP) commenced in April 2023 and consists of:

- a) High-level concept design and options assessment
- b) Business Case conforming to NSW Government Business Case Guidelines (TPP18-06)

Timeline for major deliverables are as follows:

- |    |   |            |
|----|---|------------|
| 1) | Options Selection Briefing Paper          | - Aug 2023 |
| 2) | High-level Concept Design and Site Layout | - Sep 2023 |
| 3) | Draft Business Case                       | - Oct 2023 |
| 4) | Final Business Case                       | - Dec 2023 |

The Final Business Case is required to go through a HAF Assurance process prior to the funding being made available to Council.

**3. Progress: April – September 2023**

Work on the Business Case commenced on 12 April 2023. The following tasks were completed:

- Performance review of WTP until May 2023
- Mechanical and Electrical Condition Assessment Report
- Location of additional clear water storage
- The Options Identification Memorandum was discussed on 9 June 2023 and process components of each option were agreed.
- Three options assessed are as follows:

**Option 1 - Base Case**

Minimal improvements (filter media and backwashing and soda ash dosing)

**Option 2 - Risk Mitigation Upgrade**

(New chemical storage, handling and dosing assets, replacement of ageing electrical assets and power supply and standby generator, inlet outlet modification of existing reservoirs and additional clear water storage that requires demolition of old WTP, UV treatment to address *cryptosporidium* risk from the catchment, filter improvements, and amenities).

**Option 3 - WTP Augmentation**

New treatment processes including inclined plate settling tanks, DAF/Filters, and softening.

- Benefits realisation framework for each option was discussed at a workshop on 7 August 2023 and agreed.
- Options were developed further with high-level concept design, site layout, and cost estimation for the Options Assessment Workshop.
- Options Assessment Workshop: This workshop was conducted on 14 September 2023. At this workshop, DPE Water required that Option 2 be modified to achieve the same benefits as Option 3 and assessed. Council staff and consultants were working on it.
- Customer Survey: A customer survey was posted and emailed to those connected to Council's water supply. The last day for survey responses was on 1 September 2023 and all responses received until 11 September are being analysed. A total of 3,435 surveys were sent out and the responses received was 491 (14.5%). Analysis on the survey responses is presented in a separate report to November Council meeting. Regular and improved surveys are planned in the future as part of the customer engagement.
- Financial Analysis: This analysis is being carried-out to understand the impact of different investment options on customer bills and affordability. It is assessed as Typical Residential Bill (TRB) for water.

**4. Progress: September – November 2023**

- **Option 4 – WTP Optimisation**: This option was developed to respond to DPE Water comments on 14 Sep 2023.

Option 4 is an augmentation of the existing WTP utilising the existing flocculation, dissolved air flotation and filtration assets. Option 4 includes new process units to manage treatment challenges during floods, provides units for operational redundancy and to comply with future environmental protection licence requirements. Provisions are made for future water softening to reduce treated water hardness and for additional filters. Softening is deferred until a sustainable residuals (concentrated water and chemicals) disposal strategy is developed.

While it will be challenging to incorporate new process units to existing infrastructure, utilisation of existing infrastructure reduces the overall cost of the upgrade and improves the environmental performance. Option 4 earned the support of DPE Water, NSW Health and HAF.

The Draft Business Case was submitted to stakeholders on 7 November for review. Comments are to be provided by 5 December 2023. The Business Case will be finalised incorporating the comments by the end of December 2023 and will then undergo an assurance process to be organized by HAF prior to funding, which is expected to be completed by February 2024.

## 5. Consultation with DPE (Water) and NSW Health

Council continues to consult with HAF, DPE Water and NSW Health on WTP Upgrade works and extensive inputs were obtained to develop the Scope of Works for the Business Case and through subsequent workshops. HAF, DPE Water and NSW Health are part of Project Steering Group that meets monthly with Council staff and consultants (BecaHunterH2O). An Infrastructure NSW (INSW) representative also joined the Steering Committee from September 2023. DPE Water and NSW Health officials inspected facilities in Yass WTP and bubble plume aeration at Yass Dam during 21-22 August 2023. They also provided guidance to the development of Option 4.

## 6. Next Steps

Following activities are scheduled:

- Incorporate comments from stakeholders and submit Business Case to HAF.
- Participate in the business case assurance process.
- Utilise the business case to secure grant funding to reduce the impact on customer bills.

## STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN4: Water, waste and sewerage services meet the needs of our community
Strategies	IN4.1 - Ensure high quality water supply options for the towns in region
Delivery Program Action	Upgrade of Yass Water Treatment Plant

**ATTACHMENTS:** Nil



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## 6.7 YASS WATER TREATMENT PLANT UPGRADE PROJECT - WATER MATTERS SURVEY 2023

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### SUMMARY

A customer survey to obtain feedback on Council water supply was conducted in August to September 2023 as part of the Yass WTP Upgrade Project. A summary of responses received is discussed in this report.

### RECOMMENDATION

*That:*

1. *Customer feedback be incorporated in the preparation of Business Case for WTP Upgrade.*
2. *Regular surveys to be conducted to measure impact of interventions at WTP and in the water reticulation system to improve water quality and to engage with customers.*

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### FINANCIAL IMPLICATIONS

Budgets are allocated for the WTP Design and Business Case development in the Operational Plan FY2023/24.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Australian Drinking Water Guidelines 2011*

### REPORT

#### 1. Introduction

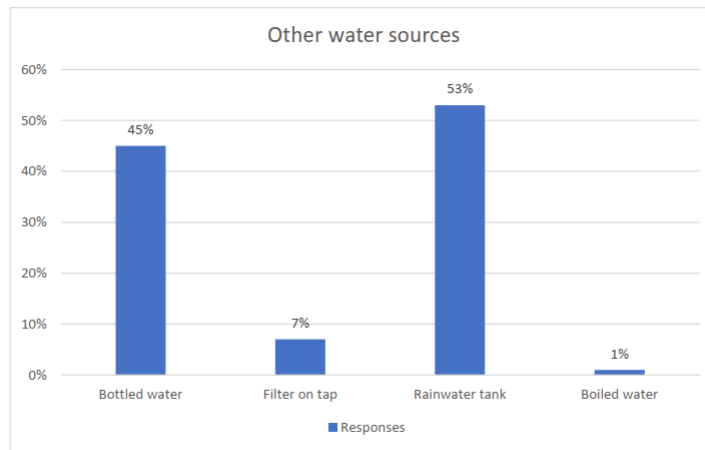
In August 2023, Council reached out to 3,395 customers in Yass, Murrumbateman, Bowning and Binalong served by the Yass Valley Council Water Treatment Plant through a comprehensive survey (refer **Attachment A**), designed to gather their valuable insights on their water quality satisfaction and usage habits. The survey covered topics such as water sources, water quality concerns, water usage devices, water bills and water quality improvements. A total of 3,395 surveys were distributed to customers within the Yass region, and 491 (14.5%) responses were received. The water supply customers have played an important role in providing feedback and insights regarding the Yass Water Treatment Plant (WTP) Upgrade project.

Most of the respondents were from the South Yass area, making up 57% of the total feedback. North Yass residents contributed 26%, with the remaining respondents from Binalong, Murrumbateman, Bowning and other areas of Yass.

#### 2. Satisfaction in Water Quality

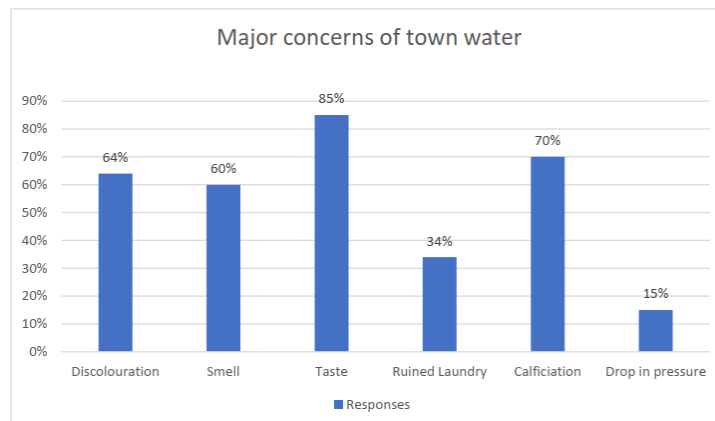
The survey responses highlighted the followings:

- Only 15% of respondents drink town water directly from the tap.
- A majority of respondents (85%) do not drink town water.
- Those who do not drink directly from the tap identified alternative sources such as rainwater tanks (53%), bottled water (45%), various filtration methods (7%), and boiled water (1%).



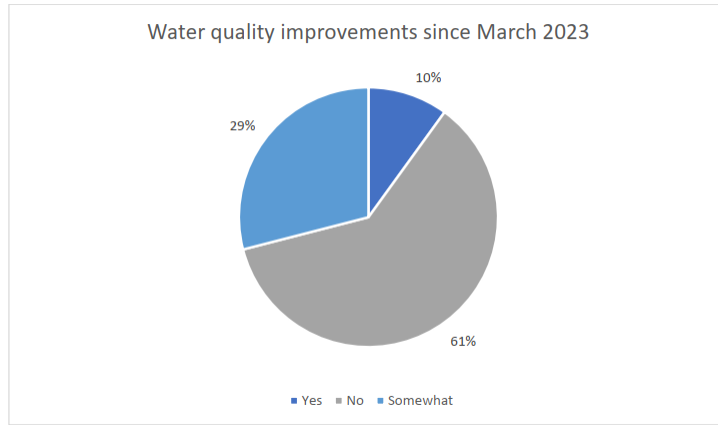
Participants who reported not drinking town water directly from the tap utilised alternative sources to meet their consumption need.

- The most frequently reported concern in response to water quality was taste, with a significant 85% of participants mentioning it. Calcification was noted in 70% of the survey responses, while discolouration and smell were identified as concerns by 64% and 60% of respondents, respectively. Further, 34% were concerned with ruined laundry, and 15% reported a concern for drop in pressure.



