



Ordinary Meeting of Council

Monday 23 June 2025

4:00 PM

**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.*

Join me in the prayer or take this moment to reflect:

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

July 2025

Thursday 24th

4:00 PM

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. Also a reminder to the gallery that the use of a recording device is a breach of the Code of Meeting Practice and anyone contravene or attempting to contravene will be expelled from the meeting.

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

4. Confirmation of Minutes

Minutes of Ordinary Council Meeting held on 22 May 20255

5. Mayoral Minute

5.1 Mayoral Minute - To note urgent advocacy about potential harmful impact of further renewable energy turbine projects in Yass Valley and support further representation.22

5.2 Mayoral Minute - Request for Drought Natural Disaster Declaration.....27

5.3 Mayoral Minute - Letter of Congratulations to The Hon Michael McCormack31

5.4 Mayoral Minute - Letter of Thanks, Congratulations and Advocacy Requests for Minister McBain 32

6. Reports to Council

6.1 Development Application Update - April and May 202533

6.2 Modification Development Consent DA944056C - Manton Park Subdivision (Stages 4 & 5) - 447 Yass Valley Way, Manton35

6.3 Review of Determination - Serviced Apartments, DA230239, Keirs Road, Murrumbateman41

6.4 Development Application DA230382 - 51 Lot Residential Subdivison - 172B Rossi Street, Yass.....46

6.5 Local Roads and Community Infrastructure Funding (LRCI Phase 4)56

6.6 Planning Proposal - Lot 2 DP1144979 Wallaroo Road, Wallaroo65

6.7 Council Sporting Facilities - User Charges Review69

6.8 Yass Landcare Nursery - Waiver of Water Bills77

6.9 Transport Infrastructure Assets - Capital Works Program 2025- 2035.....79

6.10	Yass Water Treatment Plant Upgrade Project - Implementation	82
6.11	Tender Evaluation Report - Water Main Upgrade (200mm Diameter) along Yass Valley Way (YVC-IA-33-2024)	85
6.12	Council's Financial Future - Financial Sustainability Roadmap	87
6.13	Request to Waive/Refund Booking Fee	90
6.14	Application to the Minister for Local Government to Loan funds from External Restricted Reserve	91
6.15	Investment and Borrowing Report	94
6.16	Monthly Financial Report.....	96
6.17	Organisation Structure Review	104
6.18	2025/2026 Integrated Planning & Reporting Documents	108
7.	Notice of Motion	
7.1	Renewable Energy.....	113
8.	Questions with Notice	
	Nil	
9.	Minutes and Recommendations of Council Committees	
9.1	Minutes of the Murrumbateman BMX/Pump Track Focus Group held on 29 May 2025	114
9.2	Draft minutes of the CRJO Joint Audit, Risk and Improvement Committee	115
9.3	Minutes of the Yass Pool Redevelopment Project Committee held on 11 June 2025	116
10.	Confidential Matters	117
	The following matters are classified as CONFIDENTIAL and will be considered in the Closed Meeting of Council in accordance with Section 10A(2) as they deal with commercial, personnel and legal matters:	
10.1	Tender Evaluation Report - Water Main Upgrade (200mm Diameter) along Yass Valley Way (YVC-IA-33-2024)	117

Close of Meeting Time

Gayleen Burley
CHIEF EXECUTIVE OFFICER



Minutes of the Ordinary Meeting of Council

Thursday 22 May 2025

4:00 PM

Yass High School
Grampian Street, Yass

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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

DRAFT 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.

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

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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.***
- 3. Ensure that a further report be brought to Council to address the identified priority areas of low satisfaction.***

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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.***
- 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***

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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?

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?

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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 'notice to produce information' (NTPI) to be issued the average is 20 days to close	4 reports remain open: <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

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

		<ul style="list-style-type: none"> ▪ 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.

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.

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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.

- 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.

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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:

DRAFT Minutes of the Ordinary Meeting of Council 22 May 2025

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.

5.1 MAYORAL MINUTE - TO NOTE URGENT ADVOCACY ABOUT POTENTIAL HARMFUL IMPACT OF FURTHER RENEWABLE ENERGY TURBINE PROJECTS IN YASS VALLEY AND SUPPORT FURTHER REPRESENTATION.

SUMMARY

To advocate for the protection of Yass Valley from over saturation of turbine renewable energy projects as per Council's Renewable Energy Development policy and note Council's urgent request made to State and Federal representatives, seeking protection of the low electromagnetic interference and dark skies operating environment required by local operators in the space industry sector.

RECOMMENDATION

That:

1. Council acknowledges the cooperation of Wind prospect in taking part in introductory meetings with Mayor Jasmin Jones, and Council executive.
2. Furthermore, Council executive, along with Mayor Jones and Councillor Burgess, attended a community meeting in Bowning on 21 May 2025. This meeting brought together concerned residents and Community Association members from Bowning, Bookham, Binalong, Wee Jasper, and Gundaroo. The Hon. Wendy Tuckerman MP (NSW Government) and the Hon. Michael McCormack MP (Federal Government) were also present.
3. Council acknowledges community concerns about Yass Valley hosting further renewable energy projects, raised during Council's recent IP&R Roadshow community meetings with residents from Wee Jasper, Bookham, Binalong, and Bowning.
4. Council notes the Mayor has sought an urgent review from the NSW Department of Planning before Wind Prospect's 'Bendenine' SEARS are issued, stating Council's established policy position, reflecting community concerns, and highlighting the need for protection of the sensitive low EMI and dark-skies operating environment of the local space industry sector established in Yass Valley since 2016.
5. Council supports further advocacy to ensure representation and consideration of our residents, farmers and established local business operator concerns about Yass Valley hosting further turbine renewable energy projects.

REPORT

Despite Yass Valley not being an NSW designated Renewable Energy Zone, our community is experiencing an unprecedented level of prospecting from developers looking to construct more renewable energy infrastructure including Wind Turbines, Battery Energy Storage System (BESS), and transmission line components. This is likely a result of the imminent construction of HUMELINK East Transmission line development which involves the expansion of the existing Bannaby 500kV substation as well as a new 500kV double circuit transmission line connecting the Bannaby substation through to Wondalga interface point with Humelink West. Council has become aware of several prospective developers in various stages of scoping in Wee Jasper, Binalong, Bookham, Burrinjuck, Bowning and Yass, from companies Bondo, Squadron, Goldwind, and Wind Prospect.

Council previously reached a Renewable Energy Development Policy position stating:

Having considered the social, environmental, economic, and strategic planning impacts on the Yass Valley communities and the cumulative impacts of the four approved wind farm sites, the Council is of the view that it has reached the maximum number of industrial turbines for the Local Government Area.

While supportive of renewable energy in general, Council opposes, in principle, further large-scale wind turbine sites in Yass Valley.

This gives Council a strong base to advocate that there is no further social license for additional turbine renewable energy projects and fight for the preservation of Yass Valley's:

- community health and well being
- visual, acoustic and vibration amenity,
- aerial firefighting capacity along with aerial weed spraying land management,
- land property value and insurance,
- Bird and bat species, habitat, and migration pathways
- existing wine and food production agriculture for human consumption, agri-tourism,
- Current low Electromagnetic Interference and dark skies environment required by the local space sector, including an existing high-tech space communication and tracking services Australian company based in Yass Valley that have been operating since 2016
- Land-based tower television and radio reception

A timeline of activity over the past month is as follows:

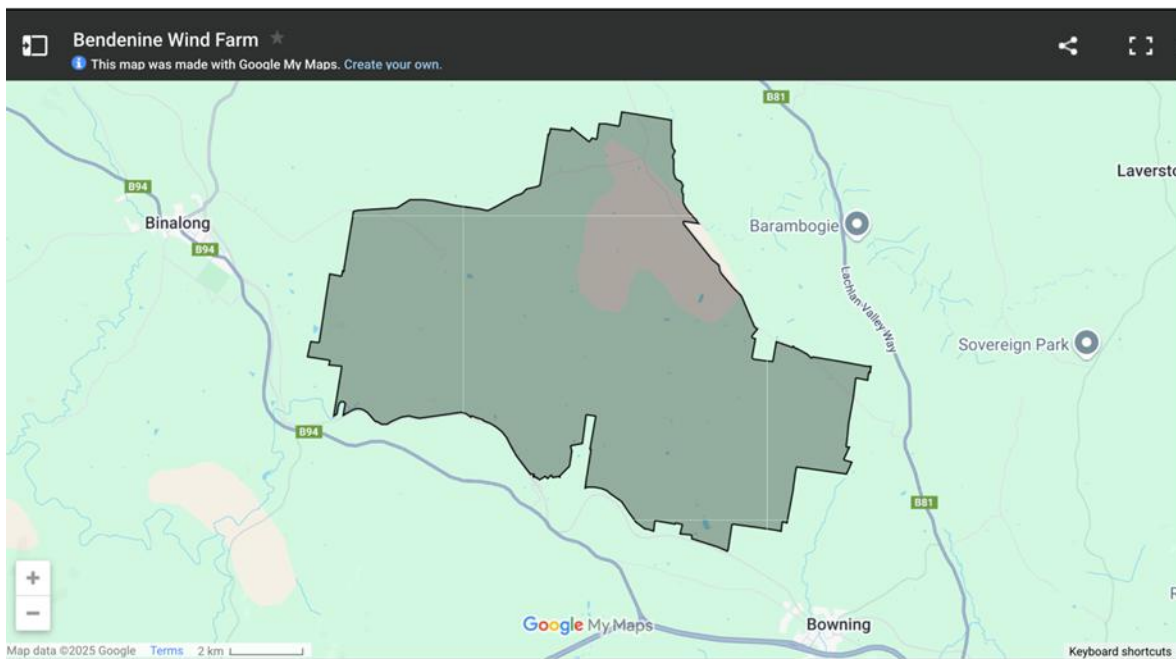
- 13th May, The newly established Binalong Bowning Community Action Group contacted me as Mayor, about community concerns over the Wind Prospect 'Bendenine' proposal, currently in scoping phase for up to 90 X 260M high turbines and associated infrastructure, positioned between the villages of Bowning and Binalong. <https://windprospect.com.au/project/bendenine-wind-farm>
- 13th May Discussion with Federal Member the Hon. Michael McCormack regarding community concerns.
- 14th May, Mayoral correspondence out, email to Wind Prospect confirming opportunity to meet and flagging emerging community concerns.
- 16th May, Mayoral phone meeting with Wind Prospect Senior Executive Brad Croxford.
- 21st May, Mayor & CEO Teams meeting with Wind Prospect executive - Senior Development Officer Brad Croxford and Regional Development Manager Michael Sales
- 21st May Teams meeting with Umwelt Social Impact Consultant Michele Ferguson and YVC Director of Corporate & Community Ms Peta Gardiner, Dir. of Planning Ms Julie Costa, CEO Ms Gayleen Burley, Mayor Jasmin Jones.
- 21st May, Community meeting hosted by Bowning Progress Association and attended by 140 residents and committee members from various Yass Valley village associations from Bowning, Bookham, Binalong, Gundaroo and Wee Jasper, YVC Mayor Jasmin Jones, Clr Cec Burgess, CEO Ms Gayleen Burley, Director of Planning Ms Julie Costa, NSW local member The Hon. Wendy Tuckerman, and Federal local member The Hon. Michael McCormack.
- 22 May-June15 Discussions and correspondence with local high tech Australian space sector established in 2016, regarding concerns the Bendenine Proposal could harm the required low EMI and dark skies operating conditions.
- 27th May Community concerns over further renewable energy projects raised at Council's recent IPR Roadshow community meetings with Bookham, Binalong, and Bowning residents.
- 5th June CRJO NSW Parliamentary visit. In a very short window of opportunity, I was able to alert the Premier and Planning Minister Scully and key staff to initial concerns raised by residents and

existing local space business concerns regarding further turbines in Yass Valley as a follow on after advocacy seeking meaningful and ongoing community benefit payments for Councils hosting Humelink transmission lines.


- 10th June Community concerns over further renewable energy projects raised at Council's recent IPR Roadshow community meetings with Wee Jasper residents. Residents signalled their need to also set up an action group in Wee Jasper to work collaboratively with the Binalong Bowning Community Action group
- June 2025 Correspondence out to Ministers (Will be post this Mayoral Minute report but prior to council meeting)

Council Meeting at Bowning attended: 140 concerned residents, local MP's, Mayor, Cr Burgess and Executive.







Project Details





Location
20 km northwest of Yass, between the townships of Binalong and Bowning



Project size
Investigating the feasibility of up to approximately 90 turbines, subject to and ongoing community consultation



Project components
In addition to wind turbines, there would also be site offices, an on-site electrical substation, transmission infrastructure, and a BESS

- Established in the UK in the early 1990s and wholly owned by our staff and directors
- Operating in Australia for over 25 years, with a team of 17 including project managers, engineers and support staff
- One of Australia's most successful early-stage renewable energy developers, having secured planning approval for 22 wind farms and 3 solar farms
- Currently developing projects in Victoria, South Australia and Western Australia and New South Wales
- Community and stakeholder engagement is central to our approach, recognising that early and ongoing consultation is key to delivering well-supported projects

A map of Australia with numerous wind farm locations marked by colored dots and labels. The legend indicates: Green dot for Operational Wind Farms; Red dot for Approved Wind Farms; Yellow dot for Wind Farms under development; Orange dot for Approved Solar Farms; Purple dot for Solar Farms under development; and Black circle with a dot for Solar Farm Inter-connector. Labeled wind farms include: World Wind Farm, Woodside Solar Farm, Yambou Wind Farm, Hallett Wind Farm, Wilyarralpin Wind Farm, Margaret Milder Wind Farm, Trousdale Ridge Wind Farm, Whynia Tarnoon Wind Farm, Southwestern Wind Farms, Broadworthy Solar Farm and Battery, Capeville Wind Farm, Wilkeson Wind Farm, Sedgeley Wind Farm, Newland Wind Farm, Mangrove Wind Farm, Crookwell Ridge Wind Farm, Benger Wind Farm, Bruce Rock Wind Farm, Dargay 2 & 3, Sarsa Rock Wind Farm, and Solar Open Solar Farm.

