



Minutes of the Ordinary Meeting of Council

Thursday 19 December 2024

4:00 PM

Yass High School
Grampian Street, Yass

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Open Forum

Open Forum - Brett Whitworth from the Office of Local Government addressed Councillors about the Yass Valley Council's financial position.

Open Forum - Item 6.2 - Modification of Development Consent No. DA200091 – Erosion Gully Rehabilitation and Importation of Material – 64 Brooklands Road, Wallaroo

- Jodie Newell

Open Forum - Item 6.9 - Murrumbateman BMX/Pump Track Focus Group

- Matt Baker
- Stephanie McCall

Council Meeting - The Mayor declared the meeting open at 4.45pm.

Present

Acknowledgement of Country

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

Staff Present - Acting Chief Executive Officer – Julie Costa, Director of Infrastructure & Assets – Nathan Cooke, Acting Director of Planning & Environment – Kate Baker, Executive Support Officer – Katie Yeo and Local Government Consultant from UHY Haines Norton Chartered Accountants -William Pavia.

1. Prayer

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Butler, declared a Non Pecuniary Significant Conflict in Item 6.3 Development Application No. DA240214 – Dual Occupancy and Two Lot Strata Title Subdivision – 2 Oak Grove Murrumbateman and will leave the room.

Reason: My house is near the site mentioned.

Councillor Carter, declared a Non Pecuniary significant conflict in Item 6.11 Road Safety Program 2023-24 to 2025-2026 Grant and will leave the room.

Reason: Councillor lives on Shaw Street and grant funding is planned to be applied at least in part to footpaths on Shaw Street.

Acting Chief Executive Officer Julie Costa, declared a Pecuniary Interest in Item 5.1 Mayoral Minute Appointment of Acting Chief Executive Officer and Recruitment of Chief Executive Officer Update and will leave the room.

Reason: Ms Costa is currently the Acting Chief Executive Officer and this role will be reviewed as part of this Mayoral Minute.

Acting Chief Executive Officer Julie Costa, declared a Non Pecuniary – Less than Significant Interest in Item 6.11 Road Safety Program 2023-24 to 2025-2026 Grant and will remain in the meeting.

Reason: The footpath will be in the vicinity of property I own on Shaw Street.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 November 2024 covered by resolution numbers 37-62 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(McGrath/Burgess) 63

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

AGAINST: Councillor A Cameron

Motion

RESOLVED that the late report be accepted as an additional item to the meeting for the Yass Water Treatment Plant Upgrade – National Water Grid Funding

(Cameron/Butler) 64

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

AGAINST: Nil

5. Mayoral Minute

5.1 MAYORAL MINUTE - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER AND RECRUITMENT OF CHIEF EXECUTIVE OFFICER UPDATE

SUMMARY

To consider matters relating to the appointment of the Acting Chief Executive Officer and recruitment of the Chief Executive Officer.

RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for 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

(McGrath/Butler) 65

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

AGAINST: Nil

6. Reports to Council

6.1 DEVELOPMENT APPLICATION NO. DA240223 - THREE LOT SUBDIVISION - 110 SOUTHWELL ROAD & 51 BROOKLANDS ROAD, WALLAROO

SUMMARY

To present the assessment of development application no. DA240223 for three lot rural subdivision at 110 Southwell Road and 51 Brooklands Road, Wallaroo. The application attracted four objections. Approval is recommended.

RESOLVED that conditional development consent be issued for Development Application No DA240223 for a three lot subdivision of 110 Southwell Road and 51 Brooklands Road, Wallaroo.

(Butler/Burgess) 66

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

AGAINST: Councillors A Cameron and F Flanery

6.2 MODIFICATION OF DEVELOPMENT CONSENT NO. DA200091 - EROSION GULLY REHABILITATION AND IMPORTATION OF MATERIAL - 64 BROOKLANDS ROAD, WALLAROO

SUMMARY

To present the assessment of a request to modify deferred commencement development consent no. DA200091 for erosion gully rehabilitation including importation of 42,000m³ of material. The modification seeks to allow additional impacts to native vegetation, specifically eucalyptus trees, and to increase the maximum number of heavy vehicle movements per day. The application attracted 17 submissions. The applicant has not responded to requests for additional information. Relevant concerns cannot be addressed, and refusal is recommended.