### 3. Water Usage Habits

- When asked if devices such as household filters for town or drinking water are used, the respondents were almost split at 44% saying 'Yes' and 56% 'No'. Those who did use filters typically replaced their cartridges around 3-4 times per year, with a few replacing them each month. The average cost incurred for each replacement averaged \$154 per year, with notable expenses reaching up to \$1,600.
- In the case of those relying on rainwater tanks for drinking or cooking, 38% confirmed using household filters while 62% did not. Cartridge replacements amongst these users also occurred around 3-4 times per year, with some respondents replacing them monthly. Only 28% of rainwater tank users additionally boiled their water before consumption.
- On average replacing hot water systems occurred every 10 years; however, there were respondents who replaced their systems as frequently as every 1-2 years, and as infrequently as every 30 years. The cost associated with replacing a hot water system stood at approximately \$1,925.
- 67% of respondents expressed concern for discoloured water within the last year (June 2022 – June 2023) and reported that this was experienced roughly 14 times throughout the year. When presented with this problem, 11% of respondents reached out to Council.
- Since March 2023 after the completion of Stage 1 upgrades, improvements were reported by 39% of survey respondents. A significant 61% stated they had not seen any improvements, while 29% felt there was a slight change, and only 10% witnessed substantial progress.



- A comparison of water bills across seasons disclosed that the average water bill in winter (June) amounted to approximately \$202.39. During the summer months (February), the average water bill increased to around \$282.22.
- Many respondents noted in the feedback that they do not want to pay any extra for clean water usage.

**4. Utilisation of Survey Results**

The findings provided an in-depth understanding of customer concerns, satisfaction levels, and suggestions for improvements, enabling Council to better cater to customer needs and enhance water services. The result of this survey helps Council in choosing the option that best reflects our customers' wants and needs in the business case.

This survey presents a snapshot in time. Future surveys will be designed and implemented regularly with the view to improving survey methodology while Council continues to implement measures to improve water quality at the water treatment plant and in the water reticulation system.

**STRATEGIC DIRECTION**

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN4: Water, waste and sewerage services meet the needs of our community
Strategies	IN4.1 - Ensure high quality water supply options for the towns in region
Delivery Program Action	Upgrade of Yass Water Treatment Plant

**ATTACHMENTS:** A. Report on Water Matters Survey 2023 [⇒](#)

## 6.8 2022/23 DRAFT ANNUAL FINANCIAL STATEMENTS

### SUMMARY

In accordance with s413 *Local Government Act 1993*, approval is sought to refer the Draft 2022/23 Annual Financial Statements to Council's external auditor, the NSW Audit Office.

### RECOMMENDATION

*That:*

1. *The draft 2022/23 Annual Financial Statements be signed in accordance with s413 (1), (2) and (3) Local Government Act 1993 and referred to the NSW Audit Office.*
2. *Upon receipt of the Audited Report for 2022/23 Annual Financial Statements, a copy will be forwarded to the Office of Local Government and presented to Council at the next Ordinary Meeting.*

### FINANCIAL IMPLICATIONS

This is an annual financial reporting requirement.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

The 2022/23 Annual Financial Statements are due to be submitted to the Office of Local Government no later than 31 October 2021. However, due to the Chief Financial Officer and Finance Accountant positions remaining vacant and Council's reliance on financial contractors, Council applied to the Office of Local Government for an extension. An extension until 31 December 2023 has been approved. When the audit is finalised, it is anticipated that the Auditor will address the Council Meeting to provide a briefing.

This report deals with the following items that highlight Council's financial performance and financial position for the financial year of 2022/23 (FY2023):

- Operating results for the year ended 30 June 2023
- Financial position as at 30 June 2023
- Cash and investments position as at 30 June 2023
- Financial performance indicators as at 30 June 2023

#### 1. Income Statement – Operating Results

The income statement represents all items of income and expense recognised in the financial year resulting from its operating activities together with the equity accounted investments. A summary of Council's operating result for the financial year ended 30 June 2023 is as follows:

Budget (\$000)	Continuing Operations (\$'000)	FY2023	FY2022	Change + / (-)
44,858	Total Income	53,353	54,472	(1,119)
34,192	Total Expenses	40,777	34,891	5,886
<b>10,666</b>	<b>Net Operating Result for the Year</b>	<b>12,576</b>	<b>19,581</b>	<b>(7,005)</b>
(912)	Net Operating Result before Capital Income	(4,485)	1,131	(5,616)

Council's net operating result for the year has generated a surplus of \$12,576k, which is a decrease of \$7,005k as compared with FY2022, primarily attributable to the major material items, including:

- Total rates and annual charges increased by \$1,125k or 6.03% as compared with last year, resulting from a \$861k or 7.45% increase in ordinary rate income and a \$263k or 3.71% increase in annual charges
- Total grants and contributions decreased by \$770k as compared with last year
- Investment income increased by \$1,019k for the year resulting from the RBA lifting the cash rates to 4.1% of the year from 0.1% of FY2022
- Other income decreased by \$2,083k due to there was no revaluation variation of the investment property for the year
- Materials and Services increased by \$4,773k or 47% from last year
- Depreciation and amortisation increased by \$1,123k or 14.01% as compared with last year

A detailed analysis of Council's financial performance for the year ended 30 June 2023 as compared with FY2022 is provided below.

### 1.1 Total Income from Continuing Operations

Total income from continuing operations decreased by \$1,119k or 2.05% as compared with FY2022. The major changes by revenue type are summarised below:

Income from Continuing Operations (\$'000)	FY 2023	FY 2022	Change + / (-)
Rates and annual charges	19,788	18,663	1,125
User charges and fees	5,622	5,883	(261)
Other revenues	458	607	(149)
Grants and contributions – Operating purposes	8,548	7,929	619
Grants and contributions – Capital purposes	17,061	18,450	(1,389)
Interest and investment income	1,220	201	1,019
Other income	656	2,739	(2,083)
<b>Total</b>	<b>53,353</b>	<b>54,472</b>	<b>(1,119)</b>

#### ***Rates and Annual Charges***

Total rates and annual charges increased by \$1,125k or 6.03% as compared with FY2022, resulting from a \$861k or 7.45% increase in ordinary rate income and a \$263k or 3.71% increase in annual charges, attributable to the following:

- The IPART determination a 2.3% of rate peg for FY2023 (2022: 2.0%) increased rate by \$272k. Other adjustments accounted from sub-divisions, or changes in the number of assessments in land value during the year which resulted the rates increased by an additional \$149k. there was also a deduction of \$18k of 2022 carry forward. Detailed information refers to Special Schedule – Permissible Income for General Rates.
- A \$437k rates and annual charges payment in advance deducted to FY2022 is restated to FY2023 for the correction of change in accounting policies from FY2021.
- The annual charges for waste management (domestic and non-domestic), water supply services, sewerage services, stormwater management collectively increased by \$263k or 3.70% as compared to FY2022, primarily attributable to the growth of service delivery in accordance with the Revenue Statement in the 2022/23 Operational Plan.

**User Charges and Fees**

User charges and fees decreased by \$261k or 4.44% as compared with FY2022, mainly attributable to the reduction of the specific user charges (water, sewerage and trade waste services) by \$57k, the statutory and regulatory functions user fees (town planning and building regulatory, Section 10.7 Certificates and Section 603 Certificates) by \$45k, and the user fees and charges from other operating activities by \$159k.

**Other Revenue**

Other revenue decreased by \$149k or 24.71% as compared with FY2022, mainly attributable to the reduction of recycling and sundry sales by \$158k in the year.

**Grants and Contributions provided for Operating Purposes**

Grants and contributions provided for operating purposes increased by \$619k or 7.80% as compared with FY2022, mainly attributable to the following:

- A \$441k increase in Financial Assistance Grant (FAG), resulting from a \$4,003k of FAG advance payment almost 100% for following year allocation received in June 2023 whereas the previous \$2,756k of 75% FAG advance received in FY2022 as part of the Federal Budget,
- A \$255k reduction of emergency services levy,
- A \$433k net increase in operating grants for roads and bridges maintenance.

**Grants and Contributions provided for Capital Purposes**

Grants and contributions provided for capital purposes decreased by \$1,389k or 7.52% as compared with FY2022, mainly attributable to the following:

- A \$1,398k decrease in grant revenue from Transport for local road and bridges funding,
- A \$3,252 decrease in grants revenue recognition for other roads and bridges renewal,
- A \$2,135k increase in grants revenue recognition for recreation and culture,
- A \$1,848k decrease in the subdivision dedications of non-cash contributions,
- A \$3,285k increase in the developer contributions for water and sewerage networks.

**Interest and investment income**

Interest and investment income increased by \$1,019k or 507% as compared with FY2022, mainly attributable to the Reserve Bank of Australia (RBA) increased the cash rate from 0.1% to 4.10% over the period of FY2023.

**Other Income**

Other income decreased by \$2,083k as compared with FY2022, mainly attributable to the revaluation of the investment properties without the fair value change as at the reporting date (2022: increment of \$2,338k).

**1.2 Total Expenses from Continuing Operations**

Total expenses from continuing operations increased by \$5,886k or 16.86% as compared with FY2022. The major changes by revenue type are summarised below:

Expenses from Continuing Operations (\$'000)	FY 2023	FY 2022	Change + / (-)
Employee benefits and oncosts	12,742	12,448	294
Materials and services	14,894	10,121	4,773
Borrowing costs	693	845	(152)
Depreciation and amortisation	9,141	8,017	1,124
Other expenses	963	1,008	(45)
Net loss from assets disposal	2,344	2,452	(108)
<b>Total</b>	<b>40,777</b>	<b>34,891</b>	<b>5,886</b>

**Employee benefits and oncosts**

Total employee benefits and oncosts for the year increased by \$294k or 2.36% as compared with FY2022.

Employee benefits and oncosts (\$'000)	FY 2023	FY 2022	Change +/-
Salaries and wages	10,620	9,752	868
Employee leave entitlements	933	1,434	(501)
Superannuation	1,084	1,106	(22)
Workers' compensation	553	256	297
Fringe benefits tax	15	48	(33)
Less: capitalised costs	(463)	(148)	(315)
<b>Total</b>	<b>12,742</b>	<b>12,448</b>	<b>294</b>

The major contributions to the increase in employee costs were the following:

- Salaries and wages increased by \$868k or 8.90% from last year, mainly attributable to a \$195k or 2.00% salary increment from 1 July 2022, based on the Local Government (State) Award 2020; gross up salaries capitalised \$463k (2022: \$148k), and reclassified sick leave from ELE to salaries and wages category (2022: \$368k),
- Employee leave entitlements (ELE) dropped by \$501k or 45.30% compared with last year, mainly attributable to the sick leave grouped from ELE to salaries and wages category (2022: \$368k) to conform to current year's presentation.

**Materials and services**

The materials and services represent all operating expense types not covered under employee, borrowing, depreciation and other costs. It includes expenses for materials and the cost of external resources and contractors relating to Council normal operational maintenance and services for the function and activity works, and administration and governance costs.

The materials and services expense would therefore rise and fall directly in relation to Council budgeted work programs and movements in the cost of sourced materials and contracts in accordance with the adopted Operational Plan each year.