5.2 MAYORAL MINUTE - REQUEST FOR DROUGHT NATURAL DISASTER DECLARATION

SUMMARY

The purpose of this minute is to urgently request your support in advocating for a natural disaster declaration and relevant funding support for the current drought impacting our farmers and the broader Yass Valley community. The NSW Department of Primary Industries has forecast the "green" drought will continue through to at least Aug 31st. Despite recent rain, there is no paddock food for stock, and immediate action is needed to support our agricultural sector.

RECOMMENDATION

That Council:

1. *Advocate for the immediate declaration of drought as a natural disaster, with 100% of Yass Valley mapped by DPI as drought affected.*
2. *Call for relief funding and vital transport subsidies for our farmers, to the NSW Minister for Agriculture, the Hon Tara Moriarty, the NSW Minister for Recovery, the Hon. Janelle Saffin, the Federal Minister for Agriculture, the Hon Julie Collins MP and relevant shadow portfolio members of parliament.*
3. *Collaborate with key agricultural and community organisations, including the National Farmers Federation, NSW Farmers, and the Country Women's Association and note our continued collaborative efforts as part of the Canberra Region Joint Organisation of Councils' united push for the declaration of drought as a natural disaster.*

REPORT

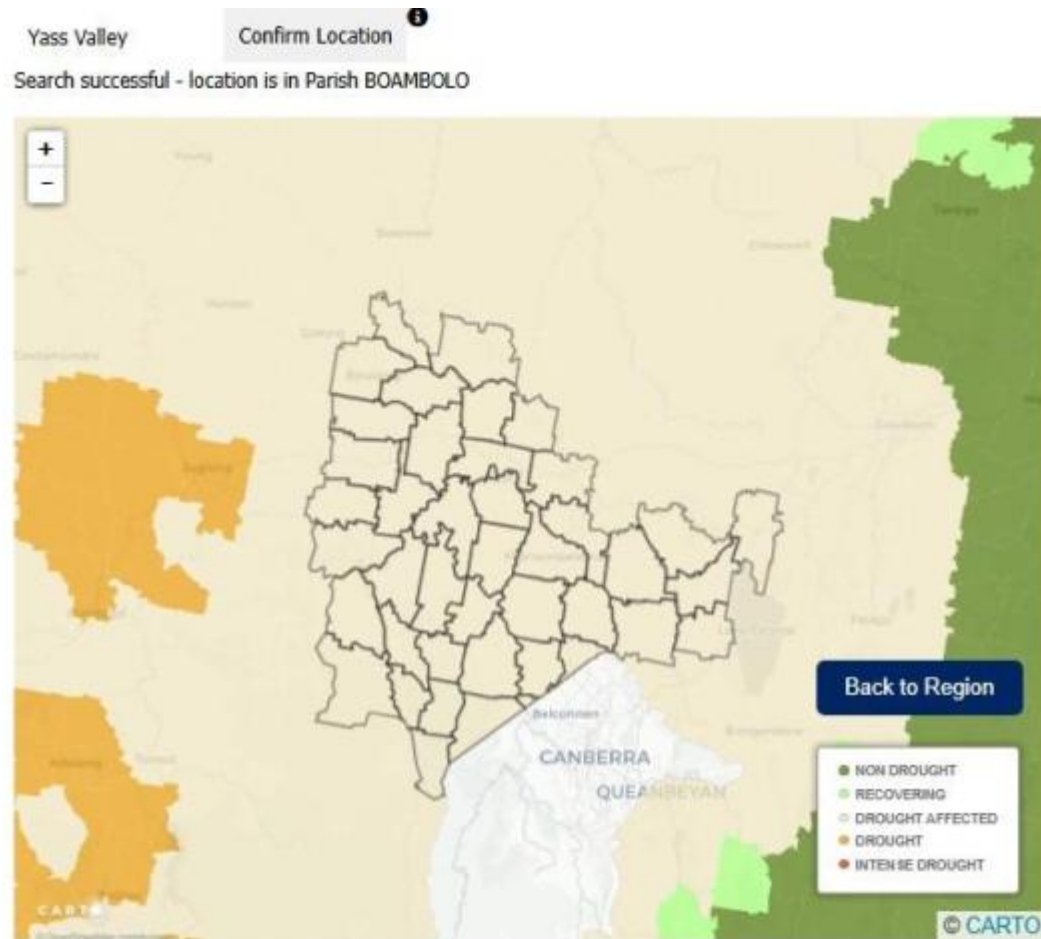
Agriculture, particularly sheep and cattle raising, is a cornerstone of the Yass Valley economy and relies heavily on consistent rainfall during crucial seasonal periods to support crop growth and animal well-being. Unfortunately, this essential rainfall has not occurred. The situation is dire, with 100% of the Bombala Parish, which Yass Valley is located in, as mapped by NSW DPI, reported as drought-affected since May 2024.

While recent rainfall has been welcome, it has not significantly alleviated the severe challenges faced by our farmers. They are now confronted with the grim reality of either incurring substantial costs for hand feeding their livestock throughout the winter, potentially requiring further loans, or making the tough decision to destock their herds. Both options will have long-lasting negative consequences, potentially setting farmers back years or forcing them to leave the industry altogether.

The difficult conditions experienced in Victoria and South Australia underscore the urgent need to implement practical systems and support mechanisms for all drought-affected farmers nationwide.

Drought is a slow-onset, insidious disaster, often overlooked compared to floods, hurricanes and fires.

The Australian Government now manages drought differently, viewing it as a normal part of our climate and focusing on risk management rather than emergency disaster relief. However, just as floods and fires are now increasingly considered part of the Australian norm, the nature of this drought necessitates a disaster response. Our farmers are facing a situation of magnitude beyond their control; the lack of rain is beyond land management techniques. They urgently require disaster relief to safeguard their livelihoods and our region's food security.



Data current to 10/6/2025

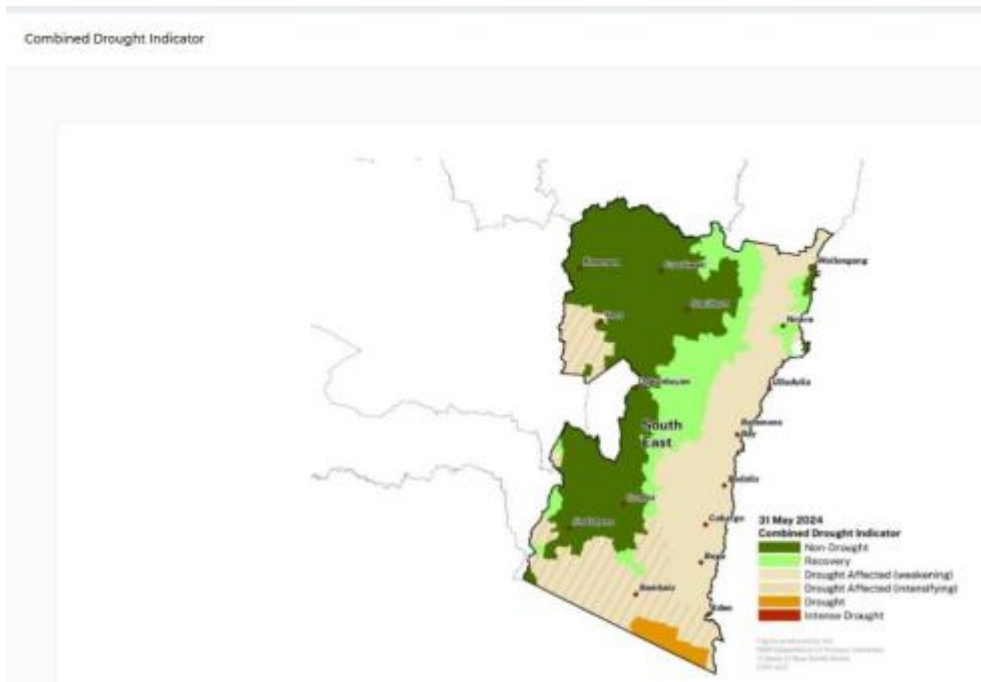
YASS VALLEY Summary



Drought Affected: 100.0 %

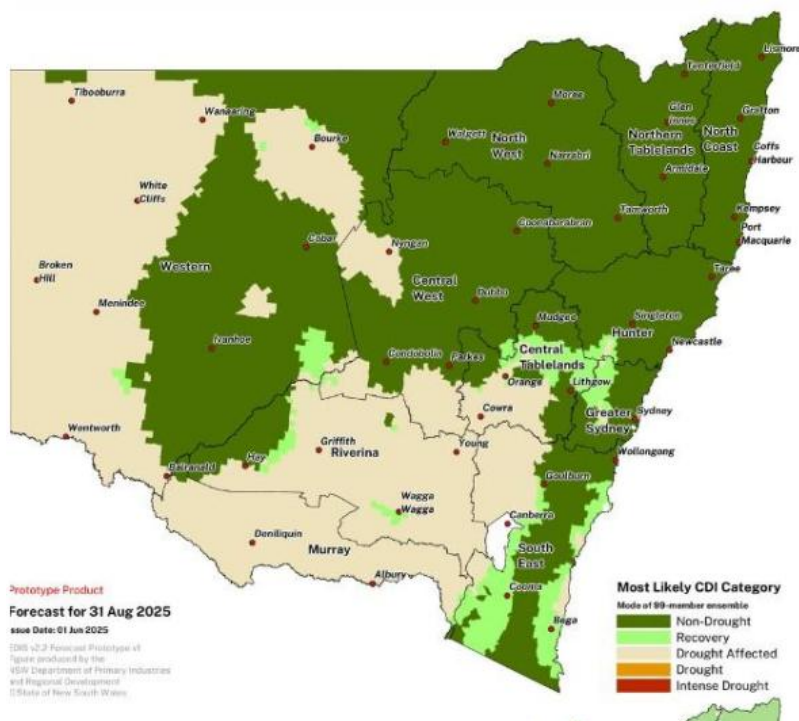
The recent announcement of new drought support channelled through the Foundation for Rural and Regional Renewal (FRRR) and the Australian Rural Leadership Foundation (ARLF) has been met with significant disappointment by our drought-impacted producers. While resilience training and financial counselling are valuable, our farmers need immediate, practical assistance to sustain their livestock and operations. The Prime Minister's funding announcement does not address the critical cash flow crisis farmers are facing due to ongoing feeding costs since autumn, with no substantial pasture regrowth. It also fails to adequately address the pressing animal welfare concerns related to inadequate nutrition, transport limitations, and the need for timely destocking. Furthermore, this approach does not prevent the long-term decline in production as producers are forced to destock breeding animals, impacting income for the next 2-3 years.

Yass Valley entered 'drought intensifying' conditions 12 months ago in May 2024.



The drought in the Yass Valley Council area (and neighbouring LGAs) warrants a natural disaster declaration to unlock crucial financial assistance for fodder and freight. Without this support, the soaring prices of fodder to hand-feed will force more producers to exit the industry, leading to detrimental flow-on effects for our rural economies and national food security. Livestock markets will likely become further saturated, driving down prices and diminishing the long-term viability of farming businesses, while simultaneously exacerbating the mental health pressures already faced by farmers since 2023.

DPI 3-month modelling has forecast Yass Valley remaining drought-affected to August 31st 2025.



We strongly urge the Australian Government to reassess its priorities and deliver targeted, immediate assistance to our livestock producers by:

Reinstating a practical and easily accessible fodder and freight subsidy for verified drought-affected regions.

Ensuring producers can afford to retain essential breeding stock and maintain their operations until seasonal conditions improve.

The CRJO recently met with several relevant Ministers at NSW Parliament in late May, commencing this advocacy push, and I was privileged, alongside Snowy Valley's Mayor Julia Ham, to detail our farmers' needs and strongly urge the visiting ministers to champion this cause for our communities.

The current drought in our region is a disaster in every sense except its official designation. While long-term leadership programs and community-building initiatives have their place, they cannot provide the immediate relief needed to feed livestock, cover mounting freight bills, or prevent the collapse of our farmers' herds. We must act for our community now.

ATTACHMENTS: Nil

5.3 MAYORAL MINUTE - LETTER OF CONGRATULATIONS TO THE HON MICHAEL MCCORMACK

SUMMARY

Letter of Congratulations for newly elected federal member for Riverina.

RECOMMENDATION

That Council endorses the attached letter to Hon. Michael McCormack be sent following this Council meeting.

ATTACHMENTS: A. Letter of Congratulations to The Hon Michael McCormack

5.4 MAYORAL MINUTE - LETTER OF THANKS, CONGRATULATIONS AND ADVOCACY REQUESTS FOR MINISTER MCBAIN

SUMMARY

Letter of Thanks, Congratulations and advocacy requests to the Minister McBain.

RECOMMENDATION

That Council endorses the attached letter to Minister McBain and to be sent following this Council meeting.

REPORT

Please see attached letter.

ATTACHMENTS: A. Letter of Thanks, Congratulations and advocacy requests for Minister McBain

6.1 DEVELOPMENT APPLICATION UPDATE - APRIL AND MAY 2025

SUMMARY

To present details of applications that have been lodged, determined and are under assessment for April and May 2025 and to detail how Council is performing against the expectations set by the NSW Department of Planning, Housing and Infrastructure.

