



## **Ordinary Meeting of Council**

**Thursday 24 October 2024**

**4.00pm**

**Yass High School**

**Grampian 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**

**November 2024**

**Thursday 28th**

**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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Nil

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Nil

**Close of Meeting Time**

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



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

**Thursday 10 October 2024**

4:00 PM

Yass High School

Grampian Street, Yass

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**Extraordinary Council Meeting - The CEO declared the meeting open at 4.07pm.**

**Present**

Councillors - Cecil Burgess, Kristin Butler, Adrian Cameron, David Carter, Alvaro Charry, Fleur Flanery, Jasmin Jones, Allan McGrath, and David Rothwell.

Staff present - Chief Executive Officer – Chris Berry, Director of Planning & Environment – Julie Costa, Director of Infrastructure & Assets – Nathan Cooke, Director of Corporate & Community – Lynette Safranek and Executive Support Officer – Katie Yeo.

**Acknowledgement of Country**

**1. Prayer**

**2. Apologies**

Nil

**3. Declaration of Interest/Disclosures**

Nil

**4. Reports to Council**

**4.1 OATH & AFFIRMATION FOR COUNCILLORS**

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**SUMMARY**

The *Local Government Act 1993* requires Councillors to take either an oath or an affirmation of office at or before the first meeting of the Council after the Councillor is elected.

**RECOMMENDATION**

*That all Councillors undertake an oath or affirmation individually and the details be recorded in the Council minutes.*

***Councillors Burgess, Rothwell, Flanery, Cameron, Jones, McGrath and Charry undertook the Oath of Office.***

***Councillors Butler and Carter undertook the Affirmation of Office.***

**4.2 ELECTION OF MAYOR AND DEPUTY MAYOR**

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**SUMMARY**

To provide the framework for the election of the Mayor and Deputy Mayor.

**RECOMMENDATION**

*That:*

- 1. The method of electing the Mayor will be by Ordinary Ballot with the returning officer declaring the number of votes for each candidate.*
- 2. All ballot papers be destroyed following the election.*

3. *A Deputy Mayor be elected for the same term as the Mayor and the system of election be the same as used for the election of the Mayor.*
4. *The Chief Executive Officer proceed with the election of the Mayor and Deputy Mayor.*

### ***Election of Mayor***

In accordance with the *Local Government (General) Regulation 2005 (Schedule 7)* the Chief Executive Officer as Returning Officer called for nominations for the position of Mayor. He advised that there were three nominations for the position of Mayor, being Councillors Jones, Cameron, and Carter. The Chief Executive Officer called for any further nominations. No further nominations were made.

Councillors Jones, Cameron, and Carter addressed the Council.

An election was held under by ballot vote with the following result:

- Ballot One:
  - Councillor Jasmin Jones – 5
  - Councillor Adrian Cameron - 1
  - Councillor David Carter - 3
- Councillor Adrian Cameron was eliminated.
- Ballot Two:
  - Councillor Jasmin Jones – 5
  - Councillor David Carter - 4

**The Chief Executive Officer, as Returning Officer, declared Councillor Jasmin Jones elected as Mayor for the period 10 October 2024 to 10 October 2026.**

### ***Election of Deputy Mayor***

In accordance with the *Local Government (General) Regulation 2005 (Schedule 7)* the Chief Executive Officer as Returning Officer called for nominations for the position of Deputy Mayor. He advised that there were two nominations for the position of Deputy Mayor, being Councillors Butler and Cameron.

Councillor Adrian Cameron withdrew his nomination.

**The Chief Executive Officer, as Returning Officer, declared Councillor Kristin Butler elected as Deputy Mayor for the period 10 October 2024 to 10 October 2026.**

## **4.3 DELEGATION OF AUTHORITY TO THE MAYOR**

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### **SUMMARY**

Delegations of Authority are made by Councils to ensure the effective day to day operations of Council and in accordance with the *Local Government Act 1993*.

***RESOLVED that Delegations to the Mayor Policy be adopted and the Instrument of Delegation to the Mayor be signed.***

***(McGrath/Butler) 1***

***FOR: Councillors C Burgess, K Butler, J Jones, A McGrath and D Rothwell***

***AGAINST: Councillors A Cameron, D Carter, A Charry and F Flanery***

### ***Foreshadow Motion:***

***Council request further information so that it can discuss in further detail at the next council meeting.***

***Cameron***



#### 4.4 CASUAL VACANCIES WITHIN 18 MONTHS OF LAST ORDINARY ELECTION

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##### SUMMARY

Should a casual vacancy occur during the term of Council a by-election is generally required to fill the casual vacancy. If a casual vacancy occurs within 18 months of the last Ordinary Election of Councillors, the vacancy the casual vacancy can be filled by a countback of votes cast in the last election.

**RESOLVED that pursuant to s291A(1)(b) Local Government Act 1993 Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last Ordinary Election of Councillors for the Council on 14 September 2024 are filled by a countback of votes cast at that election for the office in accordance with s291A of the Act and directs the Chief Executive Officer to notify the NSW Electoral Commissioner of the Council's decision within seven days of the decision.**

*(McGrath/Carter) 2*

**FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell**

**AGAINST: Nil**

#### 4.5 COUNCIL MEETING TIMES

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##### SUMMARY

To consider Council meeting times.

**RESOLVED that council move into committee of the whole to discuss meeting times.**

*(Butler/Cameron)*

**RESOLVED to move back into open council**

*(Burgess/Rothwell)*

**RESOLVED that the date and time of the council meetings remain as per the current code of meeting practice.**

*(Carter/McGrath) 3*

**FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell**

**AGAINST: Nil**

#### 4.6 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2024

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## SUMMARY

Local Government NSW (LGNSW) hold a Conference annually. This year the conference will be held from 17 to 19 November 2024, Tamworth Regional Entertainment & Conference Centre, Tamworth. The purpose of the conference is to shape the advocacy agenda for 2025 and to vote on motions presented to the conference.

Council needs to elect two voting delegates for LGNSW Conferences.

**RESOLVED that Councillors Jones and Cameron to attend as voting delegates for the Local Government NSW Conferences.**

(Butler/Flanery) 4

**FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell**

**AGAINST: Nil**

## 4.7 AUDIT, RISK & IMPROVEMENT COMMITTEE

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### SUMMARY

To appoint one Councillor to the Audit, Risk & Improvement Committee.

**RESOLVED that Councillor Carter be appointed to the Audit, Risk & Improvement Committee.**

(Rothwell/Burgess) 5

**FOR: Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell**

**AGAINST: Nil**

## 4.8 REGIONAL PLANNING PANEL - COUNCIL MEMBERS

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### SUMMARY

To appoint Council members and alternate members for the Southern Regional Planning Panel.

**RESOLVED that:**

- 1. Council nominate Councillor Fleur Flanery as the Council member and the nominated alternate member be Councillor Allan McGrath for the Southern Regional Planning Panel.**
- 2. The appointments of Scott Martin (Director Planning & Environment Goulburn Mulwaree Council) as a Council member and Ruth Ormella (Director Development & Environment, Queanbeyan Palerang Regional Council) as an alternate member to the Southern Regional Planning Panel be noted**

(Rothwell/Butler) 6

## Minutes of the Extraordinary Meeting of Council held on 10 October 2024

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**FOR:** *Councillors C Burgess, K Butler, A Cameron, D Carter, A Charry, F Flanery, J Jones, A McGrath and D Rothwell*

**AGAINST:** *Nil*

The meeting closed at 5.06pm

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## 6.1 PLAN OF MANAGEMENT - MURRUMBATEMAN OLD SCHOOL HOUSE AND PLAYGROUND SITE

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### SUMMARY

In August 2024 Council considered a draft Plan of Management for Old Murrumbateman School House, however since that time Council has been advised that Crown Reserve 97127 has had an additional use added as well as an expansion in the size of the reserve. The purpose of this report is to present the updated draft Plan of Management for the Old Murrumbateman School House and Playground Site reflective of these changes for endorsement in order that it may be placed on public exhibition.

### RECOMMENDATION

*That:*

- 1. The draft Old Murrumbateman School House and Playground Site Plan of Management be notified to Crown Lands, as the owner of the property.*
- 2. The draft Plan of Management be forwarded to the Minister for Crown Lands under clause 70B Crown Lands Management Regulation 2018 seeking approval to adopt.*
- 3. Upon advice of the Minister for Crown Lands that the draft Plan of Management may be adopted, Council place the Draft Plan of Management on exhibition for a period of not less than 28 days.*
- 4. Should no objections be received that require significant changes to the draft Plan of Management, then it be adopted pursuant to s40 Local Government Act 1993*

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### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

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

### REPORT

At its meeting on 22 August 2024 Council resolved:

- 1. The draft Old Murrumbateman School House Plan of Management be notified to Crown Lands, as the owner of the property.*
- 2. The draft Plan of Management be forwarded to the Minister for Crown Lands under clause 70B Crown Lands Management Regulation 2018 seeking approval to adopt.*
- 3. Upon advice of the Minister for Crown Lands that the draft Plan of Management may be adopted, Council place the Draft Plan of Management on exhibition for a period of not less than 28 days.*
- 4. Should no objections be received that require significant changes to the draft the Plan of Management, the Plan of Management be adopted pursuant to s40 Local Government Act, 1993.*

The draft Plan of Management for Old Murrumbateman School House (PoM) considered by Council at that meeting related to part of Crown Reserve 97127 (refer **Attachment A**). However, Council has been advised that Crown Reserve 97127 has had an additional use added as well as an expansion in the size of the reserve under Council's control (refer **Attachment B**). The purpose of this report is to present the updated draft PoM for Crown Reserve 97127 for Council's consideration.

