



Minutes of the Ordinary Meeting of Council

Thursday 22 May 2025

4:00 PM

**Yass High School
Grampian Street, Yass**

Table of Contents

1.	Councillor Request for Attendance via Audio-Visual.....	2
2.	Apologies	2
3.	Declaration of Interest/Disclosures	3
4.	Confirmation of Minutes	3
5.	Mayoral Minute.....	3
6.	Reports to Council	4
6.1	Murrumbateman Playground Site Determination.....	4
6.2	Development Application No 220142 - Two Lot Subdivision and Highway Service Centre - Long Rail Gully Road and Barton Highway, Murrumbateman.....	4
6.3	Planning Proposal - 34 Isabel Drive, Murrumbateman.....	5
6.4	Planning Proposal - Cusack Place, Yass	5
6.5	Planning Proposal - 3047 and 3071 Barton Highway Murrumbateman.....	6
6.6	Request for Safe Pedestrian Access in Murrumbateman	6
6.7	Monthly Finance Report	7
6.8	Investment and Borrowing Report	7
6.9	Yass Valley Council Community Satisfaction Survey - November 2024.....	7
6.10	Review of Delegations from Council to the Chief Executive Officer.....	8
6.11	NSW Local Government Remuneration Tribunal - 2025 Determination on Fees for Councillors ..	9
6.12	Petition - Murrumbateman Playground Site Determination.....	9
6.13	2024/25 Third Quarterly Budget Review Statements.....	9
6.	Notices of Motion	10
7.	Questions with Notice.....	10
8.1	Enforcement Activities	10
8.	Minutes and Recommendations of Council Committees.....	15
9.1	Minutes of the Murrumbateman BMX/Pump Track Focus Group held on 30 April 2025.....	15
9.2	Minutes of the Local Traffic Committee 6 May 2025	16
9.	Confidential Matters.....	16

Minutes of the Ordinary Meeting of Council 22 May 2025

Open Forum

Presentations to Council – Items on the Meeting Agenda

- **Matt Baker** – Item 6.1 - Murrumbateman Playground Site Determination
- **Jason Burgess** – Item 6.1 - Murrumbateman Playground Site Determination
- **Edwina Ekins** – Item 6.2 - Development Application No 220142 - Two Lot Subdivision and Highway Service Centre - Long Rail Gully Road and Barton Highway, Murrumbateman
- **Craig McGaffin** - Development Application No 220142 - Two Lot Subdivision and Highway Service Centre - Long Rail Gully Road and Barton Highway, Murrumbateman
- **Ian McCall** - Development Application No 220142 - Two Lot Subdivision and Highway Service Centre - Long Rail Gully Road and Barton Highway, Murrumbateman
- **Felicity Prideaux** - Development Application No 220142 - Two Lot Subdivision and Highway Service Centre - Long Rail Gully Road and Barton Highway, Murrumbateman
- **Craig McGaffin** – Item 6.4 – Planning Proposal – Cusack Place, Yass
- **Rachel Doberer** – Item 6.5 – Planning Proposal - 3047 and 3071 Barton Highway Murrumbateman

Council Meeting - The Mayor declared the meeting open at 4.38pm and advised that the meeting would be webcast live.

Present

Councillors Jasmin Jones (Mayor); Cecil Burgess; Kristin Butler (Deputy Mayor); Adrian Cameron; David Carter; Alvaro Charry; Fleur Flanery; Allan McGrath and David Rothwell.

Also present were the Gayleen Burley (Chief Executive Officer);– Julie Costa (Director of Planning & Environment);– Nathan Cooke (Director of Infrastructure & Assets); – Peta Gardiner (Director of Corporate & Community); Jason McGuire (Chief Executive Officer); Tanya Whitmarsh (Governance & Risk Officer) (via Teams) and Katie Yeo (Executive Support Officer).

Acknowledgement of Country

Yass Valley Council acknowledges the Traditional Custodians of the land, the Ngunnawal people. We acknowledge and respect their continued connection to land, waters, skies and community.

We pay our respects to Elders past, present and emerging and extend that respect to all Aboriginal and Torres Strait Islander peoples in the Yass Valley LGA.

Prayer

1. Councillor Request for Attendance via Audio-Visual

Nil.

2. Apologies

Nil.

