



Minutes of the Ordinary Meeting of Council

Thursday 26 October 2023

4.00pm

Council Chambers

209 Comur Street, Yass

Table of Contents

| | | |
|------------|---|----------|
| 1. | Prayer | 2 |
| 2. | Apologies | 2 |
| 3. | Declaration of Interest/Disclosures | 2 |
| 4. | Confirmation of Minutes | 2 |
| 5. | Mayoral Minute..... | 3 |
| 6. | Reports to Council | 3 |
| 6.1 | Development Application No. DA230294 - Shed with Amenities and Swimming Pool - 37 Camp Street, Murrumbateman..... | 3 |
| 6.2 | Revised Renewable Energy Policy..... | 3 |
| 6.3 | TfNSW Executive Leadership Safety Summit | 5 |
| 6.4 | Rates Arrears..... | 5 |
| 6.5 | Investment Report - September 2023 | 6 |
| 6.6 | 2023/24 First Quarterly Budget Review Statements | 6 |
| 6.7 | Spring Seniors, School Holiday, and NAIDOC Programs | 6 |
| 6.8 | 2023 Yass Valley Community Late Night Shopping and Christmas Parade | 7 |
| 6.9 | Tender Evaluation Report - Provision of Caravan Park Management Services - YVC.PE.41.2023. | 7 |
| 7. | Notice of Motion | 7 |
| 7.1 | Notice of Motion - Safety of Yass Valley Children and Youth Travelling to the ACT for Education | 7 |
| 8. | Questions with Notice..... | 8 |
| 8.1 | Question With Notice - Direct Negotiations Over Crago Mill Development | 8 |
| 9. | Minutes and Recommendations of Council Committees..... | 8 |
| 9.1 | Minutes of the Aboriginal Consultative Committee Meeting held on 7 September 2023 | 8 |
| 9.2 | Minutes of the Murrumbateman Playground Project Committee held on 16 October 2023 | 9 |
| 9.3 | Meeting Notes of the Public Art Focus Group held on 9 October 2023 | 9 |
| 10. | Confidential Matters..... | 9 |
| 10.1 | Tender Evaluation Report - Provision of Caravan Park Management Services - YVC.PE.41.2023 | 10 |

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, MURRUMBATAMAN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.