The *Crown Land Management Act 2016* came into force on 1 July 2018. As the appointed land manager, Council is required to prepare a Plan of Management (POM) for Crown Land under its care and control as if

they were Community Land under the *Local Government Act 1993*. A PoM outlines how the land can be used, developed and managed, how leases and licences or other interests are granted on Community Land and determines the scale and intensity of current and future use and development on the land.

On 20 April 2021 the Minister for Planning, Industry & Environment – Crown Lands approved the categorisation of Preservation of Historical Sites and Buildings for this Reserve being the Old Murrumbateman School House. An additional reserve purpose for community purposes was added 19 July 2024 and the reserve was expanded to include the whole of Lot 55 DP754900. This is consistent with the Crown Categorisation of ‘General Community Use’ of this reserve. All of the reserve is now under the care and control of Council.

A draft PoM has been prepared applying to all of Lot 55 DP754900 being the old Murrumbateman Schoolhouse and the approved location of the proposed all abilities playground in Murrumbateman (refer **Attachment C**). It provides direction for the asset management of the Old Murrumbateman School House, development of the playground, how the land can be used and provides the framework for Council to follow in relation to the leasing, licencing, and permit processes for the land.

Council has received Native Title Manager advice stating that:

*“Council may have confidence that in the event of any native title claim over Old Murrumbateman School House (R97127), the previous exclusive possession act (PEPA) that affects the whole of the Crown Land in Old Murrumbateman School House will be regarded for the purposes of the Native Title Act (Cwlth) and the Native Title Act (NSW) as having the effect of having extinguished native title rights over the land affected by the public works. The adoption of the plan of management will not have an effect on native title rights over the PEPA-affected whole of Old Murrumbateman School House (R97127) as the previous exclusive possession act (PEPA), being former freehold ownership by virtue of a Crown grant, has the effect of extinguishment on the affected land if subject to judgment in a native title claim. The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation and the purpose of the Crown reserve is a valid future act.”*

Upon being advised of the additional reserve purpose of ‘Community Purposes’ and the expanded reserve area, Council needed to satisfy itself that the updated PoM was a valid act for the purposes of the Native Title Act. In accordance with Section 24JA(1)(e)(i) and (ii) Council is satisfied that the expanded area covered by the reserve will have no greater impact on native title than the impact of any act that could have been undertaken on the reserve as it existed on 23 December 1996, being date nominated by the Act. Accordingly, Council may endorse the PoM as a draft for referral to the Minister administering the *Crown Land Management Act 2016*.

The draft PoM is considered suitable for public exhibition to seek feedback from the community on the proposed management of the reserve.

## 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 playground in Murrumbateman

- ATTACHMENTS:**
- A. Locality Plan - Draft PoM (August 2024)
  - B. Locality Plan - Draft PoM (October 2024)
  - C. Draft Plan of Management Murrumbateman Old School House and Playground Site (October 2024)

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## 6.2 GATEWAY DETERMINATION - WEE JASPER FISHERMAN'S SHACKS, HERITAGE LISTING IN YASS VALLEY LOCAL ENVIRONMENTAL PLAN 2013

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### SUMMARY

At Council meeting of 24 April 2024 it was resolved that the Planning Proposal (PP-2024-419) to include nine cabins at Swinging Bridge Reserve, Nottingham Road, Wee Jasper in Schedule 5 of *Yass Valley Local Environmental Plan 2013* be referred to the Department of Planning, Housing & Infrastructure for a gateway determination. A gateway determination has been received by way of refusal.

### RECOMMENDATION

*That it be noted that the gateway determination for the Planning Proposal (PP-2024-419) to include nine cabins at Swinging Bridge Reserve, Nottingham Road, Wee Jasper in Schedule 5 of the Yass Valley Local Environmental Plan 2013 has been refused.*

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### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

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

### REPORT

#### 1. Background

At its meeting on 24 April 2024, Council resolved:

1. *The Planning Proposal to include 9 cabins at Swinging Bridge Reserve, Nottingham Road, Wee Jasper in Schedule 5 of the Yass Valley Local Environmental Plan 2013 be referred to the Department of Planning, Housing & Infrastructure for a gateway determination.*
2. *The Department of Planning, Housing & Infrastructure be advised that Council does not wish to utilise delegations as the Local Plan Making Authority for the Planning Proposal.*

**Attachment A** shows the location of the subject site.

#### 2. Report

Council received the gateway determination (refer **Attachment B**) from the Department of Planning, Housing & Infrastructure dated 22 August 2024 advising that an amendment to the *Yass Valley Local Environmental Plan 2013* to list the Wee Jasper Fisherman's Shacks as an item of local heritage be refused for the following reasons:

- There is inadequate justification for listing the items at this time as the supporting heritage study is considered to be dated.
- Crown Lands, landowner of the Swinging Bridge Reserve, does not support the heritage listing of the cabins as their recent commissioned study, while draft, does not find that the existing structures warrant consideration of local heritage status.
- There is currently a lack of clarity and uncertainties related to the future boundary and ongoing management of the Swinging Bridge Reserve cabins, including the issues of the road alignment and the siting of structures within the Nottingham Road, road reserve. Currently, there is discussions between Council and Crown Lands to resolve these issues.

Accordingly, without a gateway determination supporting the Planning Proposal it is unable to proceed.

**STRATEGIC DIRECTION**

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

- ATTACHMENTS:**
- A. Locality Plan
  - B. Gateway Determination

## 6.3 2024/25 LOCAL HERITAGE GRANTS PROGRAM

### SUMMARY

To present a report on the completion of the 2023/24 Local Heritage Grants and the recommendations for the 2024/25 Local Heritage Grants Program.

### RECOMMENDATION

That:

1. The expenditure and reimbursement for the 2023/24 Local Heritage Grants Program be noted.
2. The following funding be provided in the 2024/25 Local Heritage Grant Program:

Heritage Item Address	Project Description	Project cost	Applicant's contribution	Local Heritage Grant Funding
16 Pritchett Street, Yass	Exterior Painting, including verandah boards and front fence	\$26,730	\$22,730	\$3,400
13 Adele Street, Yass	Replace damaged section of red brick boundary fence and remove trees which caused the damage	\$17,023	\$13,023	\$3,400
Bowning Hall 3-8 Short Street, Bowning	Repair 5 timber windows	\$5,300	\$3,500	\$1,800
110A Rossi Street, Yass	Repairs to Roof	\$55,000	\$51,000	\$3,400
<b>Total</b>				<b>\$12,000</b>

### FINANCIAL IMPLICATIONS

Heritage NSW offers Councils two year funding agreement for heritage grants. The last funding received was in February 2023, for 2022/23 and 2023/24 of 1:1 up to \$5,500 (ex GST) per year. In 2023/24 Council contributed \$13,500 towards a total budget of \$19,000. For 2024/25 Council has allocated a budget of \$12,000. As in the past, it is expected that the two year funding offer will be released retrospectively for the first year (being 2024/25) together with the following year (being 2025/26).

### POLICY & LEGISLATION

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

### REPORT

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

### 2023/24 Local Heritage Grants Program



Seven grants were awarded in the 2023 Program with all seven projects successfully completed. The types of work undertaken included repairs to roof and guttering, external painting and drainage. A total of \$19,000 was awarded to the seven projects as follows:

Heritage Item Address	Project Description	Proposed Project Cost	Local Heritage Grant Funding
“Benochy” 46 Orion Street, Yass	Repairs to leaking roof to prevent further water damage of the building	\$6,756	\$3,285
Bowning Hall, 3 Short Street, Bowning	Repairs to external gutters	\$2,276	\$614
“Cobblestone Cottage” 15 Comur Street, Yass	Repairs to drainage and application of waterproof sale at base of wall	\$11,200	\$3,899
76 Comur Street, Yass	Repairs, restoration and painting of façade of building	\$8,037	\$2,925
St Marks Anglican Church, Gundaroo	Carry out maintenance on the roof	\$23,166	\$3,900
“Ronola” 48 Orion Street, Yass	Restoring and preserving of upper storey window frames	\$1,024	\$478
Old Paterson Hotel, 36 Fitzroy Street, Binalong	Prepare and paint the roof	\$6,800	\$3,899
<b>Total</b>			<b>\$19,000</b>

#### **2024/25 Local Heritage Grants Program**

This year’s Program received four applications which were assessed by an internal panel against the *Financial Assistance, Grants and Donations Policy*. The assessment was undertaken by an internal panel due to the limited number of projects, timing of the Council elections and each of which met the funding criteria. None of the panel members had a pecuniary/non pecuniary interest in any matter being discussed.