RECOMMENDATION

That the report on applications for April and May 2025 be noted.

FINANCIAL IMPLICATIONS

A fee is charged for each application in accordance with Council's Fees and Charges, with some fees being legislated and calculated accordingly.

POLICY & LEGISLATION

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

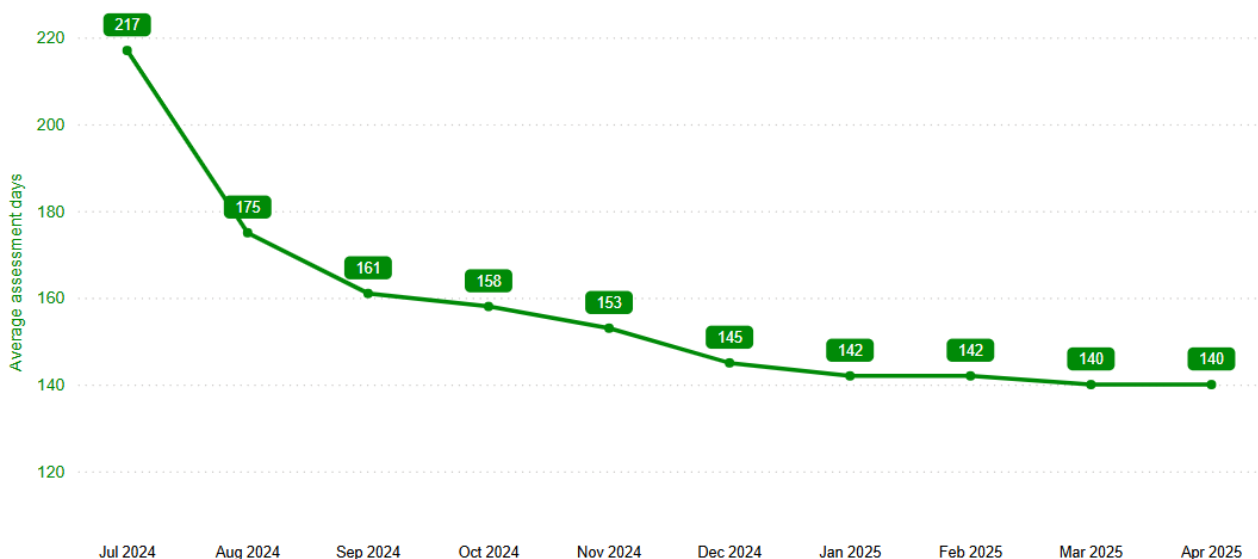
REPORT

Details of applications that have been lodged, determined and are under assessment for April and May 2025 are included in **Attachment A**.

A Ministerial Statement of Expectations Order was introduced in July 2024, which sets out the NSW Government's expectations for council performance in the areas of development assessment, planning proposals and strategic planning. The NSW Government has been monitoring the performance of all councils in meeting this Statement of Expectations.

The graph below illustrates the substantial improvement in average Development Application (DA) assessment days achieved by the Development Assessment Team over the 2024-25 financial year. Through dedicated effort and process improvements, the team have successfully reduced the average assessment days from 217 in July 2024 to 140 in April 2025. This represents a significant overall reduction of 77 days in average DA assessment time.

Cumulative average assessment days



Below is a table outlining how Council is performing overall (as at 30 April 2025) against the expectations set by the Department of Planning, Housing and Infrastructure (DPHI).

	DPHI Expectation	Yass Valley Council Performance – Average days	Yass Valley Council % of applications meeting expectation	% of councils in NSW meeting expectation
Lodgement Days	14 days	9 days	87%	55%
Assessment Days	115 days	140 days	57%	50%

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 - April and May 2025

6.2 MODIFICATION DEVELOPMENT CONSENT DA944056C - MANTON PARK SUBDIVISION (STAGES 4 & 5) - 447 YASS VALLEY WAY, MANTON

SUMMARY

To present the assessment of a request to modify development consent DA944056C for the 97 lot 'Manton Park' subdivision at 447 Yass Valley Way, Manton. Stages 1 to 3 of the subdivision have already been completed, with the modification relating to Stages 4 & 5. The modification application seeks to reconfigure the subdivision layout and increase the overall number of lots from 97 to 108. The modification application attracted four submissions. Approval is recommended.

RECOMMENDATION

That the Development Consent No DA944056C be modified for "Manton Park" (Stages 4 & 5), 447 Yass Valley Way, Manton.

FINANCIAL IMPLICATIONS

- Resources for development assessment are provided for in the current Operational Plan.
- The financial liability to council will result from the dedication of other assets including new roads, stormwater infrastructure etc., however this does not change compared to the development which has already been granted development consent.
- There will be an increase in the rates generated post-subdivision with the new lots (including additional proposed lots) being rated as residential rather than farmland.

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Local Government Act 1993
- Roads Act 1993

State Environmental Planning Policies

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021

Local Controls

- Yass Local Environmental Plan 1987
- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Road Standards Policy RD-POL-9
- Water Supply in Rural Areas and Villages WS-POL-2

Guidelines

- TfNSW Guide to Transport Impact Assessment
- Planning for Bushfire Protection 2019

REPORT

1. Application Details

Date Received	-	27 January 2025
Land	-	Lot 323 DP 1102188, 447 Yass Valley Way, Manton
Area	-	319.7ha
Zoning	-	YV LEP 2013 – C4 Environmental Living YLEP 1987 – No 1 (c2)

2. Site Description and Locality

The site is located in Manton on the eastern side of the Barton Highway, to the south of Yass Valley Way, and to the north of Yass River Road, approximately 5km east of Yass town. This area is characterised by large-lot rural lifestyle development.

The site adjoins the existing Manton Park subdivision. The site contains scattered trees, as well as several dams and some lower order drainage lines.

A Locality Plan is included in [Attachment A](#).

3. Background and Proposal

The original development consent for the 97 lot subdivision known as ‘Manton Park’ was granted in April 1994 under the provisions of the previous Yass Local Environmental Plan (YLEP) 1987. Stages 1-3 of Manton Park are complete, with the most recent stage completed in c.2006. As the development has been physically commenced, the development consent for the remaining stages has not lapsed.

Consistent with practice at the time, subdivision was granted the development consent based on a high-level plan of subdivision. The development consent included condition which acknowledged the need for changes to the final plans of subdivision to meet all conditions and the YLEP 1987 requirements. The development consent has subsequently been modified now on three earlier occasions, including most recently in 2011.

The submitted modification application involves:

- Reconfiguration of the subdivision for Stages 4 and 5
- Increase in the overall number of lots approved across the subdivision from 97 to 108
- Change in the number of lots in each of the remaining stages. Stage 4 increasing from 24 to 40 lots and Stage 5 decreasing accordingly.

Details of the proposal are included in [Attachment B](#). Plans showing the different stages of Manton Park subdivision is included as [Attachment C](#) for context.

4. Public Exhibition

Public exhibition included notice to approximately 40 nearby landowners and four submissions have been received (refer [Attachment D](#)).

The applicant’s response to submissions is included in [Attachment E](#).

5. Referrals

NSW Rural Fire Service

The proposal was referred to the NSW Rural Fire Service (RFS) for advice as it involves subdivision on bushfire prone land. It is noted that the original development consent pre-dates legislation which required concurrence under s100B Rural Fires Act 1997. In this regard, the RFS have provided general advice for the purposes of s4.15 of the Environmental Planning and Assessment Act (EP&A Act) 1979. The recommended conditions provided by the RFS can be included in any modified development consent that may be issued.

Essential Energy

The proposal was referred to Essential Energy as there are a number of electricity easements through the subject site. Essential Energy provided a response which raised no objections or concerns, subject to standard requirements.

6. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the EP&A 1979. It is considered that the proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment F**).

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

6.1 Modification Application – s4.55 EP&A Act 1979

The modification application has been lodged pursuant to s4.55(2) of the EP&A Act 1979. This allows modifications to development consents in certain circumstances where the development remains substantially the same as that which was originally granted consent.

Within the submissions received it is suggested that the development is not substantially the same as that which was originally granted consent in respect to their property. The substantially the same test is a holistic one including the qualitative and quantitative aspects. This includes appreciation of the context, as well as the circumstances, in which the development consent was granted.

In this instance, it is considered that whilst the modified development may change impacts to individual properties, it remains substantially the same development overall. This is for a number of reasons, including:

- The original development consent recognised need for amendments to the final subdivision layouts, reflected in a condition of consent that was included. The proposed development as modified meets the condition.
- It remains a rural residential style subdivision which still complies with the requirements of the YLEP 1987 under which the consent was granted.
- The proposed development as modified remains within the approved development extent and does not change the overall spine of the development with the road network remaining as previously approved.

Council can be satisfied that the proposed development as modified remains substantially the same.

Matters relating to impacts to individual properties still need be considered under s4.55(3) and s4.15 of the EP&A Act 1979 as detailed in this assessment.

6.2 Compliance with Yass LEP 1987

The original development consent was granted under clause 12B of the YLEP 1987 when the land was zoned No 1 (c2). Clause 12B(4) of the YLEP 1987 allowed for use of an average lot size in certain circumstances. There are a number of parts to this clause for averaging, but in summary it allowed for some lots to be created as small as 2ha, and required lots of less than 4ha to be in groupings of no more than three lots.

It is noted that the original development consent appeared to acknowledge the need for amendments to the final subdivision layouts, and included conditions referring back to compliance with clause 12B(4). Although the number of lots increases, the proposed subdivision as modified is considered to remain consistent with the intended subdivision density and character of the area, given that as modified it remains in accordance with the YLEP 1987 requirements and the conditions of the development consent issued.

A minor error with the proposed plan of subdivision for Stage 5 was identified during the application assessment with the wrong lot area of Lot 509 notated on the plan. This has been corrected which ensures compliance with the YLEP 1987.

The applicant has provided a detail spreadsheet of all lots and has demonstrated that the proposed subdivision layout as modified complies with the requirements of clause 12B(4).

6.3 Traffic Generation and Intersections with Yass Valley Way

Manton Park is currently accessed via Red Gum Drive from Yass Valley Way. The approved plan of subdivision has an additional road connection with Yass Valley Way (further to the west) which is to be constructed as part of Stage 5.

The modification proposes to increase the number of lots within the subdivision from 97 to 108 which is 11 additional lots. Assuming 7.5 vehicle trips per day for low density residential dwellings, this would equate to approximately 83 additional weekday daily vehicle trips through the subdivision (assuming one dwelling per lot).

However, the proposed reconfiguration and changes to staging means that Stage 4 increases from 24 lots to 40 lots and Stage 5 then decreasing the number of lots from 16 to 11. This means that in Stage 4 there is an additional 16 lots which would utilise Red Gum Drive and the Yass Valley Way intersection until the additional intersection is constructed in Stage 5. This equates to Stage 4 generating approximately 125 additional weekday daily vehicle trips through the subdivision compared to the existing approved Stage 4.

An assessment has found that the proposed increase in number of lots in the overall subdivision and the increase in number of lots in Stage 4 will not have a significant long term impact, although there will be some associated amenity impact on existing lots as a result of the additional traffic generation. The road network can accommodate the additional traffic generation in Stage 4 all through the subdivision and the intersection of Yass Valley Way without needing the additional intersection. Constructing the Stage 5 road network as part of Stage 4 with the additional intersection to Yass Valley Way would improve the distribution of traffic and reduce the overall impact on existing lots. This has not been proposed by the applicant nor recommended due to the considerations above, however, if council were concerned, it may be reasonable to require the Stage 5 road network in Stage 4 on the basis of the modification increasing overall number of lots and now proportionally increasing the number of lots in Stage 4. This would also improve bushfire safety for Stage 4, but would fragment the interim use of the residue land (i.e. by having the road network through it).

Within the submissions received there is suggestion that the existing intersection of Red Gum Drive and Yass Valley Way will be inadequate for the additional traffic generation and should be upgraded to have dedicated turning and merging lanes. The existing intersection has been assessed and it determined that separated turning and merging lanes are not necessary based on the traffic generation of the subdivision (as proposed to be modified) and the traffic volumes and conditions on Yass Valley Way. However, the intersection would benefit with minor upgrade to widen the existing Basic Right Turn (BAR) and for associated line marking – i.e. widening the shoulder to allow east bound traffic to pass vehicle turning right into Red Gum Drive. There is space within the road reserve to complete this widening whilst keeping well clear of an existing tree. This can be included as a condition of any modified consent and has been agreed to by the applicant.

6.4 Dwelling Setbacks/Privacy and Noise Impacts

Within the submissions received there is suggestion that proposed change in the subdivision layout may result in adverse privacy impacts, particularly to properties located at 237 and 275 Yass River Road which would adjoin proposed lots 426 to 428. The submissions received suggest that privacy impacts could not be mitigated due to differences in elevation.

The adjoining lots are all greater than 5ha in size. Council's Development Control Plan (DCP) requires minimum setbacks for dwellings on lots greater than 5ha in size to be minimum setback of 50m from the property boundaries. The modification increases the number of adjoining lots in this location by one, although the change in shape of the lots may change where future dwellings

may be located. The minimum setback requirements does not change however. There remains opportunity for a dwellings to be located on these lots in accordance with the 50m setback requirement of the DCP. The dwellings already located at 237 and 275 Yass River Road are setback well in excess of 50m from the subject boundaries.

The resultant lots in the proposed modified subdivision have opportunity for future development on lots to comply with the provisions of the DCP. Whilst additional lots may result in additional noise, this is considered to be relatively low level due to the nature of rural-lifestyle development and the still relatively large lot sizes overall, particular to the outer edges of Stage 4 and 5 subdivision layout. It is not considered the modification introduces any significant or unreasonable privacy or noise impacts to adjoining properties.