RESOLVED that the request to modify deferred commencement development consent No. DA200091 for erosion gully rehabilitation including importation of 42,000m³ of material at 64 Brooklands Road, Wallaroo, be refused on the following grounds:

- 1. The modification application has been made pursuant to section 4.55(1A) Environmental Planning and Assessment Act 1979 (EP&A Act) as being of 'minimal environmental impact'. Based on the information available, the impact to native vegetation, specifically eucalyptus trees, detailed in the Vegetation Assessment and the Tree Management Report as 'adverse effect' and 'unlikely to survive' is not considered to represent 'minimal environmental impact' in the context of the proposal. In this regard, the modification application cannot be approved in accordance with s4.55(1A)(a) of the EP&A Act.***
- 2. The proposed development, as modified, is not considered to represent 'substantially the same development' to which deferred commencement development consent was originally granted. The original development involved no proposed impact or removal of native trees, whilst the development as modified will result in impacts of 'adverse effect' and 'unlikely to survive' to approximately 19 mature or remnant native eucalyptus trees. Modified development consent therefore cannot be granted in accordance with s4.55(1A)(b) of the EP&A Act.***
- 3. A 'test of significance' for threatened species has not been provided. It is therefore not possible to determine whether the development as modified may be 'likely to significantly***

affect threatened species' or now triggers entry into the NSW Biodiversity Offset Scheme in accordance with the requirements of Part 7 Biodiversity Conservation Act 2016.

4. *The applicant did not provide response to council's request for additional information on 22 June 2023 and final request on 1 October 2024. The information available does not enable a complete assessment for the purposes of s4.55(3) of the EP&A Act.*

(Cameron/Flanery) 67

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

AGAINST: Nil

Councillor Butler left the room at 5.10pm.

6.3 DEVELOPMENT APPLICATION NO. DA240214 - DUAL OCCUPANCY AND TWO LOT STRATA TITLE SUBDIVISION - 2 OAK GROVE, MURRUMBATEMAN

SUMMARY

To present the assessment of development application No. DA240214 for a dual occupancy and associated two lot strata title subdivision at 2 Oak Grove, Murrumbateman. The application has requested an exception to the 1,500m² minimum lot size development standard by between 47-49% through clause 4.6 of the Yass Valley Local Environmental Plan 2013. The application attracted one submission. Approval is recommended.

RESOLVED that conditional development consent be issued for Development Application No. DA240214 for a dual occupancy and associated two lot strata title subdivision at 2 Oak Grove, Murrumbateman.

(Rothwell/McGrath) 68

FOR: Councillors C Burgess, A Cameron, D Carter, A Charry, J Jones, A McGrath and D Rothwell

AGAINST: Councillor F Flanery

Councillor Butler returned to the room at 5.12pm.

6.4 DEVELOPMENT APPLICATION NO. DA240302 - TWO LOT SUBDIVISION - 29 ORION STREET, YASS

SUMMARY

To present the assessment of Development Application No DA240302 for the two lot torrens title subdivision and demolition of a carport at 29 Orion Street, Yass. The application as requested an exception to the 2,000m² minimum lot size development standard by up to 57% through clause 4.6 of the Yass Valley Local Environmental Plan 2013. Relevant issues cannot be addressed by conditions and refusal is recommended for the subdivision. Approval is recommended for the demolition of a carport.

RESOLVED that for Development Application No DA240302 relating to 29 Orion Street, Yass:

- 1. That Development Consent be granted for Development Application No. DA240302 for the two lot subdivision and demolition of an existing carport at 29 Orion Street, Yass, as:***

- *The subdivision assists with meeting the NSW Housing Targets, the Yass Valley Settlement Strategy 2036, and Local Strategic Planning Statement for increased infill development in North Yass.*
 - *Satisfaction has been formed that the Applicant's written request seeking an exception to the minimum lot size development standard using clause 4.6 Yass Valley Local Environmental Plan 2013 has demonstrated that compliance with the development standard is unreasonable and unnecessary in this instance and that there are sufficient environmental planning grounds.*
2. *A report be prepared for Council's consideration examining other sites in North Yass suitable for infill development subject to available resources.*

(Rothwell/Charry) 69

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

AGAINST: Councillors A Cameron and F Flanery

6.5 PLAY OUR WAY PROGRAM - GRANT OUTCOME

SUMMARY

To advise Council with the outcome of the 'Play Our Way' program grant application.