Each of the applications received for funding had received advice from Council’s Heritage Advisor in relation to the proposed works with each item, and proposed works, being deemed necessary for the ongoing maintenance of a heritage item or item within a heritage conservation area.

Heritage Item Address	Project Description	Project cost	Applicant’s contribution	Local Heritage Grant Funding
16 Pritchett Street, Yass	Exterior Painting, including verandah boards and front fence	\$27,730	\$6,000	\$3,400
13 Adele Street, Yass	Replace damaged section of red brick boundary fence and remove trees which caused the damage	\$17,023	\$13,023	\$3,400
Bowning Hall 3-8 Short Street, Bowing	Repair 5 timber windows	\$5,300	\$3,500	\$1,800

Heritage Item Address	Project Description	Project cost	Applicant's contribution	Local Heritage Grant Funding
110A Rossi Street, Yass	Repairs to Roof	\$55,000	\$51,000	\$3,400
<b>Total</b>				<b>\$12,000</b>

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** A. 2024-25 Local Heritage Grants Matrix - **Confidential**

## 6.4 PLANNING PROPOSAL - 34 ISABEL DRIVE, MURRUMBATEMAN (PP-2024-765)

### SUMMARY

To present the outcome from the public exhibition of the Planning Proposal to include additional permitted uses in the *Yass Valley Local Environmental Plan 2013* for 34 Isabel Drive Murrumbateman. Endorsement of the Planning Proposal is recommended.

### RECOMMENDATION

*That:*

1. *The Planning Proposal 34 Isabel Drive Murrumbateman (PP2024-765) be adopted.*
2. *The amendment to the Yass Valley Local Environmental Plan 2013 be made by Council as the local plan making authority.*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

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

### REPORT

Council resolved at its meeting on 27 June 2024 to endorse the Planning Proposal and forward it to the Minister for Planning and Public Spaces seeking a Gateway determination. The Planning Proposal seeks to amend Schedule 1 of *Yass Valley Local Environmental Plan 2013* to allow additional permitted use of serviced apartments in conjunction with the existing cellar, winery and restaurant on 34 Isabel Drive, Murrumbateman. This amendment would permit the lodgement of a Development Application for the construction of serviced apartments which would support the ongoing viability of the business. **Attachment A** is a locality plan and **Attachment B** is the Planning Proposal.

A Gateway Determination was issued on 16 July 2024. The Planning Proposal was placed on public exhibition from 24 July 2024 until 21 August 2024 and no submissions were received.

### STRATEGIC DIRECTION

CSP Theme	Our Economy
CSP Strategy Objective	EC2: The local and regional tourism offering is expanded, increasing visitation to the region
Strategies	EC2.2 - Support and encourage the growth of tourism infrastructure such as accommodation, visitor facilities and restaurants
Delivery Program Action	seek opportunities to promote healthy and sustainable environments through tourism channels and distribute with industry

- ATTACHMENTS:**
- A. Locality Plan
  - B. Planning Proposal 34 Isabel Drive Murrumbateman PP-2024-765

## 6.5 APPLICATIONS UPDATE - AUGUST & SEPTEMBER 2024

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### SUMMARY

A list of applications that have been lodged, determined and under assessment for August and September 2024.

### RECOMMENDATION

*That the report on applications for August and September 2024 be noted.*

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### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2021*

### REPORT

A list of applications that have been lodged, determined and under assessment for August and September 2024 is included in **Attachment A**.

### 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. Applications Update - August and September 2024

## 6.6 DEVELOPMENT APPLICATION NO DA230401 - USE OF EXISTING STRUCTURE, 5 AMBLESIDE AVENUE, MURRUMBATEMEAN

### SUMMARY

To present the assessment of Development Application No DA230401 for use of an existing structure as a workshop at 5 Ambleside Avenue, Murrumbateman. The application attracted six objections. Refusal is recommended.

### RECOMMENDATION

*That Development Application No DA230401 for the use of an existing structure as a workshop at 5 Ambleside Avenue, Murrumbateman be refused on the following grounds:*

- 1. Council refused the Building Information Certificate (BIC) application (BP240176) due to the significant extent of non-compliance with the National Construction Code and other health and safety issues. Council is unable to issue consent for use without confirming that the structure will not cause a risk to its occupants.*
- 2. Insufficient information provided to characterise the structure for the purposes of the Yass Valley Local Environmental Plan 2013 and therefore the merits and likely impacts of the proposed development cannot be properly assessed.*

### FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *Yass Valley Local Environmental Plan 2013*
- *Planning for Bushfire Protection 2019*
- *National Construction Code 2022*
- *Protection of the Environment Operations Act 1997*
- *Local Government Act 1993*

### REPORT

#### 1. Application Details

Date Lodged	-	4 September 2023
Land	-	5 Ambleside Avenue, Murrumbateman
Area	-	2.31ha
Zoning	-	R5 – Large Lot Residential

#### 2. Site Description and Locality

The site is situated in the Ambleside Estate, to the east of Murrumbateman village. It is surrounded by large rural residential lots, with a community property lot adjoining the western property boundary. The site has frontage to Ambleside Avenue, is irregular in shape and has an area of approximately 2.31ha.

The site is mostly flat with a gentle slope towards the western boundary. A dam is located on the neighbouring community property lot. Vegetation on the site comprises grassland, trees and bushes.

In addition to the subject structure, the site contains a shed, other smaller outbuildings, earthworks for the purposes of an internal driveway, filling and two existing on-site sewage management systems.

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

### 3. Background

This property is the subject of several compliance matters. The subject structure has been constructed without development consent and the owner has previously been advised that it is unlawful.

Development application DA220242 was lodged to formalise the use of the existing structure in October 2022. The development application received six submissions and was refused by Council at its meeting in February 2023. The refusal was granted for the following reasons:

1. Insufficient information provided as per s4.15 *Environmental Planning & Assessment Act 1979*, and
2. Insufficient information provided to characterise the structure for the purposes of the *Yass Valley Local Environmental Plan 2013*.

A Development Control Order to demolish the structure was issued following the refusal of development application DA220242 and it still applies.

### 4. Proposal

The current application seeks consent for the use of the existing structure as a workshop. No construction work is proposed as part of the application. Details of the proposal are included in **Attachment B**.

### 5. Public Exhibition

Public exhibition included notice to seven adjoining and nearby landowners. Six objections were received (refer **Attachment C**), with the key issues raised being:

- The subject structure was unlawfully constructed.
- The subject structure was not constructed in accordance with Building Code of Australia (as amended) and relevant Australian standards.
- The area around the structure is poorly maintained.
- The drawings provided as part of the development application do not correspond to the subject structure.
- A business is operating out of the subject structure.
- The keeping of stock and the slaughtering of that stock on the site.
- The cost of works increased from the original amount of \$50,000 to \$63,360 whilst the proposal remains the same as the previous (refused) development application.
- The Applicant did not consult with the Ambleside Estate Community Association about the proposed development and has therefore disregarded the estate by-laws.
- Fires have been lit on the site during fire bans and without notifying NSW Rural Fire Service.
- The application has already been refused.

### 6. 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 supported for the reasons outlined in the Assessment Report (refer **Attachment D**).

The following planning issues have been identified including the response to the issues raised in the submissions.

#### 6.1 Refusal of Building Information Certificate

A building information certificate (BIC) can be obtained to regularise a structure built without the necessary approvals (i.e. unlawful construction).

On 18 June 2024, Council received a BIC application which was refused on 12 July 2024 due to the significant extent of non-compliance with the National Construction Code and other health and safety issues, as outlined below:

1. The roof is nominated at a 3-degree pitch with corrugated iron. As per the requirements of the National Construction Code 2022 (NCC) the minimum pitch for corrugated iron is 5 degrees. The roof must be rectified to comply with the minimum standard.
2. The soil at the rear of the structure is required to be retained to comply with soil drainage requirements.
3. Stormwater drainage (i.e. gutters and downpipes) is not connected. Stormwater drainage is to comply with *Australian Standard 3500.3:2003, Stormwater drainage*
4. Drainage of greywater waste was identified to be draining in an above ground pipe to an existing rainwater tank, adjacent to the community dam. Further investigation by Council's Environmental Health Officer is required.
5. The staircase does not comply with *Part 11.3.5 – Handrails* of the NCC.
6. The tree is too close to the rear of the structure and is detrimental to the structural adequacy of the structure.
7. Cladding and flashing is either non-existent and/or non-compliant.

As Council does not currently hold the level of satisfaction required that the structure is safe and suitable for use and any impacts have been mitigated, development consent for the use of the structure should not be granted.

## **6.2 Submitted Documentation**

A site inspection revealed that the plans and details submitted with the development application differ from the existing structure, including the internal layout and details of the use of each room. More specifically, equipment for the purposes of butchery and slaughtering was seen during the site inspection, however this does not correspond to the floor plan which states "wood workshop", "creative studio" and "plant room". On this basis, the use of the structure cannot be accurately characterised for the purposes of determining permissibility in accordance with the LEP.