6.5 Water Collection and Storage

A submission received questions the collection of water from lots, particularly from those located in relatively elevated areas within the subdivision. The following is noted:

- Lots will generally be serviced by rainwater tanks in accordance with Council requirements.
- Bores are not required by the existing subdivision development consent and are not proposed as part of the subdivision works. If a future land owner wished to have a bore, these require approval under the Water Management (WM) Act 2000 with Water NSW being the relevant authority.
- Dams and rainwater tank collection on each lot needs to comply with maximum harvestable rights requirements of the Water Management Act 2000. Evidence of satisfying maximum harvestable rights requirements for existing dams will need to be provided at subdivision certificate. Previous conditions of development consent requiring dam construction on each lot to be deleted due to introduction of the maximum harvestable rights requirements.
- Dedication of volume of water within tanks for firefighting purposes for each dwelling will need to satisfy Planning for Bushfire Protection 2019 requirements (20,000L per lot).

6.6 Extent of Neighbour Notification

A submission received questions why they did not receive a notification letter whilst their neighbour did. The direct neighbour notification extent generally included properties adjoining the Stage 4 and Stage 5 land (refer **Attachment A**) and not the whole Manton Park. The submitter's property was outside of this extent and therefore they did not receive a notification letter. Their submission has however been included in the assessment.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that a modified development consent be issued. Draft modified conditions are included in **Attachment G**.

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

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. Plans and Supporting Documents
 - C. Manton Park Staging and Context Plans
 - D. Submissions
 - E. Applicant Response to Submissions
 - F. s4.55/s4.15 Assessment
 - G. Draft Conditions

6.3 REVIEW OF DETERMINATION - SERVICED APARTMENTS, DA230239, KEIRS ROAD, MURRUMBATEMAN

SUMMARY

To present a review of the determination of development application DA230239 for two serviced apartments at Lot 2 DP797830, Keirs Road, Murrumbateman. The application for review attracted seven unique submissions and relevant conditions can be addressed by conditions. Approval is recommended.

RECOMMENDATION

That conditional development consent be issued for Development Application No DA230239 for two serviced apartments at Lot 2 DP 797830, Keirs Road, Murrumbateman.

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Environmental Planning and Assessment Regulation (Development Certification and Fire Safety) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Yass Valley Local Environmental Plan 2013
- Yass Valley Council Development Control Plan 2024
- Road Standards Policy
- Yass Valley Development Contribution Plan
- Local Government Act 1993
- Roads Act 1993
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Rural Fires Act 1997
- Buffer Zones to Reduce Land Use Conflict with Agriculture [Interim Guideline 2018]

REPORT

1. Application Details

Date Received	-	15 August 2024
Land	-	Lot 2 DP 797830, Keirs Road, Murrumbateman
Area	-	1.5ha
Zoning	-	RU1 Primary Production

2. Site Description and Locality

Lot 2 DP797830, Keirs Road, Murrumbateman (the site) is located in an area characterised generally by rural development, including a number of properties with dwelling houses. A vineyard and winery are located to the immediate north of the site.

The site is 1.5ha in size, with frontage to Keirs Road to the east and south, and to Murrumbateman (Nanima) Creek to the west. There are currently no buildings or significant development on the site.

A locality plan is included in **Attachment A**.

3. Background

Pursuant to the Yass Valley Local Environmental Plan 2013 (the LEP), the site does not have a dwelling entitlement as the lot size does not meet the prescribed minimum lot size of 40ha. In October 2022 Council refused development application (DA) DA220216 for a dwelling house at the site, as there were insufficient planning grounds to support the proposed exception.

In July 2024 Council recommended DA230239 for two serviced apartments at the site be approved, however Council resolved to refuse the DA on the following grounds:

- *Inappropriate use of RU1 zoned land*
- *Unacceptable adverse effect on surrounding primary producers*
- *Not compatible with the primary producer zone objectives of RU1 and*
- *The development presents an unacceptable land use conflict with the adjoining/nearby agricultural uses including a vineyard and extensive grazing. [Min 152]*

Attachment B is the report considered by Council at its meeting in July 2024.

4. Current Application – Application for Review

The current application seeks a review of the refusal determination pursuant to s.8.2 of the Environmental Planning and Assessment Act 1979 (the Act). With the exception of the removal of a hardstand area, the proposed development remains unchanged from the original DA, comprising:

- Construction of two serviced apartments and associated parking spaces
- Construction of a storage shed
- Installation of an onsite sewage management facility
- Construction of a property access and internal gravel driveway
- Landscaping including native shrubs and trees
- Installation of a 20,000L rainwater tank
- Tree and shrub removal

Details of the proposal, including renders of the proposed structures, are included in **Attachment C**.

5. Public Exhibition

Public exhibition of the application for review included notice to six landowners comprising adjoining landowners and those who made a submission to the original application. Seven unique submissions were received and are included in **Attachment D**.

6. Referrals

The proposed tourist accommodation is a 'special fire protection purpose' (SFPP) for the purposes of the Rural Fires Act 1997, which requires the concurrence of the NSW Rural Fire Service (RFS). The original DA was referred to the RFS and General Terms of Approval (GTAs) were issued.

The application for review was referred to the NSW RFS as the proposed hardstand area was identified for removal, in response to environmental concerns due to its location within the riparian zone. Revised GTAs were issued by the RFS with the only change being the reference to the updated site plan. The revised GTAs can be included in a development consent to require compliance with Planning for Bushfire Protection 2019.

Assessment comments on the original application were also provided by Council's Development Engineer, Environmental Health Officer and Building Certifier. No objections were raised subject to the inclusion of requirements in a development consent. As the application remains unchanged, there are no matters raised which required it to be internally re-referred.

7. Assessment

The s.4.15 assessment report and the report to Council, prepared for the original application, comprehensively addresses the potential impacts of the development.

The submissions received in relation to the application for review raise additional issues which are discussed below and in the updated assessment report (refer **Attachment E**).

7.1 Yass Valley Development Control Plan 2024

The proposed development generally complies with applicable controls, with the exception of the following matters.

The DCP requires buildings to be setback 250m from the boundary of a property on which intensive plant agriculture is currently undertaken, unless measures are implemented to mitigate noise, light intrusion, dust and spray drift. The proposed buildings are 36m from the northern boundary which adjoins Helm Winery. The intent of this control is to minimise land use conflict. The previous Council report addressed this matter and can be relied upon to support the required variation, as outlined below:

- (i) The scale of the proposed development is small, constituting two serviced apartments with a maximum of four guests at any one time only. The design and layout of the proposed serviced apartments suggest that they are intended to cater for couples and not for large group bookings which may have increased potential for adverse behaviour which would increase conflict.
- (ii) The nature of the proposed use is for short term tourist and visitor accommodation only.
- (iii) There is opportunity to make guests aware of the surrounding agricultural activities in the vicinity prior to their stay and during their stay as part of information provided by the operator.
- (iv) It is only the portion of the vineyard located in the southeast corner of the adjoining property that is within the 250m buffer (however, it is noted that further expansion of the vineyard may occur).
- (v) There is a landscape buffer of roadside vegetation within the Keirs Road road reserve near the southern boundary of the existing vineyard. Additional landscape buffer and fencing is proposed.

The DCP requires tourist and visitor accommodation to have a minimum setback of 50m from a primary road. The proposed shed is setback 10m and the apartments are setback 39m. The objective of this clause is to provide guidance. There is limited ability to increase setbacks due to site constraints and in this instance, the reduced setback is to a road only, as opposed to a sensitive receiver (e.g. dwelling house). It is considered that the reduced setback to the apartments is minor and will not impact the proposed development.

The DCP states that tourist and visitor should not be located on land that is subject to flooding, however a site-specific report demonstrates that the proposed buildings are sited above the 1% annual exceedance probability (AEP) flood event. The buildings can be constructed above the required flood planning level.

The DCP provides controls for signage associated with tourist and visitor accommodation. Conditions of consent can require details are provided to Council for approval prior to the issue of a construction certificate. This is a standard process undertaken as this level of detail is not required to determine a development application.

The proposed parking arrangements for each apartment is adequately provided and located. The DCP requires plans demonstrating compliance with AS/NZS 2890.1 Parking facilities – Off Street Carparking, however due to the small scale and location of the development, this is not considered necessary.

In response to other comments made in submissions:

- (i) Development is not characterised (defined) by the DCP but instead by the LEP, and as such the proposed development is not defined as 'agritourism' despite the DCP making provision for such development.
- (ii) The DCP requires a planning forum to be held when an application attracts 10 or more submissions. This application attracted seven unique submissions.

The DCP references the Biodiversity Conservation Act 2016 which is addressed in the following section.

7.2 Biodiversity

Submissions raise concern that the development may impact Golden Sun Moth habitat and other native grasses and shrubs (i.e including Kangaroo, Wallaby, Lomandra and Daviesia) and that surveys of the current biodiversity values have not been undertaken.

An ecological assessment prepared by environmental consultants, Umwelt, was submitted (refer **Attachment F**). This assessment reports the following:

1. A habitat assessment and the likelihood of occurrence concludes that the Golden Sun Moth has a low likelihood of occurrence.
2. The proposed development is unlikely to result in a significant impact to any threatened species or threatened ecological communities listed under the Biodiversity Conservation Act.
3. The proposed development will not impact areas of the Biodiversity Values Map.
4. The proposed development footprint was calculated as being 0.31ha which does not exceed the 1ha clearing threshold.

The ecological assessment was referred to the Department of Climate Change, Energy, the Environment and Water for review. The response, included in **Attachment G**, confirms the findings and conclusions of the assessment, including that the entry requirements into the Biodiversity Offset Scheme are not triggered. On this basis, Council can be satisfied that the appropriate level of environmental assessment has been completed for the proposed development.

7.3 Land Use Conflict – Horse Spelling and Breeding

A submission received raises specific concern as to the impact of the development on a neighbouring horse spelling and breeding establishment. Whilst the original assessment addressed concerns in relation to land use conflict with the adjoining/nearby agricultural uses, the following additional comments are made:

- (i) The small scale of the proposed development (i.e. only four guests can be accommodated at any one time) is not considered to generate noise and traffic impacts that will impact horses in surrounding paddocks. The impacts will not be dissimilar to that of a dwelling house.
- (ii) The actions of prospective guests, including crossing a river to access an adjoining paddock, is not a planning consideration. Notwithstanding, it is considered the terrain would make this activity unappealing.
- (iii) There is opportunity to make guests aware of the expectation that surrounding agricultural activities must not be impacted by their actions. This can be achieved by information provided by the operator. A condition of consent can require a management plan to be submitted for approval prior to the issue of construction certificate.

7.4 Heritage

Submissions received suggest that the development will have a detrimental impact on the following items which are all listed as having local heritage significance in the LEP:

1. Winstonwood Church – approximately 420m from the development footprint

2. Nanima Creek goldmining complex (comprising the river corridor) - approximately 180m from the development footprint
3. Toul School building – approximately 300m from the development footprint.

Clause 5.10(5) of the LEP provides that a heritage assessment may be requested for development that is within the vicinity of a heritage item. In this instance, due to the low scale of the proposed structures and land use and the distance between each, it was not considered necessary to request further heritage assessment.

7.5 Review Process

A submission raises concern that this review will not be undertaken by an independent person, however s.8.3 of the Act prescribes that a review, of a determination made by the elected council, is to be conducted by the council. In this instance, the review has been prepared for the elected council to determine the application.

8. Conclusion

From the review undertaken, including the consideration of additional issues raised in submissions, it is recommended that a Development Consent be issued. The draft conditions prepared for the original application have been amended to include the revised RFS GTAs and are included in **Attachment H**.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.4 - 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. Report to July 2024 Council meeting
	C. Details of Proposal
	D. Submissions
	E. Assessment
	F. Ecological Assessment
	G. Agency response to Ecological Assessment
	H. Draft Conditions

6.4 DEVELOPMENT APPLICATION DA230382 - 51 LOT RESIDENTIAL SUBDIVISION - 172B ROSSI STREET, YASS

SUMMARY

To present the assessment of development application DA230382 for the 51 lot residential subdivision of 172B Rossi Street, Yass. The application attracted 17 submissions in total. A voluntary planning agreement (VPA) is proposed in relation to dedication of an open space reserve to Council. The terms of the VPA are not considered acceptable at this time, however, would be acceptable subject to the applicant amending their proposed terms to include a maintenance period of five years instead of the proposed four years. Subject to this, partial approval is recommended, with the exception being the estate signage which is recommended to be refused.

RECOMMENDATION

That:

1. *The applicant is requested to amend their proposed terms of the voluntary planning agreement to include a maintenance period of five years instead of the proposed four year period.*
2. *Subject to (1) above, partial conditional development consent be issued for development application DA230382 for the 51 lot subdivision of 172B Rossi Street, including conditions for the proposed voluntary planning agreement for dedication of open space to council, with the exception of the proposed estate entry signage which is refused for the following reasons:*
 - *The subdivision layout provides connection through the existing Hatton Park local road network only (Hatton Drive and Burgess Place). The proposed subdivision should therefore integrate with the existing Hatton Park, and the proposed "Hatton Heights" signage creates confusion and division in the identity of the place and the community, and contrary to the desired character of the area. Whilst the developer may wish to market the subdivision as "Hatton Heights" for their own purposes, this overall area should remain generally known as "Hatton Park".*
3. *Where the applicant wishes to propose a four year maintenance period, the terms of the voluntary planning agreement are not accepted at this time, and a further assessment report be presented to Council for consideration and determination.*

FINANCIAL IMPLICATIONS

- Resources for development assessment are provided for in the current Operational Plan.
- The ongoing financial implications associated with the open space reserve proposed to be dedicated to Council as part of a VPA are estimated to be approximately:

Service	Cost per day
Labourer - 1 day mowing	\$375.36
Plant - tractor and flail - 1 day	\$41.69
Horticulturist - 1 day spraying	\$416.16
Plant and chemicals - 1 day	\$285.10
Total cost per mow/spray	\$1,18.31
Total cost over 12 months (work conducted once per month)	\$13,419.72

- Additional financial liabilities to council will result from the dedication of other assets including new roads, footpaths, and stormwater, water and sewer infrastructure.
- There will be an increase in the rates generated post-subdivision with the new lots being rated as residential.