Minutes of the Ordinary Meeting of Council 22 May 2025

3. Declaration of Interest/Disclosures

Cr Jasmin Jones declared a less than significant non-pecuniary conflict of interest in item 6.1 Murrumbateman Playground site selection and will leave the meeting.

Reason: Family member is on Parish board.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 April 2025 covered by resolution numbers 163-175 inclusive be confirmed.

“Subject to the following changes”

- Inclusion of the answers to 8.3 Crago Mill – Sustainability in Design Issues.

(Cameron/Carter)181

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

AGAINST: Nil

Extraordinary Council Meeting held on 08 May 2025 covered by resolution numbers 176-180 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Carter/McGrath)182

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

AGAINST: Nil

Motion

RESOLVED that the late report – Item 6.12 Petition - Murrumbateman Playground Site Determination and Item 6.13 2024/25 - Third Quarterly Budget Review Statements be accepted into the meeting.

(Butler/Burgess) 183

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

Nil

At 4.47pm Mayor Cr Jones left the room and Cr Butler took the chair.

6. Reports to Council

6.1 MURRUMBATEMAN PLAYGROUND SITE DETERMINATION

SUMMARY

To determine the preferred location for the construction of the Murrumbateman All-Abilities Playground. It is recommended that the playground be constructed at 10 Hercules Street, Murrumbateman.

RESOLVED that:

- 1. Council endorses 10 Hercules Street, Murrumbateman as the location to construct the all-abilities playground.***
- 2. Council submits a variation to the grant provider with the change of location and time extension.***
- 3. Council accepts the modification to the playground design to accommodate the site size and any other specific needs of Hercules Street.***
- 4. Council terminates the terms of the existing legal agreement with the Anglican Church Property Trust Diocese of Canberra and Goulburn and enters into a new lease agreement with the end date remaining as 8 November 2049.***
- 5. Council delegates to the Chief Executive Officer the negotiation and execution of the lease agreement.***
- 6. Council considers a report at its June 2025 meeting regarding the Local Roads and Community Infrastructure (Phase 4) funding of \$116 000 that advises on possible options on the use of this funding either for the proposed all abilities playground or other projects within Murrumbateman.***
- 7. Council thanks the community for their participation in the community survey and their interest in this project.***

(Rothwell/Burgess) 184

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

AGAINST: Councillor A Cameron

At 5.07pm Mayor Cr Jones returned to the room and resumed the chair.

6.2 DEVELOPMENT APPLICATION NO 220142 - TWO LOT SUBDIVISION AND HIGHWAY SERVICE CENTRE - LONG RAIL GULLY ROAD AND BARTON HIGHWAY, MURRUMBATEMAN

SUMMARY

To present the assessment of Development Application No DA220142 for a two lot subdivision and construction of a highway service centre on the Barton Highway, Murrumbateman. The application attracted a total of 26 submissions over two periods of public exhibition. Relevant concerns can be addressed by conditions. Approval is recommended.

RESOLVED that conditional Development Consent be issued for Development Application No DA220142 for a two lot subdivision and construction of a highway service centre on the Barton Highway, Murrumbateman.

(Burgess/Rothwell)185

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

AGAINST: Councillors A Cameron, D Carter and F Flanery

6.3 PLANNING PROPOSAL - 34 ISABEL DRIVE, MURRUMBATEMAN

SUMMARY

To present the outcome from the public exhibition and agency consultation of the planning proposal for Shaw's Winery, 34 Isabel Drive, Murrumbateman. The planning proposal aims to amend the Yass Valley Local Environmental Plan 2013 to include an additional permitted use of serviced apartments for the site to support the existing winery and infrastructure on site. Endorsement of the planning proposal is recommended.

RESOLVED that:

- 1. Planning proposal PP2024-765 relating to Lot 27 DP1301590, 34 Isabel Drive, Murrumbateman be adopted.**
- 2. The Yass Valley Local Environmental Plan 2013 is amended by Council as the local plan making authority.**

(Charry/Flanery) 186

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

AGAINST: Nil

6.4 PLANNING PROPOSAL - CUSACK PLACE, YASS

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the land use zoning and minimum lot size under the Yass Valley Local Environmental Plan 2013 for land in Cusack Place, Yass.