In addition, the submitted plans and details do not align with the existing floor plan. As per the submitted statement of environmental effects no construction works are proposed as part of the development application for the existing structure. However, the intended uses, such as a "wood workshop", "creative studio" and "plant room" are not clearly supported by the existing layout (which includes equipment for the purposes for slaughtering and a butchery), therefore the development application would require approval for the necessary construction works to accommodate these proposed uses.

## **6.3 Use of structure for business operations**

Concern has been raised in submissions that the structure is being used for commercial purposes, particularly the slaughtering of livestock for sale. The site inspection revealed that butchery and slaughtering equipment was present. This matter is currently being investigated and is a separate matter to the subject development application. Notwithstanding, this matter contributes to the uncertainty of the use of the structure and determining permissibility in accordance with the LEP.

Moreover, the existing layout of the structure does not align with the submitted plans and details. The Development Application would require approval for the necessary construction works to support the intended use as a "wood workshop", "creative studio" and "plant room", however the Development Application does not involve construction works.

## **6.4 Cost of Work**

Concern has been raised in the submissions received that the estimated development is incorrect and question as to why it has increased from \$50,000 to \$63,360. It is noted that no construction work is proposed as part of the subject Development Application and as such, this is not a valid planning objection.

**6.5 Estate By-Laws**

Compliance with estate by-laws is the responsibility of the landowner.

**6.6 Lighting of Fires**

The lighting of fires on private property is a matter for the NSW Rural Fire Service and as such, this is not a valid planning objection.

**7. Conclusion**

From the assessment of the proposal and consideration of issues raised in submissions it is recommended that the application be 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	EN3.4 - Future development, particularly at the residential/agricultural and the residential/industrial interfaces, should be planned for the managed to minimise potential conflict between adjacent land uses
Delivery Program Action	Include information in the Development Control Plan

- ATTACHMENTS:**
- A. Locality Plan
  - B. Site plan and plans of structure
  - C. Submissions
  - D. s.4.15 Assessment Report



## 6.7 DEVELOPMENT APPLICATION NO DA240052 - BOUNDARY ADJUSTMENT AND ALTERATIONS AND ADDITIONS TO EXISTING DWELLING, 8 AND 10 SHORT STREET, YASS

### SUMMARY

To present the assessment of development application DA240052 for a boundary adjustment between 8 and 10 Short Street, Yass and alterations and additions to an existing dwelling at 10 Short Street, Yass. The application has requested an exception to the 1,000m<sup>2</sup> minimum lot size development standard by 30% for one lot under clause 4.6 *Yass Valley Local Environmental Plan 2013*. The application did not attract any submissions.

### RECOMMENDATION

*That conditional Development Consent be issued for Development Application DA240052 for a boundary adjustment between 8 and 10 Short Street, Yass and alterations and additions to an existing dwelling at 10 Short Street, Yass*

### 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*
- *Local Government Act 1993*
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Yass Valley Local Environmental Plan 2013
- NSW Guide to Varying Development Standards – November 2023
- Yass Valley Council Development Control Plan 2024
- National Construction Code 2022

### REPORT

#### 1. Application Details

Date Received	-	26 February 2024
Land	-	Lots 2 and 3 DP 263781 8 and 10 Short Street, Yass
Area	-	Total 2,426m <sup>2</sup>
Zoning	-	R1 General Residential

#### 2. Site Description and Locality

The site is located in an area characterised by residential development including dwelling houses. The existing lots on Short Street and the surrounding locality can be described as larger in size, at approximately 1,000m<sup>2</sup> and are relatively long with narrow street frontages. Exception to this can be found on two allotments located directly opposite the subject site where they are less than 700m<sup>2</sup> in size and an R3 Medium Density Residential zoned lot to the north of the site with a multi-unit development made up of villa style housing.

The subject site is made up of two allotments that are approximately 1,216m<sup>2</sup> and 1,200m<sup>2</sup>. Each allotment contains a single dwelling house and associated structures in the form of sheds and rainwater tanks.

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

### 3. Proposal

The submitted application involves a boundary adjustment between 8 and 10 Short Street, Yass and alterations and additions to the existing dwelling on 10 Short Street.

The proposed boundary adjustment creates Lot 1 which is 700m<sup>2</sup> and rectangular in shape and Lot 2 which is 1,726m<sup>2</sup> and 'L' shaped, wrapping around the rear of proposed Lot 1.

The subject land is zoned R1 General Residential and has a prescribed minimum lot size (MLS) of 1,000m<sup>2</sup>. Lot 2 meets the MLS requirement; however, Lot 1 does not. This application has requested an exception to the MLS development standard of 30% through clause 4.6 of the *Yass Valley Local Environmental Plan 2013* (the LEP).

The proposed alterations and additions to the existing dwelling on 10 Short Street involves a patio area at the front of the dwelling, a single carport with a brick wall on the southern side of the dwelling and additions to the rear of the dwelling including a living area and master bedroom with an ensuite bathroom. The carport relies on the proposed boundary adjustment, as otherwise it will encroach onto the existing boundary. The proposed boundary adjustment does not relate to the patio or the addition to the rear of the dwelling. Details of the proposal are included in **Attachment B**.

### 4. Public Exhibition

Public exhibition included notice to seven adjoining and nearby landowners and no submissions were received.

### 5. Assessment

#### 5.1 Exception to Development Standard

The proposed development has been assessed against the requirements of s4.15 *Environmental Planning & Assessment Act 1979*. It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment C**) and as detailed below.

The proposal generally complies with the relevant planning controls, policies and guidelines, with the exception of the MLS development standard. While proposed Lot 2 meets the MLS requirement of 1,000m<sup>2</sup>, proposed Lot 1 is to be 700m<sup>2</sup> which is 30% less than the minimum requirement.

The applicant has requested an exception to the MLS development standard contained in clause 4.1 of the LEP through use of clause 4.6. Clause 4.6(3) requires:

- (3) *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
  - (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
  - (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

It is important to note that clause 4.6 was updated across all Standard Instrument LEPs by the NSW Government in November 2023. This change now specifically requires that Council must not grant development consent unless they are satisfied that that the applicant's written request has demonstrated the above matters. It is not up to Council as the consent authority to determine what is 'unreasonable or unnecessary' or whether there are 'sufficient environmental planning grounds' but whether the applicant's written request demonstrates this through

supporting information and evidence as sufficient justification. The previous version of the clause required that Council only consider the written request alongside public interest, but now must be expressly satisfied the applicant has demonstrated it.

The Development Application was submitted with a written request that did not adequately demonstrate that compliance with the MLS development standard is unreasonable and unnecessary and that there are sufficient environmental planning grounds to support the variation. The applicant was requested to submit a revised written request.

The applicant's revised written request is included as **Attachment D**. It is relying on the achievement of the objectives of the MLS development standard, notwithstanding the non-compliance. In summary, the applicant has suggested that the exception should be supported on the following basis, including environmental planning grounds:

- The lot sizes are not inconsistent with those in close proximity to the site. Two lots directly opposite the site (7 and 9 Short Street) are less than 700m<sup>2</sup> and others in the area are less than 1,000m<sup>2</sup>.
- The proposal is consistent with the aims and objectives of relevant planning instruments.
- The proposal satisfies the objectives of the MLS development standard.
- The proposed boundary adjustment is occurring at the rear of the site and therefore will not impact the streetscape or the character of the neighbourhood.
- The density of the site will not change as a result of the boundary adjustment.
- The proposed lots are consistent with or greater than the MLS applicable (700m<sup>2</sup>) to subdivisions within new residential areas.
- The proposed lot size variation will not generate unacceptable impacts in respect of overshadowing, views or privacy.

An assessment of the written request (refer **Attachment E**) has indicated that it adequately demonstrates that compliance with the MLS development standard is unreasonable and unnecessary, and that there are sufficient environmental planning grounds to support the exception. Development Consent for the exception to the MLS development standard can be granted in accordance with clause 4.6(3) of the LEP.

## 5.2 Alterations and Additions

The proposed alterations and additions to the existing dwelling on 10 Short Street involves a patio area at the front of the dwelling, a single carport with a brick wall on the southern side of the dwelling and additions to the rear of the dwelling including a living area and master bedroom with an ensuite bathroom. The carport relies on the proposed boundary adjustment, as otherwise it will encroach the existing boundary. The proposed boundary adjustment does not impact the patio or the addition to the rear of the dwelling.

It has been assessed that the proposed alterations and additions are minor in nature and meet the requirements of relevant legalisation and the Yass Valley Development Control Plan 2024.

## 6. Conclusion

From the assessment of the proposal, it is recommended that a Development Consent be issued. Draft conditions are included in **Attachment F**.