Materials and Services (\$'000)	FY 2023	FY 2022	Change +/-
Raw materials and consumables	1,445	1,210	235
Consultancy costs	198	200	(2)
Contractor costs	7,496	3,824	3,672
Vehicle expense	1,277	1,027	250
Other (details refer Note B3-2)	4,478	3,860	618
<b>Total</b>	<b>14,894</b>	<b>10,121</b>	<b>4,773</b>

Total materials and services increased by \$4,773k as compared with FY2022, indicating the actual costs of goods delivered and services rendered for the continuing operational activities of Council over the two financial years:

- Raw materials and consumables increased by \$235k, mainly attributable to the increase in the raw materials and consumable for the improvement of the business activities in the year,
- Contractor costs increased by 3,672k, resulted from the local roads and recreational assets contractor costs \$1,336k, emergency services \$773k, contractors for staff vacant

positions such as strategy planning and development services \$439k, finance services \$600k, and organisation development \$352k additional to FY2022,

- The increase in contractor costs was due to the delivery for the infrastructure maintenance and services caused by the higher than anticipated storm and flooding natural occurrences in the year, and the additional engagement of contractors to assist with staff vacancies.

**Borrowing costs**

Total borrowing costs dropped by \$152k or 18% as compared with FY2022, resulting from the refinance a borrowing for the water dam-wall with lower interest rate in September 2022, together with the reduction in interest component of other loan repayment in the year.

**Depreciation and amortisation**

Total depreciation and amortisation increased by \$1,123k or 14% as compared with FY2022, mainly due to the high level of infrastructure assets renewal in the last two years, and the water supply and sewerage supply network revaluation together with the indexation of the infrastructure assets undertaken in FY2022, which impact on current year’s depreciation result.

**Other expenses**

Total other expenses decreased by \$45k or 4.46% as compared with FY2022, mainly attributable to:

- A \$123k Council election costs incurred in FY2022 election,
- A \$102k landfill remediation and restoration provision in FY2022,
- A \$210k increase in the levies of emergency services to FRNSW, SES and RFS.

**Net loss from asset disposals**

Total net loss from the asset disposals decreased by \$108k or 4.40% as compared with FY2022, mainly attributable to the disposals of the net residual value of infrastructure asset from the asset register resulting from the respective asset renewals.

**2. Financial Position**

Statement of financial position represents the current and non-current assets and liabilities, equity and reserves as at the reporting date. A summary of Council’s financial position is as follows:

<b>Financial Position (\$'000)</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>Change + / (-)</b>
Current Assets	47,011	45,512	1,499
Current Liabilities	(17,082)	(18,202)	(1,120)
Net Working Capital	29,929	27,310	2,619
Non-current Assets	520,747	485,168	35,579
Non-current Liabilities	(13,554)	(14,993)	(1,439)
<b>Total</b>	<b>537,122</b>	<b>497,485</b>	<b>39,637</b>

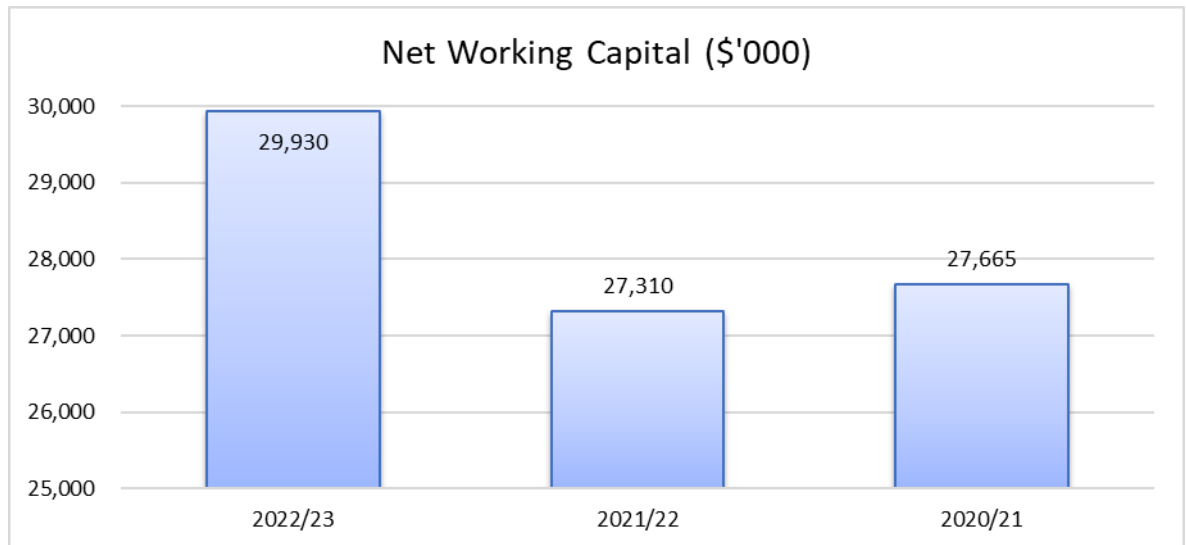
Council’s net asset position as at 30 June 2023 increased by \$39,637k (2022: \$51,141k) when compared with FY2022, primarily attributable to the following:

- A \$2,619k increase in net working capital (net current assets and current liabilities),
- A \$35,579k increase in non-current assets,
- A \$1,439k decrease in non-current liabilities.



## 2.1 Net Working Capital

Working capital measures the working fund available to Council, which is used in the day-to-day continuing operations, calculated as total current assets minus total current liabilities.



As at the reporting date, the net working capital position increased by \$2,619k or 9.58% as compared with FY2022, mainly attributable to the following:

- \$4,335k decrease in cash at bank, being the placement of term deposits at 30 June 2023 for taking a high interest yield from the term deposit investments,
- \$1,010k increase in investments of Short-term deposits maturity within 3 months,
- \$3,900k increase in investments of Short-term deposits maturity within 12 months,
- \$2,410k increase in receivables due to the net GST receivable from the ATO at the reporting date,
- \$1,647k decrease in contract assets due to the recovery for the grant funded projects for FY2022 from the grant providers under the new AASB adopted in 2021,
- \$2,305k decrease in the payables due to the timing difference of the creditors pay run at the reporting date as compared with FY2022,
- \$804k increase in contract liabilities due to the unspent grants for roads and bridges maintenance caused by higher than anticipated raining and flooding in the year under the new AASB adopted in 2021.

## 2.2 Non-Current Assets

Total non-current assets increased by \$35,579k from FY2022 primarily attributable to the following:

- A \$27,061k increase in infrastructure, property, plant and equipment (IPPE) resulting from the revaluation of operational land and buildings of \$20,890k, and water/sewer supply network revaluation indexation of \$7,133k
- A net increment of \$8,518k in IPPE, resulting from additions \$20,826k offset for the disposals \$2,597k, depreciation \$8,971k and adjustments \$742k during the year

## 2.3 Non-Current Liabilities

Total non-current liabilities decreased by \$1,439k from FY2022 primarily attributable to the following:

- A \$886k decrease in borrowing for transferring next year loan repay to current liabilities

- A \$611k decrease in other provisions for transferring the provision of landfill remediation and rehabilitation to current liabilities

### 3. Cash and Investments

An important measure of Council’s finance sustainability is the cash and investment position at the end of the reporting date. Cash received by Council for expenditure on specific projects or activities such as tied grants, water and sewer fund, stormwater levy, domestic waste management, and developer contributions, if not expended in the year, must be held as an externally restricted asset reserve. Cash assets not subject to the external restrictions may be internally allocated in accordance with Council resolution or policy. These funds are held by Council along with other funds and set aside for future expenditure as an internally restricted asset reserve. The total reserve assets are held in the form of either cash and cash equivalent or investment assets.

The table below indicates the result of cash and investments position as at 30 June 2023.

<b>Cash and Investments Position</b> <i>(\$'000)</i>	<b>FY 2023</b>	<b>FY 2022</b>	<b>Change</b> <i>+ / (-)</i>
Cash and Investment Assets at July 1	35,675	33,754	
Net cash inflow/(outflow) for the year	758	1,921	
<b>Total cash and investments at June 30</b>	<b>36,433</b>	<b>35,675</b>	<b>758</b>
Less: Externally restricted assets	(31,022)	(26,798)	(4,224)
Less: Internally restricted assets	(5,367)	(8,850)	3,483
<b>Net unrestricted cash and investments at June 30</b>	<b>44</b>	<b>27</b>	<b>17</b>

The total cash and investment assets increased by \$758k to \$36,433k as at the reporting date from FY2022’s position of \$35,675k.

After allowing for restricted assets, both externally imposed by legislation and set aside for specific internal purposes, Council has a net cash and investment surplus of \$65k as at the reporting date, which conforms to the Operational Plan for 2022/23 based on the adopted Long Term Financial Plan.

#### 3.1 Externally Restricted Reserve Funds

As at 30 June 2023, the total externally restricted reserve funds of \$31,022k (2022: \$26,798k) are set aside in the cash and investment assets, comprised of the following items:

<b>Externally Restricted Reserve Funds</b> <i>(\$'000)</i>	<b>FY 2023</b>	<b>FY 2022</b>	<b>Change</b> <i>+ / (-)</i>
Specific purpose unexpended grants	5,677	4,873	804
Developer Contributions (s.11.2 and s.64)	14,554	10,722	3,832
Water Fund	2,873	3,738	(865)
Sewerage Fund	4,682	4,222	460
Stormwater Management	126	250	(124)
Domestic Waste Management	3,110	2,993	117
<b>Total</b>	<b>30,938</b>	<b>26,798</b>	<b>4,140</b>

##### ***Specific purpose unexpended grants***

The externally restricted reserve fund for specific purpose unexpended grants of \$5,677k (2022: \$4,873k) at the reporting date relates to the grants and contributions received in advance, funding to construct infrastructure assets under the enforceable contracts which will be under Council’s control on completion. Details refer to contract liabilities (Note C3-2).

***Development Contributions***

The externally restricted reserve fund for development contributions of \$14,544k (2022: \$10,722k) at the reporting date under the Development Contribution Plan are the balance of the development contributions for the provision or improvement of amenities or services received by Council in accordance with s7.11 and s7.12 *EP&A Act 1979* and s64 *LG Act 1993*. Refer Statement of Development Contributions (Note G4-1).

***Water Fund***

The externally restricted water reserve fund of \$2,873k (2022: \$3,738k) at the reporting date is to preserve for the provision of Council water network infrastructure operations. Refer Statement of Financial Position by Fund (Note D1-2).