POLICY & LEGISLATION

Acts and Regulations

- Environmental Planning and Assessment Act 1979 (the Act)
- Environmental Planning and Assessment Regulation 2021
- Biodiversity Conservation Act 2016
- Biodiversity Conservation Regulation 2017
- Local Government Act 1993
- Roads Act 1993
- Rural Fires Act 1997
- Dividing Fences Act 1991

State Environmental Planning Policies

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Exempt and Complying Codes) 2008
- State Environmental Planning Policy (Industry and Employment) 2021

Local Controls

- Yass Valley Local Environmental Plan 2013
- Yass Valley Development Control Plan 2024
- Yass Valley Development Contributions Plan 2018
- Yass Valley Community Engagement Strategy
- Yass Valley Settlement Strategy
- Road Standards Policy RD-POL-9

Guidelines

- NSW Government Practice Note on Planning Agreements
- Planning for Bushfire Protection 2019

REPORT

1. Application Details

Date Received	-	15 August 2023
Land	-	Lot 2 DP 1280115, 172B Rossi Street, Yass
Area	-	10.10ha
Zoning	-	R1 General Residential

2. Site Description and Locality

The site is located generally to the west of the Yass town, adjoining Hatton Park estate at the top of Rossi Street. The surrounding land uses are generally residential to the east and large lot residential in other directions.

The site is approximately 10ha in size and has frontage to Hatton Drive, Burgess Place, and a battle-axe handle to Rossi Street. The land contains a drainage line and dam in the middle of the site. Parts of the site also supports areas of threatened box-gum woodland ecologically community, as well as number of other remnant eucalyptus trees.

A Locality Plan is included in [Attachment A](#).

3. Proposal

The submitted (revised) proposal comprises:

- 51 residential lots
- Dedication of open space reserve to Council

- Other works including earthworks and civil construction, fire trail, tree removal, sewer pumping station and estate entry signs.

The subdivision is proposed to be delivered across three stages.

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

The proposal was revised during the assessment. The original proposal had 55 residential lots and included a road connection between the two sides of the development area.

The main changes between the original and revised plan of subdivision (refer **Attachment C**) are reducing the number of lots, revising the layout, increasing the area of open space to further reduce biodiversity impacts, and deleting the road connection areas across the development site.

4. Public Exhibition

The initial public exhibition included notice to approximately 50 adjoining and nearby landowners and there were eight submissions received (including one late submission), primarily raising specific issues of concern.

Following review of the submissions and initial assessment, additional information was requested. The additional information was received in November 2024 and included reduced number of lots and changes to the subdivision layout, as detailed above. The revised proposal was placed on public exhibition in November 2024, including notice to persons who had previously made a submission. There were seven submissions received during this period.

A planning forum was held on 3 April 2025 to provide an opportunity for submission authors and the applicant to address Councillors prior to completion of assessment and determination of the DA. A site inspection was also undertaken by attending Councillors prior to the planning forum. There were two further submissions were received post-planning forum.

A copy of all submissions received are included as **Attachment D**.

5. Referrals

The proposal was referred to NSW Rural Fire Service and NSW Biodiversity and Conservation Science.

NSW Rural Fire Service (RFS)

The application was referred to the RFS for concurrence under s100B Rural Fires Act 1997 as the proposal involves subdivision on bushfire prone land. The RFS have issued General Terms of Approval which can be included in any development consent.

NSW Biodiversity and Conservation Science

The application was referred to [the then known as] NSW Biodiversity and Conservation Science (BCS) of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for advice in relation to review of the biodiversity assessment, including requirements of the Biodiversity Offset Scheme (BOS).

The site contains identified biodiversity values, including box-gum woodland. The BOS generally requires the applicant to have undertaken and demonstrated an avoid, minimise, offset approach. Development consent cannot be granted unless council is satisfied this has been met.

The review of the initial proposal indicated some concerns with the Biodiversity Development Assessment Report (BDAR) and proposal, including the extent of loss of box-gum woodland, the consideration of associated serious and irreversible impacts, and threatened flora candidate species assessment.

The applicant subsequently provided a revised BDAR and plan of subdivision which reduced the number of lots and increased the area of proposed open space reserve to further avoid impacts to box-gum woodland. The revised proposal was referred to BCS for review who indicated that this had generally addressed their early concerns, subject to clarification being provided in relation to how the ongoing box-gum woodland values would be protected in perpetuity. This has since been clarified with the applicant (refer **Attachment B**) and the measures and mechanisms are considered acceptable.

The BDAR requires biodiversity offset credits for the residue impacts.

The efforts the applicant/developer and their consultants have made to achieve an improved environmental outcome are acknowledged.

6. Assessment

The proposed development has been assessed against the requirements of section 4.15 of the Environmental Planning and Assessment Act 1979. It is considered that the overall proposed development can be supported for the reasons outlined in the Assessment Report (refer **Attachment E**).

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

6.1 Roads, Access and Subdivision Layout

One of the key issues raised in submissions is in relation to traffic and roads layout, particularly the concern that all traffic from the subdivision would have to come through Hatton Park and the Hatton Drive/Rossi Street intersection.

Following review of submissions, it was requested that the applicant explore opportunity to include additional road connection directly to Rossi Street via the current battle-axe handle. The applicant's additional information response declined to provide this based on a position that it was not necessary and citing several factors including environmental and engineering constraints. The applicant obtained letters indicating concerns from residents adjoining where additional road connection to Rossi Street would connect (refer **Attachment F**).

It is noted that the revised plan of subdivision has deleted the road connection between the two development areas of the site, as well as reducing the number of lots. Overall, this is considered to represent an improvement in that the lots on the southern side of the development will have to distribute into Hatton Park through Burgess Place instead of all lots primarily distributing through the Hatton Drive cul-de-sac (which would have generally been the most direct route under the initial subdivision layout).

However, there remained residue concerns about the traffic volume overall through Hatton Park, including the potential for further subdivision of adjoining land zoned R1 General Residential to the south. A detailed submission had also been received during the public exhibition period (refer **Attachment D**) from a person with traffic engineering background which refuted aspects of the applicant's assessment and conclusions.

An independent traffic engineer (AusWide Consulting) was engaged to conduct a peer review of the applicant's traffic impact assessment and the road layout for the subdivision, as well as being provided a copy of the detailed public submission received. The conclusions of the peer review (**Attachment G**) noted that whilst a direct access road to Rossi Street (along the battle-axe handle) may provide improved traffic distribution, it was not considered to be necessary, and the proposed development will not adversely affect the operational performance of the Rossi Street/Hatton Drive intersection and Hatton Drive. In this regard, the development application needs to be assessed and determined based on the current proposed road layout.

Whilst a direct access road to Rossi Street may have improved traffic distribution, it would also largely redirect amenity impacts associated with the traffic generation. This redirection of amenity impacts would shift from the lots within Hatton Park (particularly the Hatton Drive and Burgess Place cul-de-sacs which currently have minimal traffic movements) to primarily the lots which back on to the battle-axe (i.e. lots at the end of Wilson Place), as well as the dwellings near on Rossi Street where the new road would have intersected.

A review of the assessment for the original Hatton Park subdivision has indicated that there was always a clear intention (including expectation by Council at the time) to provide opportunity for connection to this land through the Hatton Drive and Burgess Place cul-de-sacs. This is visibly evident with the way the cul-de-sacs currently terminate at the subject site property boundary.

The speed conditions and potential need for treatment measures (i.e. for control of speed), particularly for Hatton Drive, will need to be detailed and approved as part of the subdivision works certificate process.

The existing condition of Rossi Street is raised within the submissions received, with question whether there are upgrade works planned in the future, such as widening and kerb and gutter. Rossi Street is currently suitably able to accommodate the additional traffic generation resulting from this development. There are no immediate plans for the upgrade to Rossi Street.

6.2 Open Space Reserve and Voluntary Planning Agreement (VPA)

The amended development application is accompanied by an offer of a VPA for the open space reserve to be dedicated to council. The formal letter of offer was provided late in the assessment following discussions with the applicant, however it is noted that the submitted application always intended to dedicate the open space reserve to Council. A VPA is the mechanism available under the Act dedicate land to council as part of a development.

The area of land is not identified in any Council masterplans or planning controls as preferred or necessary open space, although it appears connection to the open space in adjoining Hatton Park was envisaged and provision made for at the time of that subdivision. The proposal to dedicate an open space reserve is largely because of the high biodiversity values of the site and the NSW Biodiversity Conservation Act 2016 and the Biodiversity Offset Scheme which generally requires an avoid, minimise, offset approach. The area of open space is relatively extensive at approximately 3ha in size. This increased in size from the original proposal as a result in revision to the subdivision layout to reduce impacts to box-gum woodland. This also removed a pedestrian path through the open space (running generally east-west) in favour of a fire trail (running generally north-south) along the eastern boundary (refer [Attachment C](#)).

Other options for the open space reserve have been considered (Table 1 below) to potentially reduce the extent of the land being dedicated to Council, noting Council's limited resources and the need to be strategic for where open space is acquired. With preliminary consideration of the options available, the dedication to Council is likely the most suitable in the circumstances.

Table 1 – Options for Open Space Reserve Lot		
Option	Benefits	Issues
Council open space reserve	<p>Council is generally a suitable organisation for owning and managing open space reserve.</p> <p>Allows use and ownership by all persons as it is public.</p> <p>Achieves protection of biodiversity values.</p> <p>Connection into the existing open space in Hatton Park.</p>	<p>Asset management.</p> <p>Ongoing maintenance responsibilities and costs.</p>
Biodiversity Stewardship Agreement (BSA)/Biodiversity Stewardship Site	<p>A legal agreement between the landowner and the NSW Government to allow for the protection and management of the biodiversity on the lot, including potentially generating and selling biodiversity credit.</p> <p>This would allow the land to be created as a private lot but provides ongoing protection of biodiversity values with no cost to council.</p>	<p>The area of land at approximately 3ha is too small to qualify for a BSA.</p>
Community Title Subdivision (community lot)	<p>The open space reserve becomes common community property and is the maintenance responsibility of the community association (i.e. the lot owners within the subdivision)</p>	<p>Community Title subdivision adjoining an existing Torrens Title residential subdivision is unusual.</p> <p>Creates confusion between the existing public open space and the community title (private) open space reserve.</p> <p>Excludes any use by persons who do not live on those lots (i.e. as it is private land).</p>

Large private lot	<p>A large private lot with a building envelope that limits where buildings can be constructed. A biodiversity management plan attached to the title would place obligations on the owner to protect biodiversity values and restrict use of the site.</p> <p>No ongoing maintenance responsibilities for council.</p>	<p>Potential land use conflict with effectively a rural-residential sized lot amongst in the middle of a residential subdivision.</p> <p>Requires a purchaser/lot owner with high attention/interest in protecting biodiversity values.</p> <p>Limited effectiveness for enforceability and monitoring as council would be the responsible authority.</p> <p>May not suitably address the avoid, minimise, offset approach.</p>
Develop for residential lots	<p>Additional residential lots provided.</p> <p>No ongoing maintenance responsibilities for council.</p>	<p>Does not protect biodiversity values and does not suitably address the avoid, minimise, offset approach.</p> <p>Development consent could not be granted.</p>

The VPA would also include, through a Biodiversity Management Plan (BMP), some rehabilitation and restoration work associated with protecting and enhancing box-gum woodland biodiversity values prior to the handover occurring.

The applicant had initially proposed a two-year maintenance period (from time subdivision is finalised) before handing over to Council. This was considered to be insufficient to enable Council to address the asset management implications within the timeline available. The applicant was suggested to increase this to a five-year maintenance period, which they then counter-offered with four years. This is still considered to be insufficient in this instance noting the extent and nature of the open space reserve they are requesting be dedicated to Council. It is requested that the applicant reconsider this position and amend their terms of the offer to five years, otherwise a further assessment report be brought back to Council which includes further detailed consideration of all other options available.

The public submissions received are generally supportive of the dedication of the open space reserve. There are some differences of view in relation to the nature or use of the open space reserve, including some submissions received suggesting that it should be with greater level of active use and active management (i.e. rather than primarily passive open space with a limited management regime). A higher level of active use and management would consider the land 'impacted' from perspective of the Biodiversity Offset Scheme, which would reopening issues with the required avoid, minimise, offset approach.

There is already a Category 2 playground within the adjoining Hatton Park open space. This will remain suitable, and an additional playground is not required. However, noting the additional patronage as a result of the additional lots, minor embellishment by the developer through provision of two table settings is reasonable and can be included as a condition on any development consent that may be issued. A footpath connection from the existing footpath in this open space to the fire trail can also be provided.

Whether the open space reserve and the fire trail should be fenced is also a matter of differing views. The open space reserve contains a dam, with Council through previous decisions having indicated a preference to see these fenced for safety reasons. Fencing of the open space reserve area and the fire trail would assist in delineating management area (i.e. the mowing area adjacent to the fire trail) and to prevent movement of vehicles into the open space area. There is some concern that fencing may impact the movement of the wildlife that use this area. This has been discussed with NSW BCS and it is generally considered that where fencing is required, there is opportunity to design and install so that it is wildlife friendly.