### 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. s4.15 Assessment Report
  - D. Applicant's Written Request
  - E. Assessment of Applicant's Written Request
  - F. Draft Conditions

## 6.8 DEVELOPMENT APPLICATION NO DA240111 - THREE LOT SUBDIVISION, 4350 & 4338 GUNDAROO ROAD

### SUMMARY

To present the assessment of Development Application No DA240111 for a three lot subdivision of 4350 and 4338 Gundaroo Road, Gundaroo. The application attracted seven objections and relevant concerns can be addressed by conditions. Approval is recommended.

### RECOMMENDATION

*That conditional Development Consent be issued for Development Application No DA240111 for a three lot subdivision of 4350 and 4338 Gundaroo Road, Gundaroo.*

### FINANCIAL IMPLICATIONS

Resources for development assessment are provided for in the current Operational Plan.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Local Government Act 1993*
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Planning for Bushfire Protection 2019

### REPORT

#### 1. Application Details

Date Received	-	16 April 2024
Land	-	Lots 201 and 202 DP1302318 – 4338 and 4350 Gundaroo Road, Gundaroo
Area	-	131.56 ha
Zoning	-	RU1 Primary Production

#### 2. Site Description and Locality

The site is located in an area characterised by rural development. It is an irregular shaped parcel of land with an area of approximately 131.56ha (under two titles) with a frontage to Gundaroo Road and Wurungul Lane. There is an existing dwelling and associated structures located on the subject site.

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

#### 3. Proposal

The application proposes a three lot torrens title subdivision creating one additional lot, as detailed below:

- The existing building envelope on proposed lot 301 is to be retained, with access via an existing right of carriageway from Gundaroo Road.
- The existing dwelling house is to be located on proposed lot 302, with access directly off Gundaroo Road.

- A building envelope is proposed for lot 303 with access over an existing right of carriageway from Wurungul Lane.

The construction of accesses, roads and fencing are not required as these works were completed as part of previous subdivisions. Native vegetation will not be cleared, and the future disposal of effluent has previously been considered.

A proposed plan of subdivision is included in **Attachment B**.

#### **4. Public Exhibition**

Public exhibition included notice to adjoining and nearby landowners and seven submissions have been 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 can be supported for the reasons outlined in the Assessment Report (refer **Attachment D**).

The following planning issues have been identified including the response to the issues raised in submissions. The applicant's response to issues raised in submissions is included in **Attachment E**.

##### **5.1 Crown Road**

Concerns have been raised that the future owners of lots 302 and 303 will use the existing Crown Road which leads to Kerrick Lane (a private road), located north of the site (refer **Attachment A**). Council is requested to intervene in closing the Crown Road or stopping legal and physical access via the Crown Road.

This application does not propose access via the Crown Road nor is it to be approved as part of this Development Application. Any application lodged to utilise/upgrade the Crown Road is to be submitted to and assessed by Crown Lands.

##### **5.2 Wurungul Lane**

Concern has been raised that the additional lot utilising Wurungul Lane will generate additional vehicle movements resulting in traffic safety, maintenance and dust issues for other users of the lane and existing residents in the locality.

It is noted that substandard sections of Wurungul Lane were upgraded in accordance with Development Consent DA230018. Upgrade works on Wurungul Lane were inspected by Council and a satisfactory Compliance Certificate was issued. No road upgrade works are required as part of this proposal.

Any additional dust generated from Wurungul Lane is not considered to be unreasonable.

##### **5.3 Lot Size**

The submissions argue that the proposed subdivision does not satisfy the minimum lot size requirement of 40ha.

The applicant proposes to use averaging provisions pursuant to clause 4.1B *Yass Valley Local Environmental Plan 2013*. These provisions require an average lot size of 40ha, with no lots permitted that are less than 20ha or greater than 70ha. The subdivision meets these requirements with an average lot size of 43.86ha.

#### **6 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 F**.

### **STRATEGIC DIRECTION**

CSP Theme

Our Environment

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

- ATTACHMENTS:**
- A. Locality Plan
  - B. Proposed Plan of Subdivision
  - C. Submissions
  - D. s4.15 Assessment Report
  - E. Applicant Response to Submissions
  - F. Draft Conditions

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## 6.9 UPDATE OF TfNSW SAFETY IMPROVEMENTS AT THE INTERSECTION OF STEPHENS AND FITZROY STREETS, BINALONG

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### SUMMARY

To provide community feedback and a general update on TfNSW's safety improvements proposed for Stephens Street, Binalong.

### RECOMMENDATION

*That the report on the update of TfNSW Safety Improvements at the Intersection of Stephens and Fitzroy Streets, Binalong be noted.*

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### FINANCIAL IMPLICATIONS

Nil – the safety improvements are associated with a TfNSW project and relate to a road managed by TfNSW. All costs associated with the proposed safety works will be funded by TfNSW.

### POLICY & LEGISLATION

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

### REPORT

#### 1. Background

Stephens Street, Binalong is part of Burley Griffin Way, which is a classified State Road.

TfNSW has primary responsibility for traffic management in NSW and has responsibility for the management of trafficable lanes of state roads and highways, which includes Stephens Street.

Council has responsibility for the remaining portion of the Stephens Street road reserve and all of the adjoining local roads (eg Fitzroy and Richmond Streets).

Residents in Binalong, particularly those adjacent to the intersections of Stephens Street and Fitzroy and Richmond Streets have long raised concerns about the risk of accidents in this area.

Particularly concerns have been raised about the number of vehicles that fail to safely negotiate the bend in Stephens Street adjacent to the area resulting in off road vehicle accidents. These concerns have been the subject of a number of reports to Council.

It is noted that since 2016 the 'crash' statistics held by TfNSW for the safety improvement area show:

- 8 'crashes' which resulted in 1 serious, 2 moderate and 2 minor injuries.
- Involved 4 heavy vehicles and 4 cars.
- Primary contributing factor was speed (7 of 8).

However, it is also noted that residents have claimed that more crashes have occurred than what has been formally recorded.

As a result of ongoing safety concerns being raised by Council and residents, TfNSW allocated funding in the 2023/24 budget to undertake design works to improve the safety of the intersections of Stephens Street with Richmond and Fitzroy Streets.

TfNSW have presented the proposed safety improvements for information at the February 2024 Local Traffic Committee and at a Councillors Workshop held on 11 March 2024.

The proposed TfNSW safety improvements are shown on the plan below and include:

- Pavement construction at the intersection of Fitzroy and Stephens Streets.
- New median on Fitzroy Street.



- Relocation of power poles adjacent to the traffic lanes.
- Improved street lighting.
- Removing access to Fitzroy Street for heavy vehicles over 15 tonnes.
- Installation of 250m of safety barrier.
- Closing access to Stephens Street from Richmond Street including the construction of a service vehicle compliant cul-de-sac.
- Upgrade lines and signs included installing gateway treatments.
- Reducing the speed limit on Stephens Street from 60kph to 50kph.



TfNSW advised that they have undertaken extensive consultation with residents at Binalong and the majority of feedback was positive in relation to the proposed safety improvements works. Albeit the residents did raise a number of concerns that are outside the scope of the improvement works including:

- Sealing Beckham Street.
- Permanent speed cameras.
- Removing access for heavy vehicles into Fitzroy Street.
- Dedicated right hand turn lane from Stephens Street into Fitzroy Street.
- Constructing a heavy vehicle by-pass for the village.

TfNSW has provided the following advice in relation to the traffic closure of Richmond Street to Stephens Street:

- Impacts only a few premises.
- Will result in a maximum detour of approximately 1.5km or approximately 2 minutes for these residents.
- None of the residents impacted have made any submission as part of the public consultation process.

Council considered a report on the proposed safety improvements at the April 2024 Council meeting and resolved in principle support of the proposed TfNSW safety improvements and supported the proposal to close Richmond Street intersection with Stephens Street to traffic.

**2. Current Issues**

Over the last two months Council has received a number of requests from individual residents and the Binalong Progress Association for assistance to delay the commencement of the proposed safety improvement works.

Particularly residents have requested TfNSW to further consider concerns being raised by residents about the impact of the safety improvements including:

- The proposed 15 tonne load limit on Fitzroy Street will force heavy vehicles that want to access the village centre or the rural areas to the north of the village to use the Stephens and Queen Street intersection.
- The closure of Richmond Street will disrupt services into this area.
- The closure of Richmond Street and the 15 tonne load limit on Fitzroy Street will increase vehicle movements on other village roads, many of which are not designed for heavy vehicles, increasing safety risk and the likelihood of road damage.
- The proposed safety barrier will make the area more unsafe due to the potential of wayward vehicles blocking the road.
- The community has not been adequately consulted by TfNSW.
- Concerns being raised with TfNSW are not being responded to.
- There are better improvement options available rather than what is proposed.

As noted above, the proposed safety improvements are being funded and managed by TfNSW and relates to a road TfNSW manages. TfNSW undertook their own community engagement in relation to the safety works. This combined with Council having resolved to support the safety improvements has resulted in Council staff being unable to provide any support to the community on this matter except for referring their concerns to the TfNSW.

It is further noted that currently the proposed safety improvement works are scheduled to commence on 21 October 2024.