RESOLVED that Council notes:

1. *The unsuccessful application for grant funding from the Federal Government's 'Play Our Way' program, for the construction of a female change room and amenities building at Victoria Park, Yass.*
2. *The project has been placed on a reserve list and a further report will be provided to Council if the outcome changes.*

(Carter/Charry) 70

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

AGAINST: Nil

6.6 SPORTS FACILITY CLOSURE POLICY

SUMMARY

To develop a policy for the closure of council sporting grounds due to inclement weather, maintenance or renovation works.

RESOLVED that the draft Sports Facility Closure Policy:

1. *Is placed on public exhibition for a period of 28 days, and*
2. *Is adopted at the conclusion of the public exhibition period if no significant submissions are received.*

(McGrath/Butler) 71

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

AGAINST: Nil

6.7 COMMUNITY SPORTS FACILITY BOOKING POLICY

SUMMARY

To develop a policy for the allocation of sporting fields and associated facilities for hire within the Yass Valley local government area.

RESOLVED that the draft Community Sports Facility Booking Policy:

- 1. Is placed on public exhibition for a period of 28 days and***
- 2. Is adopted at the conclusion of the public exhibition period if no significant submissions are received.***

(McGrath/Carter) 72

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

AGAINST: Nil

6.8 BINALONG RECREATION GROUND MASTERPLAN

SUMMARY

To present the draft Binalong Recreation Ground Masterplan and recommend the masterplan be placed on public exhibition.

RESOLVED that the draft Binalong Recreation Ground Masterplan:

- 1. Is placed on public exhibition for 28 days and***
- 2. Is adopted at the conclusion of the exhibition period if no significant objections are received or substantial revisions to the masterplan are required.***

(Rothwell/Butler) 73

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

AGAINST: Nil

6.9 MURRUMBATEMAN BMX/PUMP TRACK FOCUS GROUP

SUMMARY

To approve the terms of reference and seek approval to release an Expression of Interest for a Project Focus Group to help advise Council on the location and concept design of a BMX/Pump Track in Murrumbateman.

RESOLVED that :

- 1. The terms of reference for the Murrumbateman BMX/Pump Track Focus Group be endorsed.**
- 2. An expression of interest be issued to fill the positions of the Murrumbateman BMX/Pump Track Focus Group and to include the following:**
 - **Three (3) Councillors**
 - **Four (4) community members, to be comprised of:**
 - **Youth representative (Murrumbateman resident between ages of 15)**
 - **Murrumbateman Recreation Ground Focus Group representative**
 - **Two (2) Murrumbateman community members with experience in BMX/pump track design and/or use**

(Butler/Charry) 74

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

AGAINST: Councillors A Cameron, D Carter and F Flanery

6.10 APPLICATIONS UPDATE - OCTOBER & NOVEMBER 2024

SUMMARY

A list of applications that have been lodged, determined and under assessment for October and November 2024, and a wrap-up of Development Assessment Team statistics.

RESOLVED that the report on applications for October and November 2024 and the "2024 wrap-up" be noted.

(Burgess/Rothwell) 75

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

AGAINST: Nil

Councillor Carter left the room at 5.54pm.

6.11 ROAD SAFETY PROGRAM 2023-24 TO 2025-26 GRANT

SUMMARY

To advise of a grant offer received under the Road Safety Program 2023-24 to 2025-26 to undertake various pedestrian projects to improve pedestrian connectivity in Yass township.

RESOLVED that :

- 1. The Road Safety Program 2023-24 to 2025-26 grant be accepted for \$853,000 for the construction of path connecting Walker Park to Berinba Public School via Walker and Julian Places to Petit Street to Church Street and a path connecting Crago Street via Shaw Street to Petit Street.***
- 2. The 2024/25 Operational Plan and associated budget be updated to allow \$20,000 of income and expenditure to undertake preliminary activities including procurement, road safety audit etc.***
- 3. The remainder of the funding (\$833,000) and associated expenditure be referred to the draft 2025/26 Operational Plan for the construction of the project.***
- 4. The Roads Delivery draft 2025/26 Operational Plan budget for Local Roads – Footpaths expenditure (GL 310 Project Number 502027) be reduced by \$8,500 to fund the additional annual depreciation costs associated with the project.***

(Cameron/Charry) 76

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

AGAINST: Nil

Councillor Carter returned to the room at 5.59pm.