The open space reserve should also include the design and installation of educational advisory signage which highlights the biodiversity values of the site and indicate that it is passive open space

which is managed in a manner as such. The signage can be prepared in conjunction with the applicant, their accredited biodiversity assessor, and Council.

6.3 Bushfire

Concern has been raised in the submissions received in relation to the bushfire risks, including for the management of the open space reserve. The RFS have issued their General Terms of Approval (GTAs). The bushfire assessment report submitted with the application and the RFS GTAs recognise the open space reserve being considered a bushfire hazard rather than being actively managed land or an asset protection zone. However, following discussions with the applicant as well as BCS, it has been determined appropriate that the area along the fire trail extending approximately 10m into the open space reserve being subject to management through mowing (approximately monthly). This assists in providing a buffer to existing houses in Hatton Park which have been largely constructed without bushfire protection measures. Management in this way remains consistent with biodiversity management objectives and will not result in generation of additional biodiversity offset credits for the applicant. The area along the fire trail can be fenced to provide clear delineation of the area that will be regularly managed. The rest of the open reserve would be managed (i.e. slashed) on a once yearly basis only.

6.4 Water Supply and Water Pressure

Within a submission received it is questioned whether there is sufficient water available to supply the lots created by this subdivision in addition to other development which is occurring. This subdivision is within the area identified for potential residential development under the LEP and there remains adequate water supply available. Design certification for water pressure will need to be provided alongside the engineering design details as part of the subdivision works certificate process.

6.5 Tree Removal and Tree Protection – Western Boundary

The application proposes removal of six eucalyptus trees along the western boundary of the site, adjoining 180 and 182 Rossi Street. A submission received and presentation at the planning forum requests that these trees be retained, including for the amenity benefits to the existing dwellings on the adjoining properties, and the habitat value they provide.

The subject trees can be generally described as now mature in age and were planted by the previous landowner. They are not identified as hollow bearing and are in part of the site which is dominated by an exotic understorey. The trees are proposed to be removed as they are located within the area along the rear boundary where it was intended to locate sewer services.

A site meeting was held between the neighbouring property owner, the applicant, the developer, and Council to discuss the opportunity to retain the trees. The applicant has since reviewed the options including determining the size of the tree protection zones (TPZs) that would be required if they were retained (refer [Attachment H](#)). The applicant has indicated their preference to remove the trees due to the extent in which they would encroach the development lots (refer [Attachment B](#)), particularly in relation to Lot 40 which is already unusually shaped (with the TPZ encroaching into approximately 31% of the lot area). It is noted that the applicant and developer have offered to plant new trees of a mature pot size on the adjoining property owner's lot.

It is considered preferable to retain mature trees wherever possible. However, it is acknowledged the applicant's efforts to retain trees and native vegetation in the areas of the site which were identified as having high biodiversity values. In this instance, the removal is not considered to have any significant environmental impact. There will be some potential amenity impacts to the adjoining properties who currently enjoy the benefits the trees provided; however, they are not considered to be detrimental or unreasonable in the context of the development proposed. In this regard, there is generally not considered to be sufficient basis for refusal of the tree removal request, and therefore it can be supported. The developer can be encouraged to facilitate planting of new trees now on the neighbouring lot forward of any commencement of subdivision works for longest possible time to allow them to establish.

If Council were of the view that the trees must be retained, there would still be sufficient opportunity for a reasonable sized dwelling on each of the lots even with accounting for the encroachment of tree protection zone and sewer easement into the developable area, although it is noted this may have implications for the desirability and developer's marketability of those lots.

The submission also notes that there are several radiata pines within the boundaries of 182 Rossi Street, adjacent to the boundary. The applicant will need to demonstrate the proposed works (sewer) are outside the tree protection zones for these trees to ensure they are not damaged.

6.6 Superb Parrot

Concern has been raised in a submission received in relation to loss of habitat for superb parrot (*Polytelis swainsonii*) through the removal of remnant eucalyptus trees.

The impact on superb parrot was considered in the BDAR and the review by BCS. The BDAR has included targeted bird surveys, including for superb parrot. Further details were provided by the applicant's ecologist in relation to the survey efforts and the sightings. It is noted that superb parrots were observed on one occasion within the site during surveys. However, they conclude that given a relatively high level of survey effort having been undertaken for size of the property, the limited number of foraging observations in the subject land, and no evidence of nesting/breeding (e.g. birds in or adjacent to hollows, no records of begging calls, no observations of juveniles), the superb parrot was considered unlikely to be breeding in the subject land. To this end, the proposed development is unlikely to have a significant impact on superb parrot and biodiversity offset credits (species credits) are not required under the framework. It is noted that large percentage of the remnant trees within the subject site are however retained, including majority of hollow bearing, primarily within the open space reserve.

6.7 Construction Impacts

A consistent theme raised in submissions was in relation to the construction impacts during subdivision works, including dust (including reference to potentially silica dust) and the movement of construction traffic through Hatton Park.

For Stage 1, being the 13 lots on the southern end of the subdivision, there will need to be construction traffic movement through Hatton Park. It is generally not considered practical that all construction traffic will be able to traverse from Rossi Street to the southern end. However, for Stage 2 and Stage 3, it is feasible for all construction traffic to be via Rossi Street. Any impacts to the road network in Hatton Park during Stage 1 subdivision works will need to be rectified by the developer at completion.

Conditions of any development consent can require the development of a Construction Environmental Management Plan (CEMP) which includes

- Measures for dust suppression
- Traffic and safety management of construction vehicles during Stage 1 where Hatton Park is utilised
- Construction vehicles for Stage 2 and Stage 3 must use the Rossi Street access and not Hatton Park
- Sediment and erosion control, including for avoiding transferring sediment to the road network
- Communication strategy with adjoining and nearby residents

6.8 Height of Buildings and Privacy and Views

Several submissions received request specific restrictions to the height of buildings/dwellings within the subdivision – generally suggesting a limit to single storey only – to minimise any potential for privacy impacts or the loss of views to existing dwellings within adjoining Hatton Park.

The LEP and the DCP permits buildings/dwellings with maximum height of 8m from existing natural ground level, generally allowing for two-storey dwelling houses. The circumstances with this subdivision are not considered to warrant additional restrictions outside the LEP and DCP

requirements. It is noted that the adjoining Hatton Park subdivision also does not contain different height restrictions and two storey dwellings to 8m are permitted there.

Several properties which currently enjoy views and vistas across the subject site will have those impacted. However, this is not considered to be unreasonable and is largely unavoidable, noting these properties are currently located on the edge of the developed residential area. This land was always likely to be subject to further residential development, noting zoning of the land under both the 2013 and 1987 LEPs, and evident by how the cul-de-sacs at the end of Hatton Drive and Burgess Place terminate at the boundary.

There are already existing development controls in place which manage the privacy between dwellings on lots. These are included in the DCP as well as in the NSW Government's requirements for complying development in State Environmental Planning Policy (Exempt and Complying Codes) 2008. Different controls specific to this subdivision are not considered to be necessary and this could inhibit appropriate and permissible residential development.

It is noted that the previous landowner placed a restriction over part of the land requiring a maximum height of 5m. As it was not imposed by council, it will be 'set aside' by clause 1.9A of the LEP to enable consent to be granted to buildings up to a height of 8m, although could still be subject to civil enforcement by the benefited lot owner (Lot 1 DP 1280115).

6.9 Restrictions/Covenants

A submission received requests that restrictions/covenants that are currently imposed on lots within Hatton Park are carried over to this subdivision. This includes, for example, that transportable dwelling houses are not permitted and that boats, machinery, trucks and the like must not be parked in front of the dwelling.

These restrictions in Hatton Park were imposed by the developer and not Council, with the former developer being the benefited authority. These are not something that Council would generally require to be imposed as they are above and beyond planning controls and laws, and Council would not have an active ability to enforce. The developer for this subdivision may however still wish to impose similar for consistency.

6.10 Boundary Fencing

The subject site has common boundaries with several properties, including some which are residential (i.e. existing Hatton Park) and other which are larger lot residential. In this regard, there is currently a varying degree of fence types to the external boundaries.

The adjoining large-lot residential lots generally have rural style wire fencing only rather than solid fencing such as Colorbond. Fencing to the external boundaries of the subdivision should be completed as part of the development to prevent potential land uses conflicts, including for control of domestic animals. Where there is not currently solid fencing, this should be installed with consistent type and style. A detailed fencing plan can be required prior to the issue of a subdivision works certificate.

Rural style wire fencing along the external boundaries of the open space reserve will be suitable. Any other external lot boundary that has frontage to the open space reserve should have open palisade style fencing or the like to enable passive surveillance. A submission received requests that the existing fencing to the western boundary of 13 Burgess Place which is currently rural style wire fencing be replaced with something providing higher security. The submission includes an image of the style they may consider acceptable. The intention of this request can be achieved.

It is noted that common boundary fencing is a shared interest with both property owners and provisions of the Dividing Fences Act 1991 apply. The developer will need to coordinate with the relevant adjoining owners.

6.11 Fire Trail Setback to 13 Burgess Place

A submission received requests that the fire trail adjacent to 13 Burgess Place be setback a minimum of 2m from the common boundary and for it to be bitumen sealed to assist in addressing both privacy and dust impacts. Draft conditions require the fire trail to be two coat bitumen sealed, and it can be located a minimum of 2m from the boundary.

6.12 “Hatton Heights” Development Name and Estate Signage

The development application proposes the erection of estate entry signage with the name “Hatton Heights”. Concern has been raised in the submission that this creates a situation of segregation or separation of this subdivision to the rest of the area known as “Hatton Park”. The comments in the submission are generally agreed with. The applicant has intentionally provided a subdivision layout which only has connection through existing Hatton Park (Hatton Drive and Burgess Place) (and noting the applicant declined to provide road connection to Rossi Street).

This subdivision should therefore integrate with existing Hatton Park, and the proposed “Hatton Heights” signage creates confusion and division in the identity of the place and community. Whilst the developer may wish to market the subdivision as “Hatton Heights”, this overall area should remain generally known as “Hatton Park”. It is recommended that the proposed estate signage be refused.

6.13 Reduction in Property Value

The NSW Land and Environment Court has consistently maintained that reduction in property values is not a valid planning consideration under the Act.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions, it is recommended that the terms of the VPA for the open space reserve are not accepted at this time, however, would be agreed to subject to the applicant amending their proposed terms to include a maintenance period of five years instead of the proposed four year period. Subject to this, partial approval is recommended, with the exception being the estate signage which is recommended to be refused. Draft conditions are included in **Attachment I**.

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. Plans and Supporting Documentation
- C. Revised and Original Subdivision Layout Comparison
- D. All Submissions
- E. s4.15 Assessment
- F. Submissions Provided by Applicant - Concerns with Rossi Street Road Option
- G. Traffic Peer Review
- H. Plan Showing Tree Protection Zones to Western Boundary
- I. Draft Conditions

6.5 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUNDING (LRCI PHASE 4)

SUMMARY

To present a report to redirect \$116,000 of funding under Phase 4 of the Local Roads and Community Infrastructure (LRCI) program.

RECOMMENDATION

That the \$116,000 funding under Phase 4 of the Local Roads and Community Infrastructure program be allocated as follows:

- *\$25,000 for the Binalong Recreation Ground accessibility ramp and parking space at the amenities building*
- *\$91,000 for the Bookham Playground*

FINANCIAL IMPLICATIONS

Council had allocated \$116,000 of Phase 4 Local Roads and Community Infrastructure (LRCI) program to the new Murrumbateman Playground, 10 Hercules Street. The project selected should be delivered with the funding available. Noting any project selected will incur ongoing depreciation and maintenance costs.

POLICY & LEGISLATION

- *Local Government Act 1993.*
- *Procurement and Disposal Policy – CA-CP-04*

REPORT

1. BACKGROUND

At its meeting on 22 May 2025, Council resolved in relation to the report on the Murrumbateman Playground Site Determination that:

‘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’. [Min No.184]

Council has executed a grant agreement with Department of Infrastructure, Transport, Regional Development, Communications and the Arts under the LRCI Program for \$116,000 (GST exclusive) to deliver a Category 1 playground upgrade – Jones Park, Murrumbateman. This funding was allocated to this project by Council at its meeting in March 2023 **[Min No 41]**. Jones Park was nominated as the grant application required an address for the project, noting it was always Council’s intention to amend this once the location of the playground was determined.

The current grant eligible construction time period end date is 30 June 2025 with an agreement end date 30 June 2026. Approval to extend the construction time period to May 2026 will be required.

Council has also executed a grant agreement with Department of Infrastructure, Transport, Regional Development, Communications and the Arts under the Investing in Our Communities (LIOC) program for \$750,000 (GST exclusive) to deliver the playground at 3685 Barton Highway, Murrumbateman (noting this address was provided as it was required for the project and it was always Council’s intention to amend this once the location of the playground was determined).

The LIOC grant guidelines under section 4.3 state that the grant cannot be used for funding associated project activities that have received other Commonwealth funding.