RESOLVED that:

- 1. The revised draft Planning Proposal for Cusack Place, Yass be endorsed**
- 2. The draft Planning Proposal be forwarded to the Minister for Planning to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979**

(McGrath/Butler) 187

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 PLANNING PROPOSAL - 3047 AND 3071 BARTON HIGHWAY MURRUMBATEMAN

SUMMARY

A Planning Proposal for 3047 and 3071 Barton Highway Murrumbateman was presented to the 25 July 2024 Council meeting. It was resolved at that meeting that the applicant be requested to secure a footpath connection from the site to the existing street network and provide a playground as part of the proposal.

Despite numerous and exhaustive efforts to secure a footpath connection, the applicant has been unsuccessful in obtaining the necessary agreements and land owners consent. The applicant has written to Council seeking a review of the resolution.

RESOLVED that :

- 1. The draft Planning Proposal for 3047 and 3071 Barton Highway, Murrumbateman (PP2024-1167) be endorsed.***
- 2. The draft Planning Proposal be forwarded to the Minister for Planning & Public Spaces to request a Gateway determination pursuant to s3.34 Environmental Planning & Assessment Act 1979.***
- 3. To align with the strategic objectives of the Murrumbateman Structure Plan to support safe and accessible neighbourhoods, the proponent is strongly encouraged to incorporate this footpath connection to Scrubby Lane into any future development application.***

(Charry/Cameron) 188

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 REQUEST FOR SAFE PEDESTRIAN ACCESS IN MURRUMBATEMAN

SUMMARY

Council has received correspondence raising concerns about the lack of safe pedestrian/cycle ways for access to and from the Murrumbateman Public School.

RESOLVED that:

- 1. Council acknowledges the efforts of the submitter and thank them for bringing this matter to Council's attention.***
- 2. Council notes the information contained in the report.***
- 3. Council writes to the submitter commending their advocacy and include an update on Council's plans to improve pedestrian safety in Murrumbateman.***

(Butler/Rothwell) 189

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 MONTHLY FINANCE REPORT

SUMMARY

Council was advised at the November 2024 Council Meeting that a monthly report would be developed to update Council and the Office of Local Government (OLG) on the Council's financial performance.

This report provides information about Council's financial position at the end of April 2025. The report also includes a variance analysis against the full-year budget and budget year to date (YTD).

Note that the Investment and Borrowing Report is a separate report.

RESOLVED that the Monthly Financial Report for April 2025 be noted.

(Rothwell/Charry) 190

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 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 April 2025. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

RESOLVED that the Investment & Borrowings Reports, covering the period 1 to 30 April 2025 be noted.

(Butler/McGrath) 191

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 YASS VALLEY COUNCIL COMMUNITY SATISFACTION SURVEY - NOVEMBER 2024

SUMMARY

This report highlights for Council the results of the Community Satisfaction Survey, which was undertaken in November 2024. The survey measured the community's satisfaction and priorities regarding Council-managed facilities and services.

RESOLVED that Council:

- 1. Notes the 2024 Community Satisfaction Survey Report produced by Taverner Research Group.***
- 2. Place a copy of the 2024 Community Satisfaction Survey Report on Council's website for public access.***

Minutes of the Ordinary Meeting of Council 22 May 2025

3. *Ensure that a further report be brought to Council to address the identified priority areas of low satisfaction.*
4. *Notes its commitment to undertaking a subsequent Community Satisfaction Survey in 2026.*

(McGrath/Carter) 192

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

AGAINST: Nil

6.10 REVIEW OF DELEGATIONS FROM COUNCIL TO THE CHIEF EXECUTIVE OFFICER

SUMMARY

Within the first 12 months of commencing a new term of office, elected Council is obliged under section 380 of the *NSW Local Government Act 1993* to review the powers assigned by Council to the Chief Executive Officer. This minimum review requirement provides an opportunity to consider whether existing arrangements continue to meet contemporary needs, and to make changes as the Council sees fit.