**STRATEGIC DIRECTION**

CSP Theme	Our Community
CSP Strategy Objective	CO3: Our Community is connected, safe and proud
Strategies	CO3.6 - Foster Road Safety
Delivery Program Action	Delivery of TfNSW Road Safety Programs

**ATTACHMENTS:** Nil

## 6.10 TOWARDS ZERO SAFER ROAD PROGRAM GRANT

### SUMMARY

To advise of a grant offer received under the Towards Zero Safer Roads Program to undertake safety improvements on Sutton Road.

### RECOMMENDATION

*That:*

1. *the Towards Zero Safer Road Program grant be accepted for \$393,000*
2. *the 2024/25 Operational Plan and associated budget be updated to allow the Sutton Road Safety Improvements to progress.*

### FINANCIAL IMPLICATIONS

Nil – the grant funding covers all costs associated with the proposed works.

### POLICY & LEGISLATION

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

### REPORT

In December 2023 Council submitted a grant application for \$393,000 to undertaken safety improvement works on Sutton Road as identified in a road safety audit.

The safety improvement works includes the following works on Sutton Road from the Federal Highway, Sutton to Back Creek Road, Gundaroo:

- The installation of centre and edge line marking; and
- The installation of profile audio-tactile edge and centre line marking.

Council has been recently advised that the grant application has been successful.

It is recommended that Council accept the grant for safety improvements on Sutton Road and update the adopted 2024/25 Operational Plan accordingly.

### STRATEGIC DIRECTION

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

**ATTACHMENTS:** Nil

## 6.11 COUNCIL CORPORATE UPDATE

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### SUMMARY

This report is to provide the new Council with an update on the Corporate area of Council.

### RECOMMENDATION

*That the Council Corporate Update report be noted.*

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### FINANCIAL IMPLICATIONS

All financial implications are included in the current or future Operational Plan.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- Office of Local Government IP&R Guidelines

### REPORT

#### ***Financial Overview***

Over the few years, Council staff have been open and transparent in relation to its financial situation. The 2022/23, 2023/24, and 2024/25 Operational Plans and Long Term Financial Plan financial forecasts have been combined to include figures if staff were to undertake all projects listed (both from grant and Council funding). It is worth noting that it is impossible for all the projects to be completed each year, for reasons such as weather, staff resources, or funding.

We have forecast a deficit budget for the current financial year, with ongoing financial stress. The Executive and Leadership teams have been working on an *Operational Sustainable* program for most of 2024. We have broken down the services Council provides to the community into four areas: *Must, Important, Nice, and Reduce*. This work will assist to:

- Adjust the current financial year budget to bring it back to a balanced budget, and
- Forecast a balanced 2025/26 budget and Long Term Financial Plan.

The Executive and Leadership team will be holding a workshop with Councillors to provide an overview. If we are unable to balance the budget with the above process, it will be necessary to discuss a special rate variation for the 2026/27FY.

As a result of the financial stress and several community member complaints, Council is being monitored by the Office of Local Government (OLG). Refer to the letter dated 26 July 2024, from the Executive Team to the OLG (refer **Attachment A**) regarding Council's plan for improved financial sustainability. Recently, the CEO and Director Corporate & Community met with the OLG to discuss their concerns surrounding YVC's financial sustainability and how the improvement plan is progressing. We have not been provided with a formal Improvement Notice but Council and the OLG will meet on a monthly basis for regular updates to ensure that work continues for long term financial sustainability.

#### ***Audit Requirements***

Every year we are assessed by a thorough external audit process, in preparation for the Annual Financial Statements. Council's audits are now undertaken by EY on behalf of the Audit Office of NSW. Until now, the audit has not raised any concerns with our financial processes.

Council also undertakes regular internal audit reviews as part of the Audit Risk & Improvement Committee. We share this committee with the CRJO and three other Councils. In the second half of 2024, we took part in an internal review on Procurement audit and is about to participate in an accounts payable audit before December 2024.

### **Community Satisfaction Survey**

As a member of the Canberra Regional Joint Organisation (CRJO), Council is participating in a joint procurement to undertake a Community Satisfaction Survey. The Office of Local Government encourage Councils undertake such surveys every two years.

A community satisfaction survey is well overdue, with the last survey undertaken in 2019. The questions being used align with the last community survey conducted to enable analysis and comparison.

We are unable to accept written responses for this survey due to the procurement agreement by all Councils involved.

Taverner staff will commence the survey on Monday 4 November 2024 for at least 2 weeks. Staff are preparing social media posts, notice board flyers that will be distributed to every village, as well as a notice in the school newsletters.

The results will be provided to Council when available. We will place a copy of the results on Council's website for the public to view. The results will one of the tools used to develop the 2025 Delivery Program.

### **Complaints/Government Information (Public Access) Act (GIPA)**

In the last 12 months, Council has dealt with 20 formal and 4 informal GIPA requests for information. This is a substantial increase, with a total of 9 received in the previous year. These applications take a considerable amount of staff time. Over the past 6 months, we have lost Governance staff to positions in Canberra. Statistics on the applications and outcomes can be found in Council's Annual Reports.

Staff also deal with a number of formal and informal complaints from residents. These can range from residents who are not happy with the state of the roads, decisions of Council, the way we report matters, why we are not cutting grass more often, and much more.

## **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. Letter to OLG - July 2024

## 6.12 INVESTMENT AND BORROWING REPORT

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments for the period 1 to 30 September 2024. It also provides an update on the June, July, and August 2024 investment reports. 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, covering the period 1 to 30 September 2024 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*
- Council's Investment Policy

#### 1. REPORT RBA Statement on Monetary Policy Decision

The Board decided to leave the cash rate target unchanged at 4.35 per cent and the interest rate paid on Exchange Settlement balances unchanged at 4.25 per cent.

#### **Inflation remains above target and is proving persistent.**

Inflation has fallen substantially since the peak in 2022, as higher interest rates have been working to bring aggregate demand and supply closer towards balance. But inflation is still some way above the midpoint of the 2–3 per cent target range. In underlying terms, as represented by the trimmed mean, inflation was 3.9 per cent over the year to the June quarter, broadly as forecast in the May Statement on Monetary Policy (SMP). Headline inflation declined in July, as measured by the monthly CPI indicator. Headline inflation is expected to fall further temporarily, as a result of federal and state cost of living relief. However, our current forecasts do not see inflation returning sustainably to target until 2026. In year-ended terms, underlying inflation has been above the midpoint of the target for 11 consecutive quarters and has fallen very little over the past year.

#### **Returning inflation to target is the priority.**

Sustainably returning inflation to target within a reasonable timeframe remains the Board's highest priority. This is consistent with the RBA's mandate for price stability and full employment. To date, longer term inflation expectations have been consistent with the inflation target, and it is important that this remains the case.

While headline inflation will decline for a time, underlying inflation is more indicative of inflation momentum, and it remains too high. The most recent projections in the August SMP show that it will be some time yet before inflation is sustainably in the target range. Data since then have reinforced the need to remain vigilant to upside risks to inflation and the Board is not ruling anything in or out. Policy will need to be sufficiently restrictive until the Board is confident that inflation is moving sustainably towards the target range.

The Board will continue to rely upon the data and the evolving assessment of risks to guide its decisions. In doing so, it will pay close attention to developments in the global economy and financial markets, trends in domestic demand, 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.

Refer to the *Statement by the Reserve Bank Board: Monetary Policy Decision, 24 September 2024* for full statement.

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

Eleven investments totalling \$12.7M matured with 11 new term deposits totalling \$12.7M during the month of September 2024.

**3. Council Cash, Cash Equivalent, and Term Deposit Investments at 30 September 2024**

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	11,206,496.88	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,357,682.15	AAA	n/a	n/a	3 day call	
		<b>16,564,179.03</b>					
<b>Term Deposits &lt; 12 Months</b>							
Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
NAB	10886904	1,000,000.00	A1+	26/02/24	25/11/24	273	5.10%
My State Bank	CN076018	1,000,000.00	XX	03/07/24	20/12/24	170	5.30%
AMP	CN076015	1,000,000.00	A2	03/07/24	03/01/25	184	5.05%
NAB	10906669	1,000,000.00	A1+	03/07/24	31/03/25	271	5.40%
NAB	10906670	1,000,000.00	A1+	03/07/24	03/07/25	365	5.45%
Judo Bank	CN076032	1,000,000.00	XX	03/07/24	03/07/25	365	5.10%
NAB	10916368	1,000,000.00	A1+	26/08/24	25/11/24	91	4.95%
NAB	10916956	1,000,000.00	A1+	28/08/24	26/11/24	90	4.95%
NAB	10916957	1,000,000.00	A1+	28/08/24	02/01/25	127	4.95%
Judo Bank	CN078927	1,000,000.00	XX	30/08/24	28/11/24	90	5.00%
Bendigo	CN078929	1,000,000.00	XX	30/08/24	29/01/25	152	4.78%
Judo Bank	CN078928	1,000,000.00	XX	30/08/24	26/02/25	180	5.10%
Great Southern Bank	CN079004	1,000,000.00	A2	04/09/24	05/03/25	182	5.04%
My State Bank	CN079005	1,000,000.00	XX	04/09/24	04/09/25	365	4.95%
NAB	10919397	1,500,000.00	A1+	05/09/24	03/02/25	151	5.00%
NAB	10919400	1,200,000.00	A1+	05/09/24	04/03/25	180	5.20%
MyState Bank	CN079048	1,500,000.00	XX	05/09/24	06/03/25	182	4.95%
Great Southern Bank	CN079199	1,000,000.00	A2	11/09/24	11/03/25	181	4.90%
Bank of Queensland	CN079198	1,000,000.00	A2	11/09/24	11/03/25	193	4.90%
AMP	CN079200	1,500,000.00	A2	11/09/24	09/04/25	210	5.30%
NAB	10920644	1,000,000.00	A1+	12/09/24	11/12/24	90	4.95%
Great Southern Bank	CN079336	1,000,000.00	A2	18/09/24	17/02/25	152	5.00%
NAB	10923110	1,000,000.00	A1+	19/09/24	17/02/25	151	5.00%
		<b>30,200,000.00</b>					
<b>Total Short Term</b>		<b>46,764,179.03</b>					