***Sewerage Fund***

The externally restricted sewerage reserve fund of \$4,682k (2022: \$4,222k) at the reporting date is to preserve for the provision of Council sewerage network infrastructure operations. Refer Statement of Financial Position by Fund (Note D1-2).

***Stormwater Management***

The externally restricted stormwater management reserve fund of \$126k (2022: \$250k) at the reporting date is levied under s496A *LG Act 1993* to preserve for the provision and maintenance of the drainage infrastructure operations.

***Domestic Waste Management***

The externally restricted domestic waste management reserve fund of \$3,110k (2022: \$2,993k) at the reporting date is derived from the annual charges to all rateable properties to preserve for the provision of transfer stations and the management of environmental waste matters, provision for additional infrastructure and improvements to accommodate waste disposal at all transfer stations, and provision for the purchase, maintenance and upgrade waste and recycling bins and infrastructure throughout Council area.

**3.2 Internally Restricted Reserve Funds**

Other than the cash, cash equivalents and investments not subject to externally restrictions, Council has allocated the remaining cash and investment assets as the internally restricted reserve funds at the reporting date in accordance with the resolutions and management plan policy.

These internally restrictions are at the discretion of Council, that they are not necessary to be subtracted from the "Total cash, cash equivalents and investments" as reference to the NSW OLG Code of Accounting Practice and Financial Reporting 2022/23.

As at 30 June 2023, the total internally restricted reserve funds of \$5,565k (2022: \$8,850k) are set aside in Council cash and investment assets, comprised of the following items:

Internally Restricted Reserve Funds (\$'000)	FY 2023	FY 2022	Change +/-
Plant and vehicle replacement	1,186	1,906	(720)
Employees leave entitlements	1,003	919	84
Carry over works	196	691	(495)
Binalong pool	22	22	-
Comur Street rehabilitation	20	20	-
Land and assets	1,452	1,453	(1)
Council election	135	135	-
Murrumbateman Library School ground	123	123	-
Quarry rehabilitation	106	106	-
Roads	0	44	(44)
Victoria Park	324	578	(254)
Electricity savings reserve	97	97	-
Financial assistance grant	703	2,756	(2,053)
<b>Total</b>	<b>5,367</b>	<b>8,850</b>	<b>(3,483)</b>

**Financial assistance grant**

Financial assistance grant (FAG) is provided for general operations in the budget year for which the funding is intended. Council has received \$4,003k of FAG advance as 100% for next year allocation (2002: \$2,756k of 75% FAG advance) and specifically hold \$703k as the internal restriction at the reporting date.

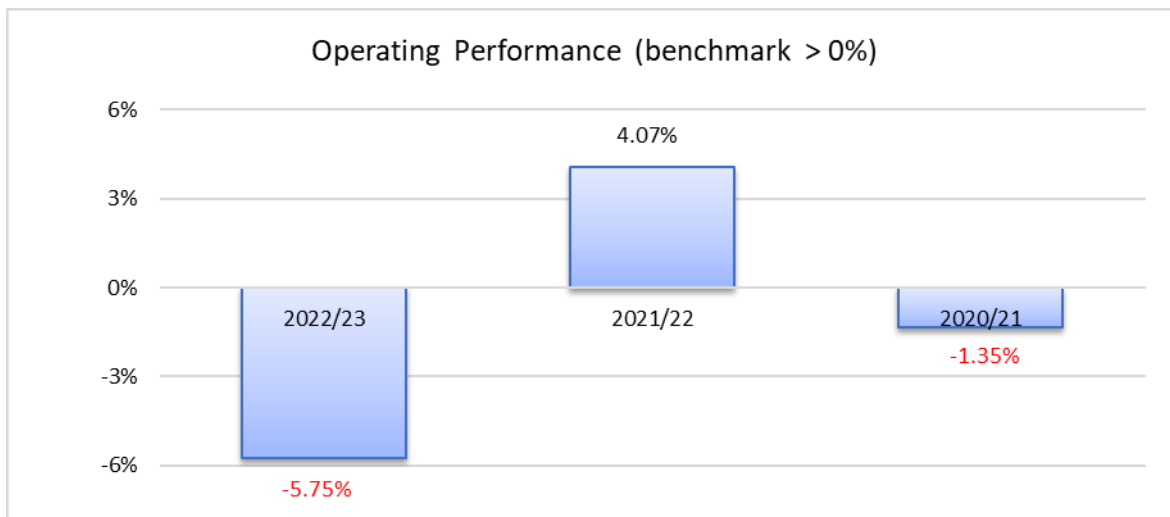
**4. Financial Performance Indicators**

Council financial performance indicators (other than operating performance ratio) continue resulting favourable, as compared with generally accepted industry benchmarks.

Performance Measurements	FY 2023	FY 2022	FY 2021	Benchmark
Operating performance ratio	(5.75%)	4.07%	(1.35%)	> 0.00%
Own source operating revenue ratio	52.00%	49.40%	51.50%	> 60%
Unrestricted current ratio	2.55x	2.39x	3.36x	> 1.50x
Debt service cover ratio	4.79x	5.30x	3.38x	> 2.00x
Rate and annual charges outstanding ratio	9.27%	5.59%	6.25%	< 10%
Cash expense cover ratio (month)	11.80	16.41	4.16	> 3.00
Building and infrastructure renewals ratio	230%	343%	134%	> 100%

**4.1 Operating Performance Ratio**

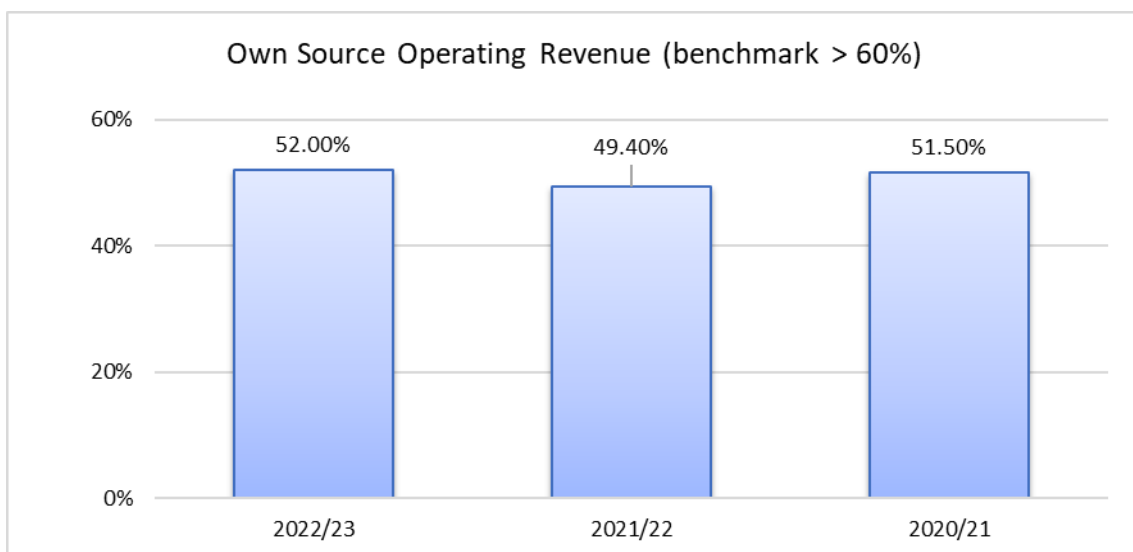
The operating performance ratio measures the extent to which Council has succeeded in containing operating expenditure within operating revenue, excluding capital grants and contributions, fair value adjustments and revaluation decrements.



For the financial year ended 30 June 2023, Council recorded the net operating result (excluding capital grants and contributions, net loss on asset disposals and investment property revaluation increment) of -\$2,086k (2022: \$1,370k) and the total operating revenue before the capital grants and contributions of \$36,292k (2022: \$33,684k), giving the operating performance ratio to -5.75% (2022: 4.07%), below the OLG benchmark >0.0%. It is mainly attributable to the operating expenses increased by \$5,886k as compared with FY2022, whereas the operating revenue maintained as the similar level as FY2022.

#### 4.2 Own Source Operating Revenue Ratio

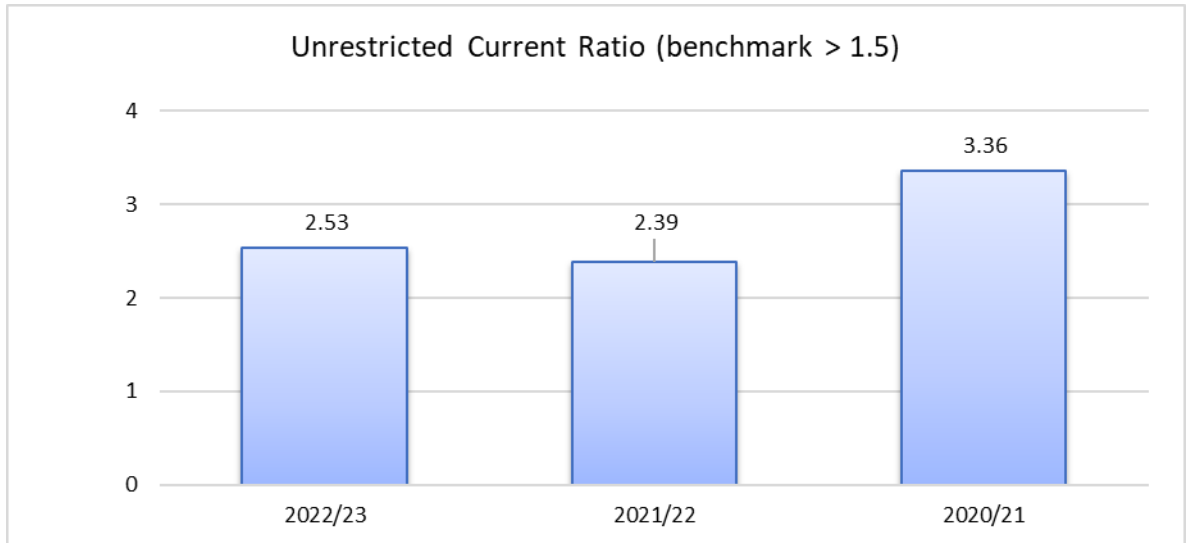
The own source operating revenue ratio measures Council’s financial flexibility on the degree of reliance on its own source revenue to the external funding sources, both operating and capital grants and contributions.