6.12 MONTHLY FINANCIAL REPORT

SUMMARY

Council was advised at its November 2024 meeting that a monthly report would be developed to update Council and the Office of Local Government on Council's financial performance. This monthly financial report is now provided and provides information about Council's financial position 30 November 2024. It also includes a variance analysis against the full year budget and budget year to date (YTD).

RESOLVED that the November 2024 Monthly Financial Report be noted

(Carter/Charry) 77

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

AGAINST: Nil

6.13 2024/25 FIRST QUARTERLY BUDGET REVIEW STATEMENTS

SUMMARY

This report represents the 2024/25 First Quarterly Budget Review Statements (QBRS) for the period 1 July to 30 September 2024. This review demonstrates Council's projected year end **Net Operating Result before Capital Items** remains negative and is predicted to be \$(4.8M), an increase in deficit of \$123k compared to the original budget. Actuals as at 30 September 2024 show a surplus of \$14.8M due to rate and annual charges income happening in July but expenses evenly spread across the year.

RESOLVED that :

- 1. The 2024/25 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 2024 be noted as being satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.**

(McGrath/Rothwell) 78

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

AGAINST: Nil

6.14 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 November 2024. 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 and Borrowings Report covering the period 1 to 30 November 2024 be noted.

(Carter/Rothwell) 79

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

AGAINST: Nil

6.15 YVC.PE.37.2024 MURRUMBATEMAN RECREATION GROUND - ACCESS UPGRADE

SUMMARY

To provide advice and recommendations on the submissions received for the YVC.PE.37.2024 Murrumbateman Recreation Ground – Access Upgrade tender.

RESOLVED that item be classified CONFIDENTIAL in accordance with Section 10A(2)(di) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating

to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied the information. Discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(Butler/Cameron) 80

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

AGAINST: Nil

6.16 WORKPLACE CULTURE REVIEW

SUMMARY

Council resolved at its meeting on 28 November 2024 to undertake a Workplace Culture Review. This report details how this review could be funded.

RESOLVED that :

- 1. The 2024/25 Operational Plan be updated to include the Workplace Culture Review and a budget of \$40,000 be identified for this work.**
- 2. The 2024/25 Operational Plan be updated to reflect a reduction in budget for the afterhours service project (NP20104) from \$30,000 to \$10,000 and the budget for the purchase of library books (GL760220228) from \$100,000 to \$80,000.**

(Charry/Rothwell) 81

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

AGAINST: Nil

6.17 TENDER EVALUATION REPORT - MURRUMBATEMAN CREEK BRIDGE REPLACEMENT - GREENWOOD ROAD YVC.IA.36.2023

SUMMARY

This report provides advice and recommendations on the submissions received for the Murrumbateman Creek Bridge Replacement – Greenwood Road YVC-IA-36-2023 tender.

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

(Butler/Cameron) 82

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

AGAINST: Nil

6.18 TENDER EVALUATION REPORT - BOWNING ACTIVE CIRCUIT - YVC/IA/35.2024

SUMMARY

This report provides advice and recommendations on the submissions received for the Bowning Active Circuit YVC.IA.37.2023 tender.

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

(Butler/Cameron) 83

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

AGAINST: Nil

6.19 YASS WATER TREATMENT PLANT UPGRADE - NATIONAL WATER GRID FUNDING

SUMMARY

The Yass Water Treatment Plant Upgrade Project is a challenging and a very high priority project for Council. This report provides an update on progress following Council approval of the Final Business Case at the extraordinary Council Meeting on 9 May 2024 and the recent announcement of the National Water Grid funding.

RESOLVED that :

- 1. The funding of \$18.1M for the upgrade of the Yass Water Treatment Plant from the National Water Grid, June 2024 Round by the Australian Government be accepted.***
- 2. The Chief Executive Officer be delegated to execute the Funding Deed for the National Water Grid, June 2024 Round.***

(Cameron/Carter) 84

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

AGAINST: Nil

6. Notice of Motion

Nil

7. Questions with Notice

Nil

8. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION EXTRAORDINARY BOARD MEETING HELD ON FRIDAY 25 OCTOBER 2024

REPORT

The minutes of the Canberra Region Joint Organisation Extraordinary meeting held on 25 October 2024 are included in **Attachment A**.

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

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

Accordingly, the minutes are presented for information.