**4. Council Loans**

Council has five loans with a balance of \$27.79M owing on 30 September 2024. Council commenced drawing down funds for the Crago Mill project during September 2024. Refer to the table below for details.



General Loan	Principal as at	Interest rate	Comment
Sewer - CBA Loan for Sewer Infrastructure	3,143,962.72	4.82%	20 years, repaid in 2035/36
Water - NAB Westpac Dam Wall	7,747,456.83	5.36%	20 years amortisation, 10 years term Aug 2032
Water - Yass to Murrumbateman water supply (Tcorp)	1,167,752.09	2.55%	10 years, full repaid in 2029
Water main and pump station upgrades (Tcorp)	638,050.12	2.55%	10 years, full repaid in 2029
Crago Mill funding facility (Westpac)	15,100,000.00	6.52%	20 years, full repaid 2043 - Variable rate (2.17%+BBSR)
<b>Total balance as at 31/07/2024</b>	<b>27,797,221.76</b>		

## 5. Investment Reports for June, July, and August 2024

Below are amended investment reports for June, July, and August 2024. These are presented to Council due to minor discrepancies at the time.

### June Investments

Two investments totalling \$2M were matured during June 2024. There were no new term deposits during the month of June. Council used the proceeds to fund Council operations.

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	7,527,447.07	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,284,845.78	AAA	n/a	n/a	3 day call	
		<b>12,812,292.85</b>					
<b>Term Deposits &lt; 12 Months</b>							
AMP	CN069404	1,000,000.00	A2	03/01/24	03/07/24	182	5.00%
Judo Bank	CN069780	1,000,000.00	XX	29/01/24	24/07/24	177	5.10%
Judo Bank	CN069781	1,000,000.00	XX	24/01/24	07/08/24	196	5.10%
NAB	10886903	1,000,000.00	A1+	26/02/24	26/08/24	182	5.10%
Judo Bank	CN069782	1,000,000.00	XX	24/01/24	28/08/24	217	5.10%
Great Southern Bank	CN067016	1,000,000.00	A2	04/09/23	04/09/24	366	5.22%
My State Bank	CN068865	1,000,000.00	XX	01/12/23	04/09/24	278	5.35%
MyState Bank	CN067069	1,500,000.00	XX	06/09/23	05/09/24	365	5.15%
NAB	10860338	1,200,000.00	A1+	06/09/23	05/09/24	365	5.20%
NAB	10860337	1,500,000.00	A1+	06/09/23	05/09/24	365	5.20%
Great Southern Bank	CN067017	1,000,000.00	A2	04/09/23	11/09/24	373	5.22%
AMP	CN069038	1,500,000.00	A2	11/12/23	11/09/24	275	5.30%
Bank of Queensland	CN068866	1,000,000.00	A2	01/12/23	11/09/24	193	5.35%
NAB	10861610	1,000,000.00	A1+	13/09/23	12/09/24	365	5.20%
Great Southern Bank	CN067018	1,000,000.00	A2	04/09/23	17/09/24	379	5.22%
NAB	10862901	1,000,000.00	A1+	20/09/23	19/09/24	365	5.25%
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
NAB	10886904	1,000,000.00	A1+	26/02/24	25/11/24	273	5.10%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
		<b>24,200,000.00</b>					
<b>Total Short Term</b>		<b>37,012,292.85</b>					



**July Investments**

Two investments totalling \$2M matured with five new term deposits totalling \$5M during the month of July 2024.

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	1,884,129.30	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,310,326.69	AAA	n/a	n/a	3 day call	
		<b>7,194,455.99</b>					
<b>Term Deposits &lt; 12 Months</b>							
Judo Bank	CN069781	1,000,000.00	XX	29/01/24	07/08/24	191	5.10%
NAB	10886903	1,000,000.00	A1+	26/02/24	26/08/24	182	5.10%
Judo Bank	CN069782	1,000,000.00	XX	29/01/24	28/08/24	212	5.10%
Great Southern Bank	CN067016	1,000,000.00	A2	05/09/23	04/09/24	365	5.22%
My State Bank	CN068865	1,000,000.00	XX	01/12/23	04/09/24	278	5.35%
MyState Bank	CN067069	1,500,000.00	XX	06/09/23	05/09/24	365	5.15%
NAB	10860338	1,200,000.00	A1+	06/09/23	05/09/24	365	5.20%
NAB	10860337	1,500,000.00	A1+	06/09/23	05/09/24	365	5.20%
Great Southern Bank	CN067017	1,000,000.00	A2	05/09/23	11/09/24	372	5.22%
AMP	CN069038	1,500,000.00	A2	11/12/23	11/09/24	275	5.30%
Bank of Queensland	CN068866	1,000,000.00	A2	01/12/23	11/09/24	193	5.35%
NAB	10861610	1,000,000.00	A1+	13/09/23	12/09/24	365	5.20%
Great Southern Bank	CN067018	1,000,000.00	A2	05/09/23	18/09/24	379	5.22%
NAB	10862901	1,000,000.00	A1+	20/09/23	19/09/24	365	5.25%
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
NAB	10886904	1,000,000.00	A1+	26/02/24	25/11/24	273	5.10%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
My State Bank	CN076018	1,000,000.00	XX	03/07/24	20/12/24	170	5.30%
NAB	10906670	1,000,000.00	A1+	03/07/24	03/07/25	365	5.45%
NAB	10906669	1,000,000.00	A1+	03/07/24	31/03/25	271	5.40%
AMP	CN076015	1,000,000.00	A2	03/07/24	03/01/25	184	5.05%
Judo Bank	CN076032	1,000,000.00	XX	03/07/24	03/07/25	365	5.40%
		<b>27,200,000.00</b>					
<b>Total Short Term</b>		<b>34,394,455.99</b>					

**August Investments**

Three investments totalling \$3M matured with six new term deposits totalling \$6M during the month of August 2024.

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	8,671,231.68	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,332,428.33	AAA	n/a	n/a	3 day call	
		<b>14,003,660.01</b>					
<b>Term Deposits &lt; 12 Months</b>							
Great Southern Bank	CN067016	1,000,000.00	A2	05/09/23	04/09/24	365	5.22%
My State Bank	CN068865	1,000,000.00	XX	01/12/23	04/09/24	278	5.35%
MyState Bank	CN067069	1,500,000.00	XX	06/09/23	05/09/24	365	5.15%
NAB	10860338	1,200,000.00	A1+	06/09/23	05/09/24	365	5.20%
NAB	10860337	1,500,000.00	A1+	06/09/23	05/09/24	365	5.20%
Great Southern Bank	CN067017	1,000,000.00	A2	05/09/23	11/09/24	372	5.22%
AMP	CN069038	1,500,000.00	A2	11/12/23	11/09/24	275	5.30%
Bank of Queensland	CN068866	1,000,000.00	A2	01/12/23	11/09/24	193	5.35%
NAB	10861610	1,000,000.00	A1+	13/09/23	12/09/24	365	5.20%
Great Southern Bank	CN067018	1,000,000.00	A2	05/09/23	18/09/24	379	5.22%
NAB	10862901	1,000,000.00	A1+	20/09/23	19/09/24	365	5.25%
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
NAB	10886904	1,000,000.00	A1+	26/02/24	25/11/24	273	5.10%
NAB	10916368	1,000,000.00	A1+	26/08/24	25/11/24	91	4.95%
NAB	10916956	1,000,000.00	A1+	28/08/24	26/11/24	90	4.95%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
My State Bank	CN076018	1,000,000.00	XX	03/07/24	20/12/24	170	5.30%
NAB	10916957	1,000,000.00	A1+	28/08/24	02/01/25	127	4.95%
AMP	CN076015	1,000,000.00	A2	03/07/24	03/01/25	184	5.05%
NAB	10906669	1,000,000.00	A1+	03/07/24	31/03/25	271	5.40%
NAB	10906670	1,000,000.00	A1+	03/07/24	03/07/25	365	5.45%
Judo Bank	CN076032	1,000,000.00	XX	03/07/24	03/07/25	365	5.40%
Judo Bank	CN078927	1,000,000.00	XX	30/08/24	28/11/24	90	5.00%
Judo Bank	CN078928	1,000,000.00	XX	30/08/24	26/02/25	180	5.10%
Bendigo	CN078927	1,000,000.00	XX	30/08/24	29/01/25	152	4.78%
		<b>30,200,000.00</b>					
<b>Total Short Term</b>		<b>44,203,660.01</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

## 6.13 COUNCIL COMMITTEES

### SUMMARY

Council has a number of external and statutory committees that requires Councillor representatives to be appointed.