RESOLVED that :

1. *Pursuant to section 351 of the NSW Local Government Act 1993, Council authorise the incumbents of the Council's senior staff positions to act in the position of Chief Executive Officer on a temporary basis, if the Chief Executive Officer is incapacitated through sickness or otherwise absent from work on leave, with such appointment to cease upon the return to work of the Chief Executive Officer unless caused to cease by other resolution of Council.*
2. *Pursuant to section 377 of the NSW Local Government Act 1993, Council delegates to the Chief Executive Officer (and, in the absence of the Chief Executive Officer, the senior staff employee acting in the position of Chief Executive Officer) the powers, authorities, duties and functions of the Council listed in the Instrument of Delegation appearing as Appendix A to the report on Review of Delegations from Council to the Chief Executive Officer considered at the ordinary meeting of Council on 22 May 2025.*
3. *Council revokes all previous instruments granting delegations of powers, authorities, duties and functions to the position of Chief Executive Officer.*
4. *The prevailing Instrument of Delegation from Council to the Chief Executive Officer be proactively released via publication on the Council website.*

(Flanery/Rothwell) 193

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

AGAINST: Councillor A Cameron

6.11 NSW LOCAL GOVERNMENT REMUNERATION TRIBUNAL - 2025 DETERMINATION ON FEES FOR COUNCILLORS

SUMMARY

The NSW Local Government Tribunal is required under sections 239 and 241 of the *NSW Local Government Act 1993* to make annual determinations on maximum and minimum fees payable to councillors and mayors. The Tribunal has delivered its determination dated 17 April 2025 on fees payable in 2025-26. Council needs to resolve its position on payment of fees, in accordance with the parameters set under legislation and the Tribunal determination.

RESOLVED that Council confirms the setting of mayoral and councillor annual fees for the period 1 July 2025 to 30 June 2026 at the maximum permissible levels, being \$18,890 and \$40,530 respectively.

(Cameron/McGrath) 194

FOR: Councillors C Burgess, K Butler, A Cameron, J Jones and A McGrath

AGAINST: Councillors D Carter, A Charry, F Flanery and D Rothwell

6.12 PETITION - MURRUMBATEMAN PLAYGROUND SITE DETERMINATION

SUMMARY

Tabling a petition lodged in response to Councils Murrumbateman All-Abilities Playground survey to determine the playground location.

RESOLVED that the petition for the preferred location for the Murrumbateman All-Abilities Playground be received and noted.

(McGrath/Butler) 195

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 THIRD QUARTERLY BUDGET REVIEW STATEMENTS

SUMMARY

This report represents the 2024-25 Third Quarter Budget Review Statement (QBRs) for the period 1 January 2025 to 31 March 2025. This review demonstrates Council's projected year end Net Operating Result before Capital items remains negative and is predicted to be (\$2.6M), an increase in the deficit by \$0.3M compared to the budgeted deficit of (\$2.3M) from the Second Quarter Budget Review. Actuals as at 31 March 2025 show a surplus of \$1.3M due to rate and annual charges income recognised in July with expenses evenly spread across the year.

RESOLVED that :

- 1. Note the 2024-25 Third Quarter Budget Review Statement.***
- 2. Adjustments as detailed in the 2024-25 Third Quarter Budget Review Statement to be adopted.***

Minutes of the Ordinary Meeting of Council 22 May 2025

3. *In accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position at 31 March 2025 be noted as being satisfactory, having regard to revised projected estimates of income and expenditure from this review, and the Second Quarter budgeted income and expenditure.*
4. *Note that the 2024-25 Third Quarter Budget Review Statement be provided to the Office of Local Government.*

(Charry/Cameron) 196

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

AGAINST: Nil

6. Notices of Motion

Nil.

7. Questions with Notice

8.1 ENFORCEMENT ACTIVITIES

Question

Councillor Charry has submitted the following Question with Notice:

1. Compliance Monitoring Framework

- a. What systems and processes are currently in place to monitor compliance with development consents, orders, and regulatory conditions across the Yass Valley?
- b. How often are proactive compliance inspections conducted (as opposed to reactive responses to complaints), particularly in high-growth localities such as Murrumbateman?
- c. Is there a published Compliance Policy or Enforcement Protocol that sets out how Council prioritises, investigates, and responds to reported breaches?

2. Volume and Resolution of Complaints

- a. Over the past 24 months, how many compliance-related complaints have been received by Council from Murrumbateman residents?
- b. Of those complaints, how many have:
 - i. Been closed with no further action;
 - ii. Resulted in a formal investigation;
 - iii. Resulted in enforcement action or legal proceedings?
- c. What average response time has been recorded from the date of complaint to the first investigative or enforcement step?

3. Escalation Pathways and Legal Proceedings

- a. What criteria are used to escalate matters to external legal action (e.g. referral to the Land and Environment Court or NSW Civil and Administrative Tribunal)?
- b. How many compliance matters originating in Murrumbateman have resulted in litigation since 2020, and what were the outcomes?