The own source operating revenue ratio for the year is 52.00% (2022: 49.40%), maintained at similar level as last two years but slightly lower than the OLG benchmark >60%, mainly attributable to improvement in operating revenue from rates and annual charges, and the investment interest income, but offset by the high level of materials and services operating expenses due to the inflation, higher than anticipated natural disasters of rains and floodings and the workforce vacancies in the year.

**4.3 Unrestricted Current Ratio**

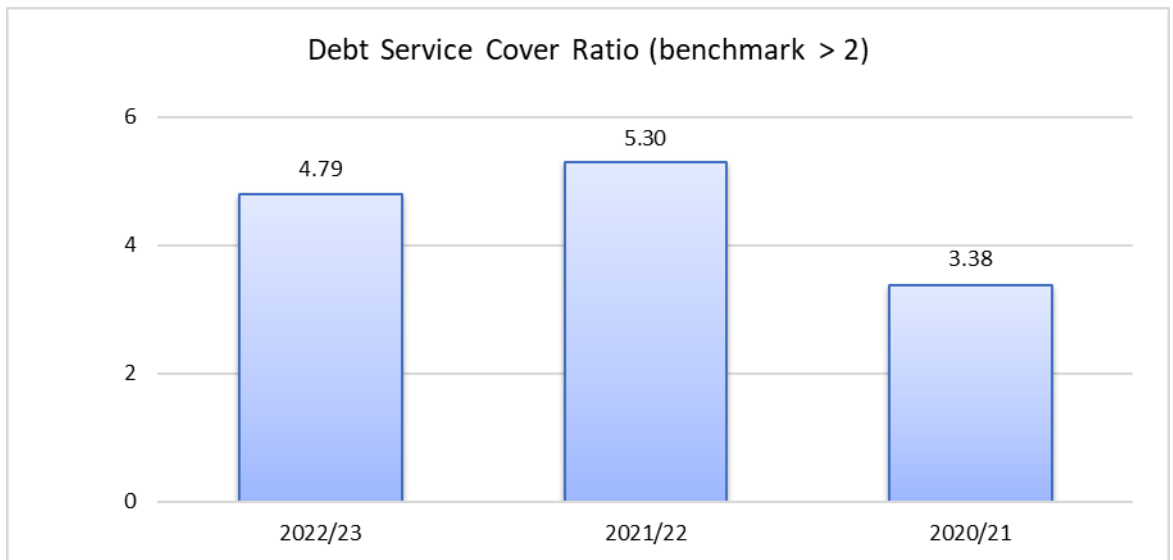
The unrestricted current ratio is a measure of the adequacy of working capital to satisfy obligations in the short term for the unrestricted activities of Council, excluding external restrictions.



As at the reporting date, the unrestricted current ratio maintained at the similar level as FY2022 and achieved the OLG benchmark >1.5x with a ratio of the unrestricted current assets 2.53 times over the unrestricted current liabilities. This ratio reflects a sound liquidity and cash flow of the short-term financial position as at the reporting date.

**4.4 Debt Service Cover Ratio**

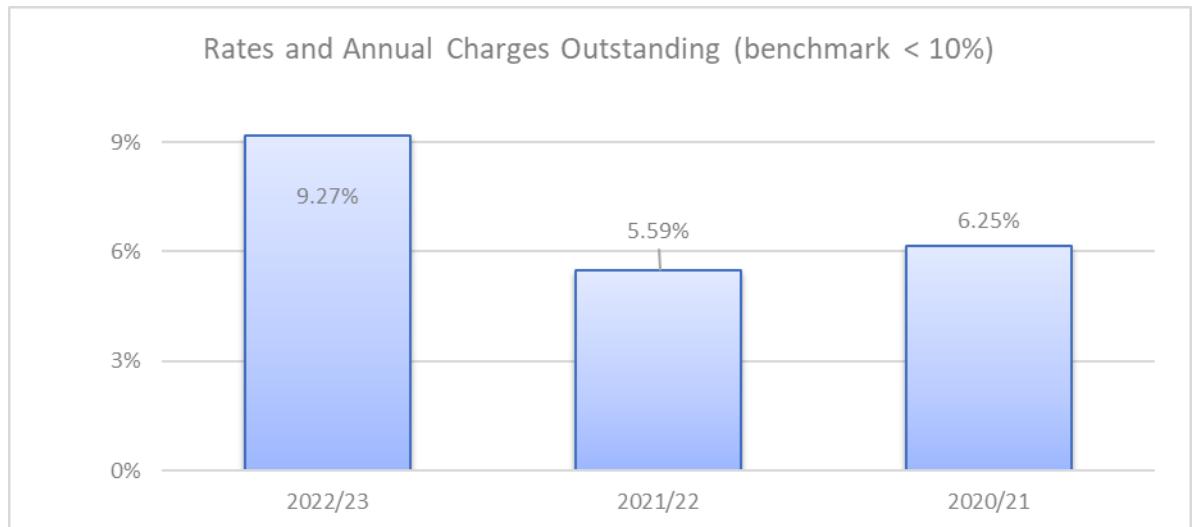
The debt service cover ratio is a measure of the degree to which revenues from operating activities excluding capital items and specific purpose grants and contributions are committed to the repayment of debt.



As at the reporting date, the debt service cover ratio has achieved the OLG benchmark >2.0x with a ratio of operating result before capital revenue excluding interest and depreciation (EBTDA) 4.79 times over the net debt service costs.

**4.5 Rate and Annual Charges Outstanding Ratio**

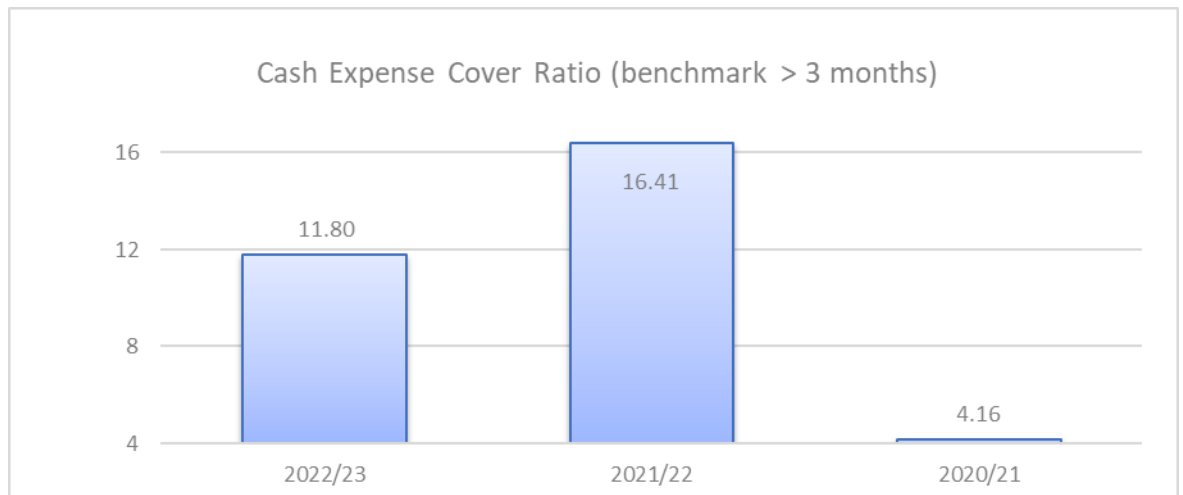
The ratio is to assess the impact of uncollected rates and annual charges on Council’s liquidity and the adequacy of recovery efforts.



As at the reporting date, the rate and annual charges outstanding ratio has achieved the OLG benchmark <10% with a ratio of rates and annual charges outstanding 9.27% of the rates and annual charges collectible. The increase in the ratio to 9.27% as compared with FY2022 is mainly attributable to the gross up \$477k of the rates payment in advance to the rates and annual charges outstanding due to the change of accounting policies from FY2021 which may impact a 2.30% on the ratio result.

**4.6 Cash Expense Cover Ratio (month)**

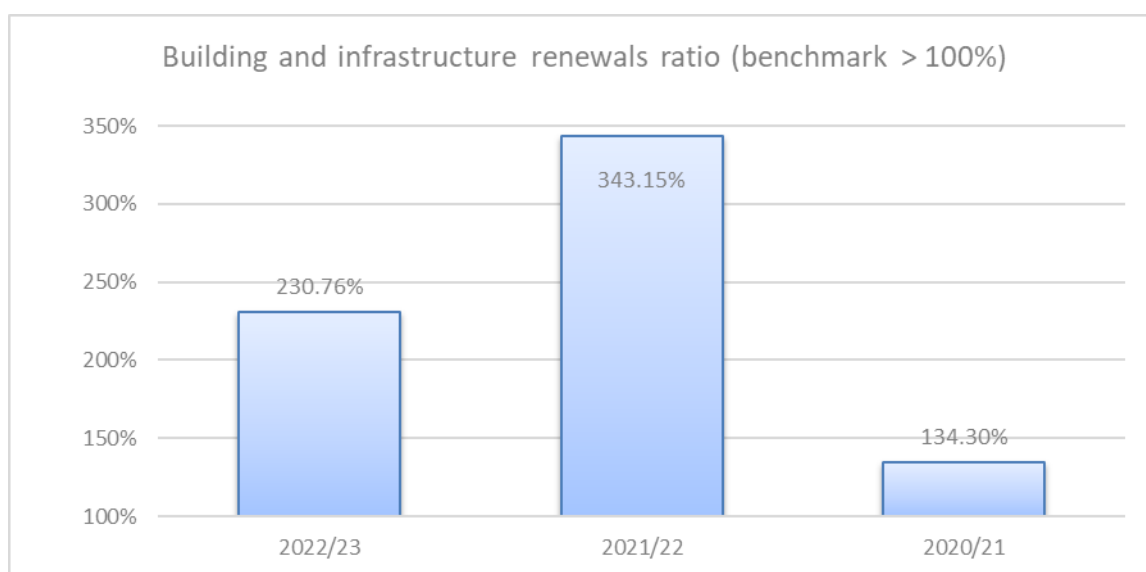
The cash expense cover ratio indicates the number of months Council can continue paying for its immediate expenses without additional cash inflow.



As at the reporting date, the cash expense cover ratio has achieved the OLG benchmark with a ratio of cash, the cash equivalents and short-term deposits 11.80 months (2022: 16.41 months) over the monthly payments from cash flow of operating and financial activities for the year.

#### 4.7 Building and Infrastructure Renewals Ratio

The building and infrastructure renewals ratio is an indication of the ratio of asset renewal to the annual depreciation of buildings and infrastructure at the reporting date. It reflects the percentage at which these assets are being renewed relative to the rate at which they are depreciating or amortising over the period.