As both streams of funding are Commonwealth funded, Council requested written confirmation under the LIOC program to ascertain if the LRCI funds can be contributed to the playground construction. It was advised that:

- *The LIOC Guidelines don't allow other Commonwealth funding sources to be used for activities that have been outlined in your funding agreement; and*
- *The Council may consider LRCI funding be used for a separate stage 2 of the project at the current site. However, stage 2 would not be able to include contents of the current project activities when considering the planning of that second stage.*

2. LRCI FUNDING OPTIONS

The following projects have been identified that could be funded by the LRCI grant pending approval from the grant provider.

a. MURRUMBATEMAN ALL-ABILITIES PLAYGROUND CARPARK

The carpark was not included in the funding agreement under the LIOC program and would be considered as stage 2 works being remediation works to the current carpark located at 10 Hercules Street which includes resealing the existing pavement and delineating the carpark to include accessible spaces (refer Figure 1 below).

Costs

If not funded by LRCI Council can fund from the \$228,611 Development Contributions Reserve committed to this project.

Project Completion

Works would be completed after construction of the playground – August/September 2026.



Figure 1 – location of carpark for the Murrumbateman Playground, 10 Hercules Street

b. JONES PARK, MURRUMBATEMAN UPGRADE

Identified in Council's 2021 Murrumbateman Recreation Ground Strategic Plan is the installation of a new playground at Jones Park. The new playground would be in addition to the existing swing set. This project would require initial consultation with the Murrumbateman Recreation Grounds Focus Group to advise a suitably sized space for the additional equipment and then broader community engagement for selection of equipment (refer Figure 2 below).

Costs:

The project can be completed within the \$116,000 budget.

Project Completion

Through Council's Procurement and Disposal Policy the process includes:

- Design works through playground contractor – 4-8 weeks
- Community engagement – 3-4 months
- Construction – 3 months (weather permitting)

Project can be completed prior to 30 May 2026.

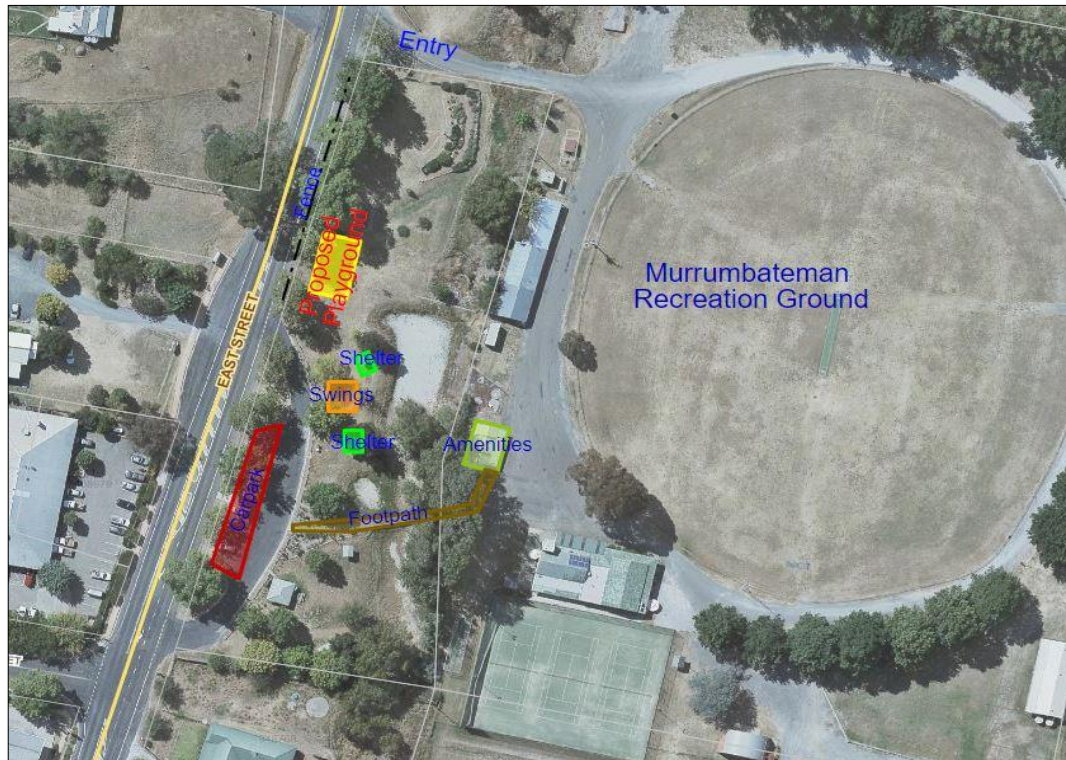


Figure 2 – Jones Park, Murrumbateman

c. MURRUMBATEMAN BMX/PUMP TRACK

The Murrumbateman BMX/Pump Track Focus Group met on 29 May 2025 and recommended that “A unanimous vote by committee members endorsed the location for the construction of a pump track over the southern sand arena within Murrumbateman Recreation Grounds”. These minutes are tabled at this meeting under a separate report. Consultation with the Murrumbateman Recreation Ground Focus Group to repurpose the southern sand arena from a proposed playground to a potential BMX/Pump site is scheduled for 25 June 2025 (refer Figure 3 below).

Costs

The total project costs to construct this facility is estimated at \$550,000. Under the LRCI funding guidelines the \$116,000 can only be used for the construction component therefore funding would need to be sought for the design costings and the remainder of the construction costs.

Project Completion

Through Council's Procurement and Disposal Policy the process includes:

- Detailed Construction Drawings – 3-4 months
- Tender process to award contractor for construction – 3-4 months
- Construction period – 3 months (weather permitting)

Works could possibly be completed prior to 30 May 2026 on a tight delivery timeline.



Figure 3 – Southern Sand Arena, Murrumbateman Recreation Grounds

d. MURRUMBATEMAN COMMUNITY HALL UPGRADES

Council has undertaken an internal condition assessment of the Murrumbateman Community Hall (refer Figure 4 below) with the following remediation works required in priority order:

- Redesign disabled entrance to be compliant.
- Replace damaged and deteriorating retaining wall at entrance/delineate parking spaces with wheel stoppers and entrance line marking.
- Replace damaged guttering (to fit colour scheme of toilet blocks)
- Replace rotten bearers and joists around veranda.
- Repaint roof to fit colour scheme of toilet blocks
- Repair and repaint walls in interior

Costs

It is anticipated that with the \$116,000 Council would be able to complete the first four activities allowing the hall to become an accessible asset for the community.

Project Completion:

Through Council's Procurement and Disposal Policy, contractors would be engaged to undertake each individual activity with the works to be completed prior to 30 May 2026.



Figure 4 – Community Hall

e. MURRUMBATEMAN RECREATION GROUND – CRICKET NET RELOCATION

Identified in Council's 2021 Murrumbateman Recreation Ground Strategic Plan is the relocation of the practice cricket nets. The current position of the nets is not desirable as they face directly towards the public toilet block creating a high risk to users/visitors to this location. Engagement with the Murrumbateman Recreation Ground user groups has previously been undertaken with a new location being agreed upon (refer Figure 5 below).

Costs

The total estimated project costs are \$170,000. There are no additional funds identified in the draft 25/26 Operational Plan to contribute to this project.

Project Completion

Through Council's Procurement and Disposal Policy the process includes:

- Contractor Award – 4-6 weeks
- Construction period – 4 months (weather permitting)

Project can be completed prior to 30 May 2026.



Figure 5 – Cricket net locations

It is noted whilst the following projects are not in Murrumbateman as required by the Council resolution, it was raised during the 25/26 Integrated Planning and Reporting Roadshow that there was a concentration of funding in Murrumbateman and Yass, hence the inclusion of the two project below for consideration.

f. BOOKHAM PLAYGROUND

Identified in Council's Bookham Masterplan is the installation of a new play space adjacent to Barney's Café (refer Figure 6 below) Designs include but are not limited to:

- Modular Unit
- Swings
- Seating
- Fencing

Costs

The Bookham Progress Association has been successful in receiving grant funding of \$15,000 (\$5,000 each year for three years) through Council's community grants. Council have been working with the progress association to complete preliminary design works and costings and applying for other grants to complete the project. The total project is estimated at \$95,000.

Project Completion

Through Council's Procurement and Disposal Policy the process includes:

- Design works through playground contractor – 4-8 weeks
- Community engagement – 3-4 months
- Construction – 3 months (weather permitting)

Project can be completed prior to 30 May 2026.



Figure 6 – Bookham playground

g. BINALONG DOG PARK AND ACCESSIBILITY RAMP

Identified in Council's Binalong Recreation Ground Masterplan is the construction of an accessibility ramp and formalised parking space to the sports amenities building and a new dog park opposite the pool (refer Figure 7). The masterplan was developed in direct consultation with community groups and the association and is well supported.

Costs

It is anticipated that with the \$116,000 Council would be able to complete both these projects with \$25 000 allocated for the accessibility ramp and carparking space and \$91 000 for the dog park.

Project Completion

Through Council's Procurement and Disposal Policy the process includes:

- Contractor Award – 4-6 weeks
- Construction period – 4 months (weather permitting)

Project can be completed prior to 30 May 2026.



Figure 7 – Location of new dog park and accessibility ramp

3. SUMMARY

Project	Project Cost	LRCI Funding	Additional Funding required for Project	Project Completion	Project Risks	Recommend For Funding
Murrumbateman All-Abilities Playground Carpark	\$116,000	\$116,000	Nil	Aug/Sep 2026	Must complete playground construction prior to carpark works.	No – Cannot deliver prior to funding deadline
Jones Park Murrumbateman Upgrade	\$116,000	\$116,000	Nil	May 2026	Delay in community agreement to playground equipment HIGH RISK	Yes
Murrumbateman BMX/Pump Track	\$550,000	\$116,000	\$434,000	May 2026	Timeframes do not include contingencies for: <ul style="list-style-type: none"> wet weather material delays community contributions 	No – project will extend past funding deadline

Murrumbateman Community Hall upgrades	\$116,000	\$116,000	Nil	May 2026	Delays due to: <ul style="list-style-type: none"> Wet weather Contractor engagement LOW RISK	Yes
Murrumbateman Recreation Ground -Cricket Net Relocation	\$170,000	\$116,000	\$54,000	May 2026	Delays due to: <ul style="list-style-type: none"> Wet weather Contractor engagement 	No – requires additional funding
Bookham Playground	\$95,000	\$116,000	Nil	May 2026	Delays due to: <ul style="list-style-type: none"> Wet weather Contractor engagement Community contributions LOW RISK	Yes
Binalong Recreation Ground – Dog Park & Accessibility Ramp/parking space	\$116,000	\$116,000	Nil	May 2026	Delays due to: <ul style="list-style-type: none"> Wet weather Contractor engagement LOW RISK	Yes

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.3 - Manage assets in a proactive way across their lifespan
Delivery Program Action	Implementation of Strategic Plans and Plans of Management for all Council managed community sporting and recreation facilities

ATTACHMENTS: Nil

6.6 PLANNING PROPOSAL - LOT 2 DP1144979 WALLAROO ROAD, WALLAROO

SUMMARY

To present a report on a draft Planning Proposal seeking an amendment to the land use zoning under the Yass Valley Local Environmental Plan 2013 for Lot 2 DP1144979, Wallaroo Road, Wallaroo.

RECOMMENDATION

That:

1. *The Planning Proposal for Lot 2 DP1144979 Wallaroo Road, Wallaroo be endorsed.*
2. *The draft Planning Proposal be forwarded to the Minister for Planning to request a Gateway determination pursuant to s3.34 of the Environmental Planning and Assessment Act, 1979*

FINANCIAL IMPLICATIONS

Resources for the assessment of planning proposal are provided for in Council's Fees and Charges.

POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Local Environmental Plan 2013*
- Local Strategic Planning Statement
- South East and Tablelands Regional Plan 2036
- Draft South East Tablelands Regional Plan 2041

REPORT

1. Background

Council has received a Planning Proposal seeking an amendment to the Yass Valley Local Environmental Plan 2013 (LEP) to rezone Lot 2 DP1144979 Wallaroo Road from RU1 Primary Production to C3 Environmental Management. The Planning Proposal seeks to preserve the biodiversity conservation values existing on part of the lot in accordance with the Environmental Protection and Biodiversity Conservation Act (EPBC Act) approval requirements being the West Belconnen SA024 EPBC Approval. **Attachment A** shows the location of the subject site and **Attachment B** is the West Belconnen SA024 EPBC Approval. **Attachment C** is the planning proposal.

2. Planning Proposal

The subject land is approximately 86ha in area bounded by the NSW/ACT border west of the Bicentennial National Trail and Gooromon Ponds.

The land is required as part of a biodiversity offsetting process for an EPBC Act approval granted in 2017 for the development of the West Belconnen development area (known as Ginninderry). The EPBC approval included a condition of consent that required the subject site to be rezoned to C3 Environmental Management (previously known as E3 Environmental Management zoning) due to the significant biodiversity values of this site. The EPBC approval required 33.1 ha to be preserved as Golden Sun Moth habitat which would be met via the outcome of this Planning Proposal.

Furthermore, the Planning Proposal also seeks to amend Schedule 1 of the LEP to enable an additional permissible use (APU) for 'electricity generating works' and an associated access road on part of the site. At this stage the planning proposal only intends to set aside this land for a potential substation, and there is no certainty that this site will be used for this purpose. Whilst the provision of a substation was not a requirement of the EPBC Approval, it is proposed to secure a site for a potential future substation for TransGrid. This will make provision for the potential relocation of the existing TransGrid substation

from North Belconnen. In order to access the potential future substation site, it will be necessary to gain access via the ACT. It is anticipated that this would be via an unsealed existing track through the suburb of Dunlop. ACT Parks and Conservation, as custodians of the land where the unsealed existing track is located, have provided in principle support for this to occur which has been included as part of the Planning Proposal.

It should be noted that pursuant to the provisions State Environmental Planning Policy (Transport and Infrastructure) 2021 an electrical substation is permissible in any zone. Accordingly, the planning proposal reaffirms what is permissible in the current and proposed zone and provides certainty into the future by explicitly providing for an electrical substation on the site as an APU.