### RECOMMENDATION

*That appointments be made for the committees highlighted in the table to this report*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Roads Act 1993*
- *State Emergency & Rescue Management Act 1989*
- Voluntary Planning Agreements (*Environmental Planning & Assessment Act 1979*)

### REPORT

There are several external and statutory Committees in which Councillor representatives or staff are required. The following table details these committees and representatives required are highlighted.

<b>External / Statutory Committees</b>		
CEO Performance Review	<i>Mayor, Deputy Mayor, Councillor nominated by Council, a Councillor nominated by the CEO</i>	<i>Annually</i>
Canberra Region Joint Organisation	<i>Mayor Cr Jasmin Jones</i>	<i>4 meetings per annum</i>
Southern Regional Planning Panel	<i>Skills and experienced based nominee Cr Flanery and Cr McGrath appointed</i>	<i>As required</i>
Local Emergency Management Committee	<i>Director Assets &amp; Infrastructure and LEMO</i>	<i>4 meetings per annum</i>
Local Rescue Committee	<i>Director Assets &amp; Infrastructure</i>	<i>4 meetings per annum</i>
Regional Emergency Management Committee	<i>Director Assets &amp; Infrastructure</i>	<i>As required</i>
Southern Tablelands Bushfire Management Committee		
Local Traffic Committee	<i>Councillor or Officer</i>	<i>4 meetings per annum</i>
Ginninderry Conservation Trust	<i>Mayor Cr Jasmin Jones</i>	

ACT & Region Catchment Management Coordination Group	<i>Chief Executive Officer</i> <i>Alternate - Director Planning &amp; Environment</i>	<i>4 meetings per annum</i>
South East Australia Transport Strategy Inc	<i>Director Assets &amp; Infrastructure</i>	<i>4 meetings per annum</i>
Southern Tablelands Regional Arts	<b>1 Councillor</b> <i>Director Corporate &amp; Community</i>	<i>2 meetings per annum</i>
South East Weights of Loads Group	<i>Manager Engineering Services</i>	
South West Regional Waste Management	<i>Chief Executive Officer</i> <i>Technical Group: Manager Facilities &amp; Waste Assets</i>	
Bango Wind Farm Community Consultative Committee	<b>1 Councillor</b>	<i>4 meeting per year</i>
Coppabella Wind Farm Community Consultative Committee	<b>1 Councillor</b>	<i>Up to 4 meeting per year</i>
Rye Park Wind Farm Community Consultative Committee	<b>1 Councillor</b>	<i>Up to 4 meeting per year</i>
HumeLink Community Consultative Group	<b>1 Councillor</b>	<i>Twice annually</i>
Bango Wind Farm Community Enhancement Fund Committee	<b>1 Councillor</b>	<i>Up to 2 meetings annually</i>
Coppabella Wind Farm Community Enhancement Fund Committee	<b>1 Councillor</b>	<i>Up to 2 meetings annually</i>
Rye Park Wind Farm Community Enhancement Fund Committee	<b>1 Councillor</b>	<i>Up to 2 meetings annually</i>
Springdale Solar Farm Community Enhancement Fund Committee	<b>1 Councillor</b>	<i>To be determined</i>
Wallaroo Solar Farm Community Enhancement Fund Committee	<b>1 Councillor</b>	<i>To be determined</i>

All other committees in the last term of Council are due for review and a separate paper and Councillor workshop will be held.

## 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

## 6.14 YASS POOL REDEVELOPMENT PROJECT COMMITTEE

### SUMMARY

To recommend nominations for positions on the Yass Pool Redevelopment Project Committee.

### RECOMMENDATION

*That:*

1. *Three Councillors representatives be nominated.*
2. *This item is classified CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance contrary to the public interest.*

### FINANCIAL IMPLICATIONS

Provision has been made in the 2024/25 Operational Plan for the engagement of a consultant to undertake any relative reports/assessments for development of the Yass Pool.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Committee Framework and Guidelines (February 2024).*

### REPORT

#### 1. Background

At its meeting on 27 June 2024 through a Notice of Motion, Council resolved to form the Yass Pool Redevelopment Project Committee. At its meeting on 25 July 2024 Council endorsed the Terms of Reference and resolved to call for nominations for the community positions.

Nominations for these positions have been received. A report on the nominations is included in the Closed Session of this meeting for consideration.

#### 2. Terms of Reference

The membership for the Committee as detailed in the Terms of Reference makes provision for three Councillors and five community members comprising:

- 2x Yass Swim Club Members
- 3x Community Members (non members of the Yass Swim Club)

Councillors will need to be appointed as representatives on this Committee.

#### 3. Nominations

Two nominations have been received for the Yass Swim Club positions. Twelve nominations were received for the community members positions. A report on the nominations 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	IN3.5 - Management of community infrastructure is supported by strong relationships between Council and community groups

Delivery Program Action      Establishment and coordination of community infrastructure user groups to identify community uses and Council support requirements

**ATTACHMENTS:**      Nil

## 8.1 QUESTION WITH NOTICE - MEMORIAL SEATING POLICY

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### Question

Councillor David Carter submitted the following Question with Notice:

*During the election, it emerged that the Memorial Seating policy, or more specifically, what was on the approved list for new seating, did not include cemeteries in our region. Can you advise what steps have been taken to update either the Memorial Seating policy or the approved list for new seating, so as to include the right for memorial seating to be installed in LGA cemeteries? My thanks to former Cr, Cayla Pothan for discussing this with me during the recent election campaign.*

### Response

The *Memorial Seating Policy* is focused on open space areas. This policy is currently under review.

Memorial seating for cemeteries are part of the cemetery plans of management.

**ATTACHMENTS:** Nil



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## 8.2 QUESTIONS WITH NOTICE - COUNCIL MEETING VENUES

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### Question

Councillor David Carter submitted the following Questions with Notice:

1. *Given the desire by a number of electors in the Yass Valley Local Government Area to have council meetings in different villages and towns around the region, can you provide any updates on the cost and capacity of the Yass Valley Local Council to hold meetings across the LGA?*
2. *Are you aware of any low-cost models or case studies around how other LGAs hold meetings in and around their broader LGA?*
3. *Are you aware of any official guidance provided by the OLG to hosting meetings in different venues across a LGA?*
4. *Is there any reason that would prevent the Yass Valley Council, given this advice from the OLG and from other case studies in NSW, from holding council meetings in Murrumbateman (perhaps at the Hive), in Gundaroo or Sutton or in Binalong, Bowning or other such places?*

### Response

All Council meetings must be live streamed and need to technology to record minutes/motions/voting into our system.

Staff investigated multiple alternate venue options for Council meetings as part of the Crago Mill Precinct development.

Council meetings at community halls in Gundaroo, Sutton, Binalong, Bowning and Murrumbateman do not have suitable technology or reliable internet to conduct a Council meeting that meets the Office of Local Government requirements. To hold a meeting at any of the community halls involves considerable support from ICT staff and mobile equipment but there is no guarantee internet support would be suitable. In addition, there are heating and cooling issues with the halls and halls are not always available for the entire period of construction of the new Council offices.

The only venue that meets the technology requirements and availability needs for Council meetings was the classroom at the Yass High School

I am not aware or any guidelines/directives from the Office of Local Government to host meetings in different venues.

Other Local Councils in our region do move their meetings between different communities. They have been able to do this as a result of amalgamations in which they inherited multiple Council offices e.g.

- Hilltops Council – include the former Harden, Young and Boorowa Council Chambers
- Upper Lachlan Council – include the former Gunning and Crookwell Council Chambers
- Cootamundra Gundagai Regional Council – include the former Cootamundra and Gundagai Council Chambers
- Queanbeyan Palerang Regional Council – current Queanbeyan Chambers and former Braidwood Council Chamber

**ATTACHMENTS:**    Nil

## 9.1 MINUTES OF THE YOUTH COUNCIL HELD ON 25 SEPTEMBER 2024

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### REPORT

The minutes of the Youth Council meeting held on 25 September 2024 is included in **Attachment A**.

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

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

Accordingly, the minutes are presented for information.

### RECOMMENDATION

*That the minutes of the Youth Council meeting held on 25 September 2024 be noted.*

**ATTACHMENTS:** A. Youth Council Minutes 25 September 2024