4. Allegations of Corruption or Misconduct

- a. Has Council received any formal reports or referrals (e.g. to ICAC or the Office of Local Government) involving allegations of corruption, improper conduct, or conflict of interest arising from compliance matters?
- b. What internal mechanisms does Council have in place to investigate such allegations while protecting both staff and complainants?

Minutes of the Ordinary Meeting of Council 22 May 2025

5. Resource Adequacy and Staff Capability

- a. Is Council adequately resourced in terms of compliance officers and legal support to manage the increasing number of complaints and ensure timely enforcement?
- b. Have there been any recent reviews into the performance or adequacy of Council's compliance function?

6. Community Trust and Communication

- a. What steps are currently taken to communicate the outcome of compliance matters to affected residents and complainants?
- b. Would Council consider implementing a public compliance register or dashboard (with appropriate privacy safeguards) to improve transparency?

I respectfully request that Council prepare an appropriate response to these 'Questions with Notice' with a particular focus on:

- The effectiveness of current compliance practices;
- The resourcing and governance supporting that function;
- And the options for improving transparency, consistency, and community confidence in Council's enforcement role.

Response

1. Compliance Monitoring Framework

- a. ***What systems and processes are currently in place to monitor compliance with development consents, orders, and regulatory conditions across the Yass Valley?***

Compliance matters are dealt with on a reactive basis (ie complaint, internal referral etc). There is no ongoing proactive monitoring of compliance given the number of compliance staff that are currently employed by Council.

However, if in the field and matters are identified that may be non-compliant or pose environmental or public health harm, Council will initiate action even if the matter has not been formally reported.

All incidents received are prioritised as either low, medium or high risk.

- b. ***How often are proactive compliance inspections conducted (as opposed to reactive responses to complaints), particularly in high-growth localities such as Murrumbateman?***
Refer to comments above.

- c. ***Is there a published Compliance Policy or Enforcement Protocol that sets out how Council prioritises, investigates, and responds to reported breaches?***

Council's Policy [ES-POL-5 Enforcement](#) sets out how Council prioritises, investigates and responds to reported breaches. This policy is currently under review and a new draft policy will be based on the [NSW Ombudsman Compliance and Enforcement Model Policy](#) (December 2015).

2. Volume and Resolution of Complaints

- a. ***Over the past 24 months, how many compliance-related complaints have been received by Council from Murrumbateman residents?***

161 complaints have been received from Murrumbateman residents. Multiple complaints relating to a site are not necessarily recorded as a separate compliance action.

For context, **Attachment A** provides a breakdown of types of complaints received across the local government area. **Attachment B** shows the number of complaints by town/village/locality.

- b. ***Of those complaints, how many have:***

Minutes of the Ordinary Meeting of Council 22 May 2025

- i. Been closed with no further action;*
- ii. Resulted in a formal investigation;*
- iii. Resulted in enforcement action or legal proceedings?*

c. What average response time has been recorded from the date of complaint to the first investigative or enforcement step?

Table 1 below details average response times for 24/25 and responds in part to questions 2(b) and 2(c). Response times vary based on the complexity of the matter and pathway to compliance. Response to question 2(b)(iii) in 3(a) and 3(b).

Matter	Reports/Average	Comments
General Minor Matters	36 reports closed with an average of 18 days	6 reports remain open all with ongoing investigations
Illegal Development	10 reports closed with an average of 60 days	6 reports remain open: <ul style="list-style-type: none"> ▪ 1 is currently waiting on a DA to be submitted ▪ 3 require further investigations, site visits etc. ▪ 2 require further advice from the Planning Department and site visit
Illegal Fill	5 reports closed with an average of 24 days	4 reports remain open: <ul style="list-style-type: none"> ▪ 3 require further investigations with NTPI reviews ▪ 1 waiting on DA to be submitted
Illegal Activities	4 reports closed with an average of 25 days	3 reports remain open: <ul style="list-style-type: none"> ▪ 1 is waiting on third party investigations to complete ▪ 1 has a development control order in place ▪ 1 requires further investigation
Earthworks	4 reports closed with an average of 3 days	1 report remains open being a low risk sediment issue on a property development
Dog Attacks and Incidents	48 reports closed with an average of 5 days. Larger dog attack incidents average 47 to close	4 reports remain open: <ul style="list-style-type: none"> ▪ 1 joint operation with RSPCA ▪ 1 no formal complaint received and insufficient information to pursue ▪ 2 currently at the end of the investigation and due to close
Illegal Dumping	62 reports closed with an average of 5 days. Where larger matters require	4 reports remain open:

Minutes of the Ordinary Meeting of Council 22 May 2025

	'notice to produce information' (NTPI) to be issued the average is 20 days to close	<ul style="list-style-type: none"> ▪ 1 report sent to another department due to a secondary enquiry received ▪ 1 report further investigations being undertaken and ▪ 2 reports waiting on NTPI
Livestock	59 reports closed with an average of 4 days	1 report remains open due to linking to other compliance investigations and external collaboration
Wandering Dogs	127 reports closed with an average of 4 days. 118 of these reports were closed within 1-2 days	Approximately 6 of these reports involved rehoming an animals, which have mandated holding periods between 7 and 14 days
Parking	51 reports closed with an average of 5 days	2 reports remain open requiring further patrols and follow up actions
Animal Welfare	23 reports closed with an average of 3 days	Council is not the regulatory authority for animal welfare issues, however reports are still received and are referred to other agencies

3. Escalation Pathways and Legal Proceedings

- a. ***What criteria are used to escalate matters to external legal action (e.g. referral to the Land and Environment Court or NSW Civil and Administrative Tribunal)?***

This is determined on a case-by-case basis. Council has not recently instigated legal action but has been a respondent in matters. Page 16 of Council's [23/24 Annual Report](#) details two matters and the cost where Council was the respondent.

- b. ***How many compliance matters originating in Murrumbateman have resulted in litigation since 2020, and what were the outcomes?***

Council has not litigated any compliance matter relating to Murrumbateman since 2020. However Council had two appeals against development control orders relating to 5 Ambleside Avenue reported in the [23/24 Annual Report](#).

4. Allegations of Corruption or Misconduct

- a. ***Has Council received any formal reports or referrals (e.g. to ICAC or the Office of Local Government) involving allegations of corruption, improper conduct, or conflict of interest arising from compliance matters?***

Council has not received any formal reports or referrals from the Independent Commission Against Corruption or the Office of Local Government involving allegations of corruption, improper conduct, or conflict of interest arising from compliance matters (to the best of the knowledge of the Director Planning and Environment).

- b. ***What internal mechanisms does Council have in place to investigate such allegations while protecting both staff and complainants?***

Any complaint from the public concerning Council staff should be made in accordance with Council's Policy [GOV-CP-07 Complaints](#). Complaints will be referred to the relevant Council officer for action. Complex or serious complaints should be made in writing directly to the Chief Executive Officer.

Minutes of the Ordinary Meeting of Council 22 May 2025

Complainants are required to ensure their correspondence to Council is in accordance with [GOV-CP-07](#), and Council Policy [CA-POL-05 Unreasonable Conduct by a Customer](#).

Compliance officers by the very nature of their role are at high risk of these accusations. Council's Compliance Team consistently receive emails and phone calls from members of the public accusing them of impropriety simply because they perceive that nothing is being done on the matter that they have interest in.

During the last 6 months three letters have been issued to customers whose conduct has been perceived to be behaving unreasonably, in accordance with the [Unreasonable Conduct by Customer Policy CA-POL-05](#). This was due to the nature and frequency of abusive threatening emails not containing any new evidence or credible new information that will assist an investigation. The correspondence has included serious allegations and personal accusatory statements attacking staff despite these customers being given up to date information on the investigation and how long it may take. In addition, these interactions are often supplemented by public commentary posted on social media and can represent a psychosocial hazard for staff.

5. Resource Adequacy and Staff Capability

- a. ***Is Council adequately resourced in terms of compliance officers and legal support to manage the increasing number of complaints and ensure timely enforcement?***

There are currently four compliance positions in the Planning and Environment Directorate with one position filled. Council is currently recruiting a Ranger. Two other positions are currently under review to determine if they can be redefined for the best fit within the compliance team.

- b. ***Have there been any recent reviews into the performance or adequacy of Council's compliance function?***

No, other than as detailed above.

6. Community Trust and Communication

- a. ***What steps are currently taken to communicate the outcome of compliance matters to affected residents and complainants?***

An investigation into an unlawful activity may take significant amount of time to investigate and complete. Staff will give the person reporting the activity feedback on the progress of the investigation on any issues or any reasons for the delay. This does not mean the individual can expect to be given all details about every aspect of the investigation as there may be privacy issues, or any information that would compromise the integrity of the investigation. The complainant must respect that investigations often take longer than they would hope and not all details will be shared.