RESOLVED that the minutes of the Canberra Region Joint Organisation meeting held on 25 October 2024 be noted

(McGrath/Butler) 85

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

AGAINST: Nil

9.2 MINUTES OF THE CRJO JOINT AUDIT RISK & IMPROVEMENT COMMITTEE HELD ON 17 SEPTEMBER 2024

REPORT

The minutes of the CRJO Joint Audit Risk & Improvement Committee meeting held on 17 September 2024 are included in **Attachment A**.

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

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

Accordingly, the minutes are presented for information.

RESOLVED that the minutes of the CRJO Joint Audit Risk & Improvement Committee meeting held on 17 September 2024 be noted.

(Cameron/Butler) 86

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

AGAINST: Nil

9. Confidential Matters

RECOMMENDATION

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

10.1 Tender Evaluation Report - Murrumbateman Creek Bridge Replacement - Greenwood Road YVC.IA.36.2023

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

10.2 YVC.PE.37.2024 Murrumbateman Recreation Ground - Access Upgrade

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

10.3 Tender Evaluation Report - Bowring Active Circuit - YVC/IA/35.2024

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

10.4 Mayoral Minute - Appointment of Acting Chief Executive Officer and Recruitment of Chief Executive Officer Update

Item 10.4 is confidential in accordance with section s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Motion

RESOLVED that the meeting be moved into confidential session of Council meeting.

(Cameron/Charry) 87

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

AGAINST: Nil

Closed Council commenced at 7.01 pm.

**10.1 TENDER EVALUATION REPORT - MURRUMBATEMAN CREEK BRIDGE REPLACEMENT
- GREENWOOD ROAD YVC.IA.36.2023**

SUMMARY

This report provides advice and recommendations on the submissions received for the Murrumbateman Creek Bridge Replacement – Greenwood Road YVC-IA-36-2023 tender.

RESOLVED that :

- 1. The tender submitted by Murray Constructions for the construction of the Murrumbateman Creek Bridge under Contract YVC.IA.36.2023 be accepted for a total cost of \$3,260,200.00;**
- 2. An additional \$469,930 be allocated from the Contributions Reserve in the 2024/25 Operational Plan for this project.**

(Burgess/Rothwell) 88

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

AGAINST: Nil

10.2 YVC.PE.37.2024 MURRUMBATEMAN RECREATION GROUND - ACCESS UPGRADE

SUMMARY

This report provides advice and recommendations on the submissions received for the YVC.PE.37.2024 Murrumbateman Recreation Ground – Access Upgrade tender.

RESOLVED that the tender submitted by R Con Civil Pty Ltd under the YVC.PE.37.2024 Murrumbateman Recreation Ground – Access Upgrade contract be accepted for a total cost of \$275,422.65.

(Butler/Rothwell) 89

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

AGAINST: Nil

10.3 TENDER EVALUATION REPORT - BOWNING ACTIVE CIRCUIT - YVC/IA/35.2024

SUMMARY

This report provides advice and recommendations on the submissions received for the Bowning Active Circuit YVC.IA.37.2023 tender.

RESOLVED that :

- 1. The tender submitted by Jasique Building and Earthworks for the contract of the Bowning Active Circuit YVC.IA.37.2023, be accepted for a total cost of \$1,138,927.39 (Ex Gst).**
- 2. The remaining funding from the project budget allocation be utilised as a contingency allowance for latent conditions and/or for undertaking additional schedule of rates works.**

(Cameron/Carter) 90

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

AGAINST: Nil

All staff left the confidential session of the meeting at 7.25pm.

10.4 MAYORAL MINUTE - APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER AND RECRUITMENT OF CHIEF EXECUTIVE OFFICER UPDATE

SUMMARY

To consider matters relating to the appointment of the Acting Chief Executive Officer and recruitment of the Chief Executive Officer.

RESOLVED that Council:

- 1. Appoint Julie Costa as the Acting Chief Executive Officer until Council either appoints a permanent CEO and they commence their employment, or makes a further resolution in relation to the Acting Chief Executive Officer role.**
- 2. Delegate to the Acting Chief Executive Officer all the functions, delegations and sub-delegations given to the Chief Executive Officer by the Council.**
- 3. The Chief Executive Officer Recruitment and Selection update be noted.**

(Jones/Rothwell) 91

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

AGAINST: Nil

RESOLVED that the meeting move into Open Council.

(Butler/McGrath) 92

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

AGAINST: Nil

All staff returned to the confidential session of the meeting at 7.55pm.

Open Council resumed at 7.56 pm and confidential resolutions were read out by Mayor Jones.

The meeting closed at 7.59pm.