The building and infrastructure renewals ratio of 231% for the financial year did not include \$8,949k of the prior year’s work in progress capitalised to IPPE assets, otherwise the ratio would be changed to 344.54%, as the similar level as 343% of FY2022. The high level of buildings and infrastructure renewal ratio resulted from the completion of major contractual capital projects of roads, water and sewerage networks over the two financial periods.

#### 5. Summary

Council financial performance resulted in a net operating surplus of \$12,7k for the year ended 30 June 2023. In addition, the total cash, cash equivalents and investment assets increased by \$758k to \$36,433k as at 30 June 2023. The financial performance indicators demonstrate almost all Council performance achievements well above the OLG benchmarks. In view of the financial performance and financial position highlighted in the above analysis, Council’s current financial position and cash flow is considered sound and stable as at the reporting date. The overall operating performance of Council’s functions and activities are in line with the 2022/23 Operation Plan and Budget.

However, as previously reported to Council with the adopted Long Term Financial Plan, unless opportunities to increase Council revenue base are identified and secured, the future financial pressures will present significant challenges and threaten Council’s current sound financial position.

#### 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	Abide by Accounting Standards and Office of Local Government accounts regulations

**ATTACHMENTS:** A. Draft unaudited 2022/23 Annual Financial Statements [⇒](#)



## 6.9 2023-33 LONG TERM FINANCIAL PLAN REVIEW

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### SUMMARY

Council was advised by staff when they approved the 2023-33 Long Term Financial Plan in June 2023 that staff would be reviewing it during the first quarter of the 2023/24 financial year. This report presents the reviewed Long Term Financial Plan with the quarter one approved adjustments included.

### RECOMMENDATION

*That:*

1. *The revision and update of the 2023-33 Long Term Financial Plan be noted.*
  2. *A copy of the reviewed and updated 2023-33 Long Term Financial Plan be sent to the Office of Local Government (OLG).*
  3. *A copy of the Long Term Financial Plan be placed on Council's website.*
- 

### FINANCIAL IMPLICATIONS

All financial implications are contained within the associated documents presented in this report.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

The 2023-33 Long Term Financial Plan (refer **Attachment A**) has been updated to include adjustments from the first quarterly budget review as adopted in October 2023.

The revision of the Long Term Financial Plan has been conducted to correct some errors found in the model used. The below items have been adjusted accordingly:

- The borrowing for the Crago Mill Precinct Project were included and no adjustment required.
- The capital investment for the Crago Mill Precinct Project has been reviewed and are per the latest project updates.
- Principal loan repayments have been identified as duplicated in the prior version, resulting in excessive cash outflow during the life of the plan.
- Capital expenditure was overstated from 2024/25FY to 2032/33FY.
- All one-off operating projects that had been included in the budget were flowing through the life of the plan in the prior version. They have been removed from 2024/25FY onwards.
- Depreciation expenses have been adjusted to account for the additional depreciation on capital expenses on new and updated assets. It has also been adjusted to include additional depreciation as a result of asset revaluations.
- The sale of investment property in 2031/32FY has been adjusted to account for the gain on the disposal of asset.

Council staff had discussions with the Office of Local Government following concerns raised by a community member surrounding the accuracy of Council's Long Term Financial Plan, asking for a review of Council's 2023-33 Long Term Financial Plan as the impact of the Crago Mill Precinct Project was in doubt.

This review should reassure Council that although it has had to rely on several contractors in key finance areas due to resourcing issues over the last 18 months, staff are appropriately monitoring Council finances to ensure that we are reporting according to our compliance requirements and is sustainable into the future.

**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	Abide by Accounting Standards and Office of Local Government accounts regulations

**ATTACHMENTS:** A. Revised Long Term Financial Plan [⇨](#)

## 6.10 INVESTMENT REPORT - OCTOBER 2023

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### SUMMARY

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

At the Reserve Bank October meeting, *the Board decided to leave the cash rate target unchanged at 4.10 per cent and the interest rate paid on Exchange Settlement balances unchanged at 4.00 per cent.*

*Interest rates have been increased by 4 percentage points since May last year. The higher interest rates are working to establish a more sustainable balance between supply and demand in the economy and will continue to do so.*

*Inflation in Australia has passed its peak but is still too high and will remain so for some time yet. Timely indicators on inflation suggest that goods price inflation has eased further, but the prices of many services are continuing to rise briskly, and fuel prices have risen noticeably of late.*

*Growth in the Australian economy was a little stronger than expected over the first half of the year. But the economy is still experiencing a period of below-trend growth, and this is expected to continue for a while.*

*Returning inflation to target within a reasonable timeframe remains the Board's priority. High inflation makes life difficult for everyone and damages the functioning of the economy.*

*Some further tightening of monetary policy may be required to ensure that inflation returns to target in a reasonable timeframe, but that will continue to depend upon the data and the evolving assessment of risks. In making its decisions, the Board will continue to pay close attention to developments in the global economy, trends in household spending, and the outlook for inflation and the labour market. The Board remains resolute in its determination to return inflation to target and will do what is necessary to achieve that outcome.*

*Source: Statement by Michele Bullock, Governor: Monetary Policy Decision – RBA -03/10/2023*

#### 2. Summary of movements in Council Investments

Four investments totalling \$4.4M matured during October 2023. A total of \$1M have been reinvested in one new term deposits during the month of October. Council have used the net proceeds to fund council's usual operations.

### 3. Council Cash, Cash Equivalent, and Term Deposit Investments at 31 October 2023

Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
<b>Cash Working Accounts</b>	<b>Ref.</b>						
NAB Working Account1	082-939 51-	2,619,638.67	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,104,871.58	AAA	n/a	n/a	3 day call	
		<b>7,724,510.25</b>					
<b>Term Deposits &lt; 12 Months</b>							
CBA	37623409	1,500,000.00	A+/AA-	28/02/23	29/11/23	274	4.85%
NAB	700564704	1,500,000.00	A1+/AA-	22/08/23	20/11/23	90	4.90%
NAB	364753222	1,200,000.00	A1+/AA-	06/09/23	05/09/24	365	5.20%
NAB	821149857	1,500,000.00	A1+/AA-	06/09/23	05/09/24	365	5.20%
NAB	296182199	1,000,000.00	A1+/AA-	13/09/23	12/09/24	365	5.20%
NAB	898243980	1,000,000.00	A1+/AA-	20/09/23	19/09/24	365	5.25%
AMP	CN065498	1,500,000.00	A2/BBB	14/06/23	11/12/23	180	5.40%
AMP	CN065499	1,500,000.00	A2/BBB	14/06/23	11/12/23	180	5.40%
AMP	CN065620	1,000,000.00	A2/BBB	20/06/23	20/12/23	183	5.55%
AMP	CN065876	1,000,000.00	A2/BBB	30/06/23	03/01/24	187	5.60%
Bank of Queensland	CN066559	1,000,000.00	A2/BBB+	09/08/23	08/02/24	183	5.25%
Bandigo & Adelaide Bank	CN066659	1,000,000.00	A2/BBB+	15/08/23	15/02/24	184	5.15%
Bandigo & Adelaide Bank	CN066899	1,000,000.00	A2/BBB+	30/08/23	26/02/24	180	5.05%
Bandigo & Adelaide Bank	CN065878	1,000,000.00	A2/BBB+	30/06/23	28/03/24	272	5.40%
Bank of Queensland	CN065877	1,000,000.00	A2/BBB+	30/06/23	24/04/24	299	5.50%
Great Southern Bank	CN065879	1,000,000.00	A2/BBB	30/06/23	24/05/24	329	5.63%
AMP	CN065875	1,000,000.00	A2/BBB	30/06/23	26/06/24	362	5.70%
Great Southern Bank	CN067016	1,000,000.00	A2/BBB	05/09/23	04/09/24	365	5.22%
MyState Bank	CN067069	1,500,000.00	A2/BBB+	06/09/23	05/09/24	365	5.15%
Great Southern Bank	CN067017	1,000,000.00	A2/BBB	05/09/23	11/09/24	372	5.22%
Great Southern Bank	CN067018	1,000,000.00	A2/BBB	05/09/23	18/09/24	379	5.22%
Judo Bank	CN067715	1,000,000.00	A3/BBB-	09/10/23	08/01/24	91	4.90%
		<b>25,200,000.00</b>					
<b>Total Short Term</b>		<b>32,924,510.25</b>					

### 4. Council Loans

During the month of October council started to draw down the Crago Mill funding facility from Westpac to fund the Crago Mill Project. Council now has five loans with a balance of \$13.6M owing on 31 October 2023. The table below provides loan details.

General Loan	Principal as at	Interest rate	Comment
Sewer - CBA Loan for Sewer Infrastructure	3,299,665.83	4.82%	20 years, repaid in 2035/36
Water - NAB Westpac Dam Wall	8,039,065.15	5.36%	20 years amortisation, 10 years term Aug 2032
Water - Yass to Murrumbateman water supply (Tcorp)	1,409,606.97	2.55%	10 years, full repaid in 2029
Water main and pump station upgrades (Tcorp)	770,197.63	2.55%	10 years, full repaid in 2029
Crago Mill funding facility (Westpac)	100,000.00	6.52%	20 years, full repaid 2043 - Variable rate (2.17%+BBSR)
<b>Total balance as at 30/09/2023</b>	<b>13,618,535.58</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:** Nil

## 6.11 COUNCIL'S FINANCIAL POSITION AND CRAGO MILL CONCERNS

### SUMMARY

To present correspondence from the Minister for Local Government to the Local Member for Goulburn regarding Council's Long Term Financial Plan and its ability to finance the Crago Mill Precinct Redevelopment.

### RECOMMENDATION

*That Council note the letter from the Minister of Local Government, Hon. Ron Hoenig MP to the Member for Goulburn, Wendy Tuckerman.*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

The correspondence from the Minister for Local Government (refer **Attachment A**) highlights two concerns relating to Council's financial performance i.e.

- Long Term Financial Plan
- Crago Mill Precinct Project.

The review of the Long Term Financial Plan to respond to concerns raised by the Office of Local Government is the subject of a separate report in this business paper.

In relation to the Crago Mill Precinct Project, staff contacted the Office of Local Government regarding the capital expenditure review on 1 July 2023 and a response providing the guidelines was received on 5 July 2023. In September 2023 staff submitted the documentation for the Office of Local Government to review.

The documentation included:

- Publicly available information on Council's Web Site
- Confidential information that relates to financial arrangements (including loan assessment report), building costs and risk analysis reported to closed sessions of Council. This information remains confidential at this point in time so that the tender negotiations are not prejudiced.