Decisions about what action should be taken by Council are made based on its [Enforcement Policy](#) and within legislative boundaries. This means that matters are resolved to the satisfaction of Council, not necessarily the person raising the matter.

Council endeavours to manage the expectations of people who report alleged unlawful activity and in particular explain that in the absence of sufficient evidence, council may be unable to take further action. Staff will also explain that Council does not have unlimited resources and powers to deal with reports alleging unlawful activity. If Council is unable to fully investigate or take action on a matter because it is restricted by any legal or resource limitations, such as staff, this will be explained to the individual.

Some legislation also gives a third party the right to remedy a breach of that legislation. This information is provided to complainants particularly if they are dissatisfied with an investigation outcome.

Minutes of the Ordinary Meeting of Council 22 May 2025

- b. ***Would Council consider implementing a public compliance register or dashboard (with appropriate privacy safeguards) to improve transparency?***

Such a register could be a very useful business management tool to help draw attention to the level of service demands and potential resourcing needs.

It could be useful for highlighting priorities such as improvements in proactive release of relevant information as well as targeting topics for public education campaigns. At this time, Council uses the Snap Send Solve, Magiq Tasks, and Service Request module in Magiq. Retrieving accurate real time data for a dashboard, from these three sources poses some challenges that need to be resolved.

It would be difficult to use the de-identified information on a public website as anything of use to customers. Staff resources would need to be factored into the management of this data.

Customers are already advised and updated on their issue as per Enforcement Policy.

RESOLVED that the questions with notice be noted.

(Charry/Carter) 197

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

AGAINST: Nil

8. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE MURRUMBATEMAN BMX/PUMP TRACK FOCUS GROUP HELD ON 30 APRIL 2025.

REPORT

The minutes of the Murrumbateman BMX/Pump Track Focus Group meeting held on 30 April 2025 are included in **Attachment A**.

As per the Terms of Reference, the Focus Group provides advice and recommendations to Council only, with no decision-making delegations. Therefore, actions identified in the attached minutes will require the formal approval by Council before any commitment or adjustment to the Operational Plan / Budget is made.

Accordingly, the minutes are presented for information.

RESOLVED that the minutes of the Murrumbateman BMX/Pump Track Focus Group meeting held on 30 April 2025 be noted.

(Charry/Butler) 198

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 LOCAL TRAFFIC COMMITTEE 6 MAY 2025

REPORT

The minutes of the Local Traffic Committee meeting held on 6 May 2025 are included in **Attachment A**.

As per the Terms of Reference, the Local Traffic Committee provides advice and recommendations to Council only, with no decision-making delegations. Therefore, actions identified in the attached minutes will require the formal approval by Council before any commitment or adjustment to the Operational Plan/Budget is made.

Accordingly, the minutes are presented for information.

RESOLVED that the minutes of the Local Traffic Committee meeting held on 6 May 2025 be noted and adopt the following recommendations:

1. SAFETY CONCERNS INTERSECTION SUTTON AND BACK CREEK ROADS GUNDAROO

That:

1. the committee support the installation of:

- ***Install give-way signs (B size) on Back Creek Road at the intersection with Sutton Road.***
- ***Install T- intersection ahead (B size) warning signs on Back Creek Road.***
- ***Install rumble strips on the pavement of Back Creek Road prior to the intersection with Sutton Road.***
- ***Installation of barrier warning signs on Sutton Road adjacent to Back Creek Road.***

2. the resident be advised of the outcome

2. GENERAL SAFETY IN RELATION TO CAR PARKING ADJACENT TO MOUNT CARMEL PUBLIC SCHOOL

That:

- 1. No-Parking signs be installed in Dutton Street at the two carparking spaces identified in the report and also to be signed School pick-up and drop-off zone.***
- 2. 15 minutes timed parking signs be installed in Dutton Street at the 6 parking spaces identified in the report that restrict parking between 8.00am to 9.30 am and 2.30pm to 4.00pm on school days.***
- 3. the Mount Carmel School Principal be advise of the outcome and requested that this be widely advised to parents.***

(Rothwell/Burgess) 199

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

Nil.

The meeting closed at 6.57pm.