At this stage Council has not yet received a response from the Office of Local Government.

### 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	Abide by Accounting Standards and Office of Local Government accounts regulations

**ATTACHMENTS:** A. Minister for Local Government Letter 23 October 2023 [↗](#)

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## 6.12 2022/23 ANNUAL REPORT

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### SUMMARY

This report is to present the Council the 2022/23 Annual Report.

### RECOMMENDATION

*That the 2022/23 Annual Report be noted.*

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### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

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

### REPORT

Under s428 *Local Government Act 1993* Council is required to prepare an Annual Report each year, reporting on its achievements during the previous financial year. This is reported against objectives and performance targets set out in the *Tablelands Regional Community Strategic Plan 2016-2036*, together with any other information required by clause 217 *Local Government (General) Regulation 2005* or the integrated planning and reporting guidelines provided by the Office of Local Government.

Specifically, Council must report on its achievements in implementing its Delivery Program and Operational Plan, and the effectiveness of its principal activities in achieving the Program's objectives.

The 2021/22 Annual Report is included in **Attachment A**. Comprehensive comment is provided on all key initiatives and recurrent program/projects in the Delivery Program and Operational Plan, together with key performance indicator data.

The Annual Report will be updated to include the audited Financial Statements once it becomes available.

### 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:** A. 2022/23 Annual Report [⇒](#)

**6.13 WHS IMPROVEMENT PROGRAM UPDATE**

**SUMMARY**

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

**RECOMMENDATION**

*That Council note the Work Health & Safety Improvement Program report.*

**FINANCIAL IMPLICATIONS**

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

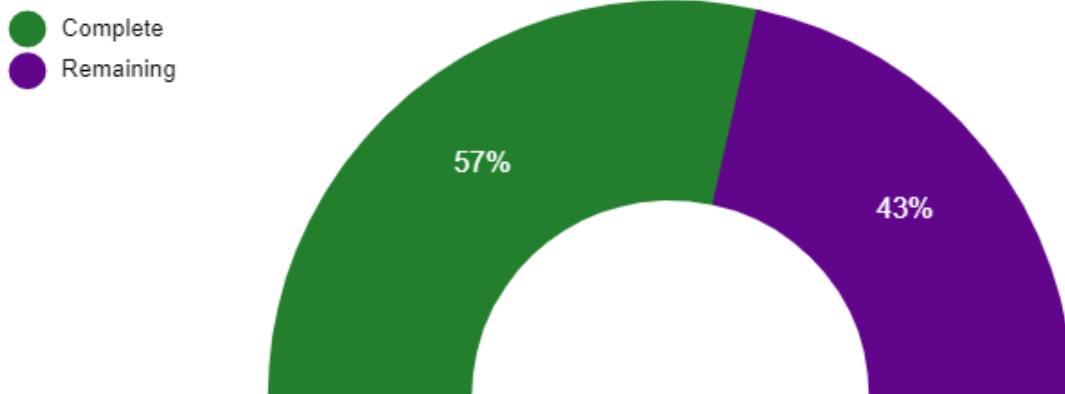
**POLICY & LEGISLATION**

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

REPORT The Work Health & Safety Improvement Program commenced in July 2022, with an expected completion date of 30 June 2024.

The Improvement Program was reported at 13% completed in May 2023. We are pleased to advise that we are currently on target to achieve completion by 30 June 2024. The graph and table below are from the WHS Improvement Program portal and highlights the current status:

**Project Task Completion Graph**



**Milestone Summary**

Health	% Complete	Tasks	Status
●	69%	Stage 1 Review	In Progress
●	62%	Stage 2 Development	In Progress
●	66%	Stage 3 Implementation	In Progress
●	14%	Stage 4 Review & Continuous improvement Planning	In Progress

**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



## 6.14 DECEMBER 2023 MEETING DATE AND TIME

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### SUMMARY

This report is to request that the December 2023 meeting date be moved to Thursday 14 December 2023 at 1.00pm, to avoid a clash with the Yass Valley Community Christmas Night Markets and Parade.

### RECOMMENDATION

*That the Council Meeting scheduled for Thursday 21 December 2022 be rescheduled to Thursday, 14 December 2023 at 1.00pm.*

---

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- Code of Meeting Practice

### REPORT

Planning is proceeding for the Yass Valley Community Christmas Night Markets & Parade to be held on 14 and 21 December 2023. To enable staff and Councillors the ability to work and attend both the Council meeting and the community event, staff are requesting Councillors consider moving forward the December 2023 meeting to Thursday 14 December 2023 from 1.00pm.

### 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

## 6.15 CHRISTMAS/NEW YEAR OPENING HOURS

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### SUMMARY

To present a report on the Christmas/New Year Opening Hours for 2023/24 and the arrangements for various Council services.

### RECOMMENDATION

*That all Council services be closed from close of business on Friday 22 December 2023 until Wednesday 3 January 2024, other than the following:*

- *Swimming Pools – open other than Christmas Day and Boxing Day*
- *Yass Valley Information Centre - open other than Christmas Day*
- *Waste Transfer Stations – open other than Christmas Day, Boxing Day and New Year’s Day*
- *Waste Collections – collections scheduled for Christmas Day will be collected on Boxing Day. Collections on other public holidays will proceed as normal*
- *Roads and Maintenance Services– skeleton crews will be maintained to attend to service needs and emergencies*
- *Water and Wastewater - skeleton crews will be maintained to attend to service needs and emergencies*
- *Duty Officer – an on-call duty officer will be maintained over the entire period.*

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### FINANCIAL IMPLICATIONS

Slight reduction in employee leave entitlements.

### POLICY & LEGISLATION

- Christmas/New Year Opening Hours & Council Meetings Policy

### REPORT

With Christmas Day this year falling on Monday under Council’s *Christmas/New Year Opening Hours & Council Meetings Policy* the organisation will be:

- Closed from close of business on Friday 22 December 2023, and
- Re-open on Wednesday 3 January 2024.

The Christmas/New Year period is a time when staff are encouraged to take a break, enjoy some time with family and for many to travel to celebrate the festive season with families and friends. It is also a time when residents also take a break and the number of inquiries to Council are minimal.

To recognise the efforts of all staff throughout the year, it is suggested that this year Council operations close at close of business on Friday 22 December 2023 and reopen on Wednesday 3 January 2024.

Usual Council services that open over this closure period (such as swimming pools, visitor information centre, waster transfer stations, and on call duty officers) will continue as per the Council policy.

Under this proposal, Council services over Christmas/New Year Period will be as follows:

Swimming Pools	Open other than Christmas Day and Boxing Day
Council Administration	Closed at close of business on 22 December 2023 and return on 3 January 2024
Yass Valley Library	Closed at close of business on 22 December 2023 and return on 3 January 2024
Yass Valley Information Centre	Open other than Christmas Day
Waste Transfer Stations	Open other than Christmas Day, Boxing Day and New Year's Day
Waste Collections	Collections scheduled for Christmas Day will be collected on Boxing Day. Collections on other public holidays will proceed as normal
Roads and Maintenance Services	Skeleton crews will be maintained to attend to service needs and emergencies
Water and Wastewater	Skeleton crews will be maintained to attend to service needs and emergencies
Duty Officer	An on-call duty officer will be maintained over the entire period

### STRATEGIC DIRECTION

Key Pillar                      Our Civic Leadership

CSP Strategy                CL1: Council is an effective, responsible and innovate organisation

Delivery Program Action CL1.5 - Council understands the aspirations of the community and seeks to unearth innovative solutions to local issues

Operational Plan Activity Participate in community, sporting, business, and charity groups to understand community needs

**ATTACHMENTS:**      Nil

## 6.16 NEGOTIATED TENDER EVALUATION REPORT - CONTRACTOR PROCUREMENT YASS CIVIC & CRAGO MILL PRECINCT DEVELOPMENT - YVC.IA.22.2023

### SUMMARY

This report describes the procurement and negotiated tender evaluation process undertaken to procure a head contractor to deliver the Yass Civic and Crago Mill Precinct Development.

### RECOMMENDATION

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

### FINANCIAL IMPLICATIONS

Funding for the project has been included in the current 2023/24 Operational Plan.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

#### 1. Background

In April 2023 Council resolved to tender for a head contractor to submit pricing based on the 80% design plans. Council, in conjunction with APP Group, undertook procurement through the Tenderlink portal via a Public Tender process to attract Tier 1 and 2 building contractors for this project. A compulsory pre-tender registration meeting was held on 4 July 2023 with three contractors in attendance.

#### 2. Tender

Tenders were called on 22 June 2023 and closed on 17 November 2023. Two tenders were received from the following organisations:

Organisation	Address
David Payne Constructions Pty Ltd	Dubbo NSW 2830
FDC Building Pty Ltd	Forrest Lodge NSW 2037

Council resolved at the September 2023 meeting that:

1. *Both Tenders for the Crago Mill Precinct development be rejected.*
2. *The Chief Executive Officer and his nominated staff be authorised to enter into negotiations with both tenderers to identify savings in build cost to provide further assurance of capacity for cost increases and price variations within the budgeted price.*
3. *A further report on the preferred contractor be brought back to Council for determination on the outcome of negotiations. This report to include referee and financial checks on the preferred contractor.*

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

**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	Construction of Crago Mill Precinct

**ATTACHMENTS:** Nil

## 8.1 QUESTION WITH NOTICE - DEVELOPMENT APPLICATION PROCESSING

### Question

Councillor Jasmin Jones submitted the following Questions with Notice:

1. What is the current number of DA's awaiting approval (including commenced, not yet commenced) plus those processed in year to date.
2. What is the average processing time?
3. What is the target processing time the CEO has set or in collaboration with the Planning Director has set for the Planning team?
4. How does this compare with pre-covid 2019 figures of both quantity of DA's processed and performance time?
5. How does YVC compare with surrounding LGA's?
6. What measures are in place to look for continual improvements if meeting targets or if not meeting targets what is being done within the set budget to clear backlog?

### Response

The response to the questions raised are as follows:

1. *What is the current number of DA's awaiting approval (including commenced, not yet commenced) plus those processed in year to date.*

The table below gives a status of all applications including DAs as of 2 November 2023.

Application Type	Number
Development Applications	113
Modifications of Development Consent	7
Subdivision Certificates	4
Complying Development Certificates	7
Construction Certificates	12
Occupation Certificates	30
s.68 – Plumbing Works	10
s.68 – Solid Fuel Heater	2
Building Information Certificates	6
Tree Removal	2
<b>Total</b>	<b>193</b>

2. What is the average processing time?

The Average Assessment Times between 1 April 2023 to 30 October 2023 are as follows:

Application Type	Days
Development Applications	137*
Modifications of Development Consent	98
Subdivision Certificates	40
Complying Development Certificates	78
Construction Certificates	118
Occupation Certificates	60
s68 – Plumbing Works	23
s68 – Solid Fuel Heater	29
Building Information Certificates	29
Swimming Pool Compliance Certificates	12
Tree Removal	30
<b>Combined Average</b>	<b>59</b>

\*Does not include ‘stop the clock’ provisions and this is done manually.

3. What is the target processing time the CEO has set or in collaboration with the Planning Director has set for the Planning team?

There is no target processing time set by the CEO. The *Environmental Planning & Assessment Regulation 2021* indicates that the timeframes for determining Development Applications i.e.

Application Type	Determination Timeframe
<ul style="list-style-type: none"> <li>Designated Development</li> <li>Integrated Development</li> <li>Development Requiring Concurrence</li> <li>DA accompanied by a Biodiversity Assessment</li> </ul>	60 days
<ul style="list-style-type: none"> <li>State Significant Development</li> </ul>	90 days
<ul style="list-style-type: none"> <li>All other Development Applications</li> </ul>	40 days

4. How does this compare with pre-COVID 2019 figures of both quantity of DA's processed and performance time?

The following table details the number and processing times of approvals between 2018/19 and 2019/20:

	2018/19	2019/20
DAs Determined	304	219
CDCs Determined	16	26
Average gross DA processing time	88 days	103 days

5. How does YVC compare with surrounding LGA's?

A comparison of processing times between 2021/22 and 2022/23 is detailed in the following table:

	2022/23 DAs Determined	2022/23 Gross Days	Value	2021/22 Gross Days	2021/22 Determined	Value
Hilltops	191	77	\$72.4m	50	241	\$36.1m
Goulburn	313	87	\$110.3m	67	469	\$117.4m
Queanbeyan	621	153	\$470.2m	122	641	\$239.8m
Upper Lachlan	125	113	\$29.9m	80	97	\$27.4m
Cootamundra Gundagai	122	63	\$34.9m	44	191	\$69.6m
Yass	258	109	\$91.6m	97	237	\$77.5m

**Note** – this information is from the portal data and is based on financial year

6. What measures are in place to look for continual improvements if meeting targets or if not meeting targets what is being done within the set budget to clear backlog?

The Manager Development Control, Kate Baker, made a presentation for the Leadership Program on 11 October 2023 for the Executive and Councillors on the continuous improvement projects she has been undertaking. Some of the work that she has implemented (noting that she has done all of this since returning from leave in February 2023):

**Process Improvements to Decrease Assessment Times**

1. **Change in 'determination process' for Development Applications** – moving administration tasks to the Administration Support Team to free-up time for assessing officers. Administration Support Team are now stamping plans, uploading determination documents to the planning portal and MagiQ, closing off tracking in the portal and internal systems and contacting the applicant. These tasks were previously undertaken by the assessing officer for each application, which was time consuming and at times, cumbersome.
2. **Recruitment** – working with Human Resources and external recruiters to fill vacant positions in the Development Assessment Team. Currently four vacant positions: Development Planner, Assistant Development Planner, Assistant Building Certifier and Trainee Building Certifier.
3. **Creation of the 'Master List' of applications** – MagiQ does not allow oversight of *all* applications and assessment times. The Master List allows oversight which in-turn allows issues to be identified and progressed/resolved.

The data that relates to Yass Valley Council is now being reported in the Monthly Councillor Briefing Reports. A few observations from the perspective of the Director Planning & Environment:

- The Planning Portal has really changed the way we work and how all applications are managed. There is significant time spent managing the portal and answering questions from the public about it.
- It is considered that complaints about applications have reduced now that the Manager has a master list and is constantly monitoring workloads and application assessment. There is still the occasional 'surprise' but overall it is felt that these are becoming less.
- Staffing has been a challenge since the Director arrived in July 2020. The salaries paid by Yass Valley Council for professional staff is below market and makes recruitment really difficult.
- The continuous improvement projects are ongoing.

**ATTACHMENTS:** Nil



## 9.1 MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE MEETINGS HELD ON 19 SEPTEMBER 2023 AND 31 OCTOBER 2023

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### REPORT

The minutes of the Sustainability Advisory Committee meetings held on 19 September 2023 and 31 October 2023 are included in **Attachments A** and **B**.

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

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

The recommendation in relation to Item 5.1 Food Organics and Garden Organics Service at the 19 September 2023 meeting outlined an approach to community engagement via focus groups discussions. This recommendation is only now being presented to Council for endorsement. The delay in presenting these minutes is due to the lack of feedback from Committee members following the circulation of the draft minutes.

At the 31 October 2023 meeting a report, Item 4.5 Community Engagement in the Design of a FOGO Service – Current Status and Issues indicated that:

*A number of focus group sessions have been scheduled with village progress associations (Binalong and Murrumbateman) and the methodology established in the engagement / research strategy tested with members of the Bowning District Progress Association at a meeting on 18 October 2023.*

In addition, the report indicated that Focus Group meetings to be facilitated by two members of the Committee.

Section 355 *Local Government Act 1993* indicates that Council may delegate a Council function to a Committee. This is covered in the introduction of the Committee Guidelines which indicates the Yass Valley Council Committees are advisory only – they have the capacity to advise Council and make recommendations to Council but there is no delegation to undertake an activity such as running a Focus Group meeting on behalf of Council.

It is acknowledged there is provision in the Committee Guidelines for members to engage with community to assist with presenting ideas and suggestions to the Sustainability Advisory Committee for recommendations to Council for endorsement, but this does not extend to conducting Focus Group meetings which should be organised by Council.

Without any delegation in place the undertaking of Focus Group meetings by the Committee members should cease immediately.

Council's *Community Engagement Strategy* outlines methodologies for engagement as appropriate to the specific activity, service or project and within resource and budget constraints. As indicated in this strategy a Communication Plan is developed by the project manager. For the FOGO project, Sustainability Committee members can provide input to such a plan and once the plan has been endorsed by Council it will become the responsibility for the project manager to implement.

**RECOMMENDATION**

*That the minutes of the Sustainability Advisory Committee meetings held on 19 September 2023 and 31 October 2023 be noted and the following recommendation adopted:*

**Item 5.1 Food Organics and Garden Organics Service (19 September 2023)**

*That:*

- *Council conduct of a bin audit, consistent with the guidelines issues by the EPA, in order that necessary data be collected to assist in the design of a future FOGO collection service*
- *In parallel with the bin audit, undertake the surveying and engagement of the community on a future FOGO collection service, adapting materials and background information from other Local Councils where appropriate and available*
- *Establish focus groups, in the first instance, through approaching existing community, environment and business organisations in Yass Valley seeking participants in the surveying / engagement process on FOGO services.*

**ATTACHMENTS:** A. Sustainability Advisory Committee Minutes 19 September 2023 [⇒](#)  
B. Sustainability Advisory Committee Minutes 31 October 2023 [⇒](#)

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## 9.2 MINUTES OF THE LOCAL TRAFFIC MANAGEMENT COMMITTEE MEETING HELD ON 1 NOVEMBER 2023

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### REPORT

The minutes of the Local Traffic Management Committee meeting held on 1 November 2023 are included in **Attachment A**.

From these minutes there are items which covers a matter that:

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

### RECOMMENDATION

*That the minutes of the Local Traffic Management Committee meeting held on 1 November 2023 be noted and the following recommendation adopted:*

#### **Item 9.1 – 2023 Yass Christmas Parade Event**

*That the proposed 2023 Christmas Parade and associated road and car park closures be approved subject to the following conditions:*

1. *The organiser is to supply Council with a copy of the current Public Liability Insurance for the event with a minimum \$20,000,000 indemnity. Transport for NSW, NSW Police and Yass Valley Council are to be identified on the insurance document as “interested parties” or equivalent*
2. *The event organiser develop and implement a Traffic Management Plan (TMP) and associated Traffic Guidance Scheme (TSG)*
3. *The event organiser provide Council with a Risk Management Plan for the event*
4. *The event organiser is responsible for directly notifying all residents that may be affected by the approved events as soon as possible*
5. *The event organiser is responsible for placing signs in the Crago Street carpark advising of the closure of the carpark*
6. *The event organiser is responsible for directly notifying all commercial premises etc in Comur Street from Polding Street to the Yass River advising of the road closure of Comur Street*
7. *The event organiser is responsible for directly notifying all school bus operators of the road closure of Comur Street as soon as possible*
8. *The event organiser is responsible for public notification of the road closure*
9. *Event marshals, event participants etc. will at all times obey the provisions of NSW Transport Legislation*
10. *The event organiser is to arrange the supply and installation/removal of appropriate signs etc. identified in the TMP and associated TGS. All personnel involved must be appropriate accredited*
11. *The event organiser is to ensure any local traffic, emergency services vehicles etc can safely and efficiently access/egress any property impacted by the TMP and associated TGS*
12. *Event organisers, event marshals, volunteers, event participants etc. are to take all possible actions to minimise the effect of the event on the non-event community, throughout the event*
13. *Event organisers shall comply with the above conditions and the undertakings in its submission. Failure to comply will immediately void this approval*

**ATTACHMENTS:** A. Local Traffic Management Committee Minutes 1 November 2023 [⇒](#)

### 9.3 MINUTES OF THE RESCUE AND LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETINGS HELD ON 9 NOVEMBER 2023

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#### REPORT

The minutes of the Rescue and Local Emergency Management Committee meetings held on 9 November 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 9 November 2023 be noted.*

- ATTACHMENTS:**
- A. Rescue Committee Minutes 9 November 2023 [⇒](#)
  - B. Local Emergency Management Committee Minutes 9 November 2023 [⇒](#)

**9.4 MINUTES OF THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW COMMITTEE  
MEETING HELD ON 3 NOVEMBER 2023**

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**REPORT**

The minutes of the Chief Executive Officer's Performance Review Committee meeting held on 3 November 2023. As this meeting relates to a personnel matter concerning a particular individual it is recommended that the matter be dealt with in Closed Session.

**RECOMMENDATION**

*That this item be classified as 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).*

**ATTACHMENTS:** Nil

## 10 Confidential Matters

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### 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 Negotiated Tender Evaluation Report - Contractor Procurement Yass Civic & Crago Mill Precinct Development - YVC.IA.22.2023**

Item 10.1 is confidential in accordance with 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 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 Minutes of the Chief Executive Officer's Performance Review Committee Meeting held on 3 November 2023**

Item 10.2 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.