The subject site at approximately 86.8ha, is greater than the area required to be preserved under EPBC approval with the potential substation location being on that part of Lot 2 which is not identified to have biodiversity values. It is anticipated that an area of not greater than 19ha be included in the APU for the provision of 'electricity generating works' (herein referred to as a substation) as development that requires development consent. The provisions of the APU will include a requirement that the site is to be adequately serviced by a vehicular access and must not have any adverse impact on the areas of high biodiversity value.

3. Site Analysis

The site and surrounding area are zoned RU1 Primary Production in the LEP. The site is currently vacant and not used for agricultural production. The site is an isolated parcel and has no direct formal road access. There is an existing dirt track through ACT lands that provides informal access to the site. Gooromon Ponds, which are a tributary of the Ginninderra Creek, form the north, east and west borders of the site. There is an existing 330kV and 132kV TransGrid easement for transmission lines in the southern part of the site close to the NSW-ACT border.

A State Significant Development of a solar farm has recently received consent for land to the west of the site. The solar farm will have a capacity of 120MW and will include an onsite substation and battery storage facility with capacity of up to 45MW/90MWh.

The site contains some areas of high to very high diversity of native grass and forb species, some areas of potential Golden Sun Moth restoration potential, some of which are constrained by EPBC Act (National) and Biodiversity Conservation Act 2016 (BC Act) (State) provisions. The placement of the proposed substation has been chosen to actively avoid these areas to be positioned in an area with limited biodiversity values. Consultation with Department of Climate Change, Energy, the Environment and Water during the scoping phase indicated that identified high value areas be avoided, any future State Significant Development will automatically require a full Biodiversity Development Assessment Report and additional surveys will be required for the Delma Impar Striped Legless Lizard prior to any development.

The site is bushfire prone and a bushfire assessment report forms part of the Planning Proposal. The report recommends that at the time of development of a future substation a static water supply for fire fighting operations will be required and a defensible space be provided around infrastructure and buildings to reduce the expected level of radiant heat.

4. Strategic Planning Assessment

The Planning Proposal is not the result of any strategy or strategic study, rather is required to meet the biodiversity offset requirements of the EPBC approval. The proposed change of zoning limits the potential uses of the site and reduces its development potential, thereby preserving the biodiversity values and protecting the area of remnant vegetation. The addition of a substation as future development potential on an identified part of the lot only safeguards the environmental values whilst facilitating the ability to safeguard future energy supply to the region.

It is considered that the Planning Proposal is consistent with the draft South East and Tablelands Regional Plan 2041 and South East and Tablelands Regional Plan 2036 which provides strategies to manage the region's growing centres and population:

Draft South East and Tablelands Regional Plan 2041

- Objective 5 – Protect important environmental assets

The land has been identified as potential Golden Sun Moth restoration area with significant biodiversity values including those listed under National and State legislation of EPBC and BC Acts respectively. The proposal involves the rezoning of the entire site from RU1 Primary Production to C3 Environmental Management recognises the important biodiversity of the site and thereby limits the uses that are permissible on the site.

- Objective 6 – Enhance biodiversity habitats and the connections between them

Strategy 6.1 includes “focus offsets from approved developments to regional biodiversity corridors, where possible”. The proposal is to rezone the site to meet the requirements of the EPBC Approval which permitted the approval of the Parkwood Urban Release area for development.

South East and Tablelands Regional Plan 2036

- Direction 14 - Protecting Important Environmental Assets

The proposal sets aside areas of the site as Golden Sun Moth Restoration areas and allows for future regional infrastructure development whilst avoiding areas of high biodiversity values.

- Direction 15 – Enhancing biodiversity connections

The proposal seeks to implement the requirements of the EPBC Approval and preserve areas of high biodiversity values.

The proposal is outside the scope of the Yass Valley Settlement Strategy however it supports the development of the urban release area covered by Yass Valley Local Environmental Plan (Parkwood) 2020 in that it implements the requirements of the EPBC Approval that was issued to allow the urban release area to proceed. Furthermore, it is not inconsistent with the recommendations of the Settlement Strategy for the restriction of isolated and intensive urban development within 5km of the ACT border as the proposal restricts, rather than enables, intensive development and limits the variety of permissible uses. The proposal protects and enhances the biodiversity and environmental values of the site whilst still permitting necessary supportive infrastructure in a controlled and transparent manner by allowing a substation only with development consent and subject to locational and

The identification of a site suitable for a future potential substation and the inclusion of such as an APU in the LEP provides clear guidance and direction on the areas to be avoided and the additional studies required prior such a project proceeding.

5. Conclusion

The draft Planning Proposal is consistent with the provisions of the regional and local planning directions for the preservation and enhancement of environmental values and biodiversity connectivity. It is recommended that the Planning Proposal be endorsed and forwarded to the Minister for Planning and Public Spaces to request a Gateway determination. Council should seek delegations to make the amendment as the local plan making authority.

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.2 - Future developments should complement existing settlement structure, character and uses and allow for the creation of legible and integrated growth

Delivery Program Action Complete review of the Yass Valley Settlement Strategy 2036

- ATTACHMENTS:**
- A. Location Plan
 - B. West Belconnen SA024 EPBC Approval
 - C. Planning Proposal - Lot 2 DP1144979, Wallaroo Road, Wallaroo

6.7 COUNCIL SPORTING FACILITIES - USER CHARGES REVIEW

SUMMARY

Council has undertaken engagement with individual sporting groups to understand the impacts of the proposed fee increases and its service levels prior to setting the 2025/26 budget. It is recommended that, as an interim, a 2.5% CPI increase is applied to the 2024/25 fees for annualised sports fees, pool lane hire (not for profit) and sportsground book fee (casual users), with a report being presented to Council before the end of the calendar year, allowing further consultation with sporting groups to determine the preferred calculation rate.

RECOMMENDATION

That Council:

1. *Apply a 2.5% CPI increase to the existing 2024/25 fees in setting the 25/26 fees to the following:*
 - a. *Annualised Sports Fees*
 - b. *Pool Lane Hire – Not for Profit*
 - c. *Sportsground Booking Fee – Casual Users*
2. *A further report to be presented to Council prior to the end of the calendar year, after additional consultation with sporting groups is undertaken, to determine the preferred sporting facility user charges calculation rate.*

FINANCIAL IMPLICATIONS

Any changes to fees for annualised user groups will be included in the adopted 25/26 Fees and Charges being considered by Council. As Council moves towards financial sustainability it must consider all options that are available including that annualised user groups of Council's sporting facilities are being charged appropriately to reflect their use of our facilities whilst also acknowledging the public/community use.

POLICY & LEGISLATION

- Local Government Act 1993
- 2022/32 Asset Management Strategy

REPORT

1. Background

As part of the annual review of the integrated planning and reporting documents, an analysis of all sporting facilities that are used by annualised users (sporting clubs) and a calculation of the current operational costs against the use of each individual user group was completed. It was proposed to increase the charges for annualised users as part of setting the 25/26 Fees and Charges. Council was presented the proposed fees at its meeting on 8 May 2025 with the options being:

				Hourly Rate	
User Group	2024/25 Fee	2025/26 2.5% CPI	20% Cost Recovery Proposed Annual Fee	Approximate hours per season	Estimated Season Fee
Senior Rugby League	\$2,106.00	\$2,158.65	\$6,037.00	376	\$6,692.80
Junior Rugby League	\$2,477.00	\$2,538.93	\$7,187.00	340	\$6,052.00
Yass AFL	\$2,624.00	\$2,689.60	\$2,586.00	172	\$3,061.60
Yass Rams Rugby	\$3,046.00	\$3,122.15	\$5,967.00	172	\$3,061.60

Yass Cricket	\$2,854.00	\$2,925.35	\$5,859.00	408	\$7,262.40
Yass Touch	\$4,392.00	\$4,501.80	\$8,337.00	738	\$13,136.40
Senior Netball	\$1,432.00	\$1,467.80	\$2,685.00	132	\$2,349.60
Little Athletics	\$875.00	\$896.88	\$1,832.00	38	\$676.40
Murrumbateman AFL	\$2,624.00	\$2,689.60	\$2,069.00	49	\$872.20
Yass Soccer	\$4,256.00	\$4,362.40	\$6,324.00	462	\$8,223.60
Binalong RLFC	\$645.00	\$661.13	\$2,916.00	68	\$1,210.40

Following consideration of this matter, Council resolved that:

1. Council adopts a cost recovery rate in line with the Asset Management Strategy.
2. Council notes the reduction on revenue that public usage has on the annualised user fees and accepts the inclusion of public community use when calculating the annualised user fees for 2025/26 financial year.
3. That during the 28-day public exhibition period, that the CEO ensures that Council officers engage with individual sporting groups to ascertain the impacts of the proposed draft fees.
4. Council reviews the data and the service levels in consultation with the user groups during the 28-day public exhibition period.
5. Council acknowledges the significant contribution of the volunteers that make up local sporting and recreational clubs and the importance of maintaining affordable user charges to support continued and increased community participation. **[Min No 179]**

This report does not address any current memorandums of understanding or lease arrangements held with sporting/community clubs. It only applies to annualised users (sporting clubs).

2. Engagement

Council met with the following thirteen sporting clubs to address their concerns/questions regarding the methodologies used to calculate the annualised user fees, as detailed below.

Sporting Group	Date	Time	Meeting Length	Topics Discussed
Yass Senior Rugby League	20/05/2025	11:00am	45 mins	<ul style="list-style-type: none"> Explained calculation methods Club usage Level of Service Communication contributions from club to maintain fields (financial/volunteer)
Yass AFL	23/5/2025	1:30pm	30 mins	<ul style="list-style-type: none"> Explained calculation methods Club usage Level of Service
Yass Touch Association	23/05/2025	2:30pm	45 mins	<ul style="list-style-type: none"> Explained calculation methods Club usage Level of Service Contributions from club Club sustainability
Binalong Brahmins	23/05/2025	3:30pm	30 mins	<ul style="list-style-type: none"> Explained calculation methods Club usage Level of Service Volunteer contributions from club
Murrumbateman AFL	26/05/2025	1:30pm	30 mins	<ul style="list-style-type: none"> Explained calculation methods Club usage

				<ul style="list-style-type: none"> • Level of Service • Contributions from club (Financial/Volunteer)
Yass Cricket Association	26/05/2025	3:30pm	30 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage across multiple sites • Level of Service • Contributions from club • Club sustainability
Yass Football Club	26/05/2025	6:00pm	30 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Contributions from club • Club sustainability
Yass Netball Association	27/05/2025	4:00pm	40 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Neglect of Facility • Contributions from club • Club sustainability
Yass Rams Senior Rugby Union Club	28/05/2025	6:45pm	1 hour	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Contributions from club • Club sustainability (Seniors & Juniors)
Yass Minor Rugby League	29/05/2025	4:00pm	45 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Club sustainability
Murrumbateman Little Athletics	30/05/2025	10:00am	40 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Club sustainability
Murrumbateman Pony Club	30/05/2025	1:30pm	45 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service • Major Event
Murrumbateman Adult Riders Club	30/05/2025	3:30pm	40 mins	<ul style="list-style-type: none"> • Explained calculation methods • Club usage • Level of Service
Yass Touch Association – follow up meeting	03/06/2025	4:00pm	35 mins	Detailed discussion on calculation methods

Council also met with the Yass Swim Club 11/06/2025 to discuss the increase of the “Pool Lane Hire – Not for Profit” fee at the Yass Pool from \$0.70 to \$1.50. Council will address this fee as part of this report.

3. Service Levels

Council currently delivers the following service levels:

Site	Service level
Walker Park, Yass (4 fields)	<ul style="list-style-type: none"> • Mowing – weekly • Water & sewer service • Cleaning fees • General maintenance • Utility costs • Waste service • Line marking
O'Connor Park, Yass (1 field + 7 netball Courts)	<ul style="list-style-type: none"> • Mowing – weekly • Water & sewer service • Cleaning fees • General maintenance • Utility costs • Waste service • Line marking
Murrumbateman Recreation Grounds - Sports Field	<ul style="list-style-type: none"> • Mowing – fortnightly • Water & sewer service • Cleaning fees • General maintenance • Utilities fees • Waste service • Line marking
Murrumbateman Recreation Grounds - Equestrian Areas	<ul style="list-style-type: none"> • Mowing – fortnightly • Water & sewer service • Cleaning fees • General maintenance • Utilities fees • Waste service
Victoria Park, Yass (2 fields)	<ul style="list-style-type: none"> • Mowing – fortnightly • Water & sewer service • Cleaning fees • General maintenance • Utilities fees • Waste service • Line marking
Binalong Recreation Grounds (1 field and 1 multipurpose court)	<ul style="list-style-type: none"> • Mowing – quarterly • Cleaning fees • Waste service
Bowning Recreation Grounds (1 field)	<ul style="list-style-type: none"> • Mowing – monthly • Cleaning fees • Waste Service
Sutton (1 field)	<ul style="list-style-type: none"> • Mowing – quarterly • Cleaning fees

Bookham Recreation Grounds (1 field)	<ul style="list-style-type: none"> • Field maintenance by community • Waste service
--------------------------------------	---

Council held discussions with each sporting group about the current level of service that it provides. Positive feedback was received from majority of the clubs stating the mowing, irrigation, turf management and tree maintenance were of an agreeable standard.

Council has also implemented a Sports Field Remediation Program (**Attachment A**) in 2024/25 from the operational budget. The aims and objectives are:

- Reduce safety hazards/risks and issues with current sporting fields surfaces
- To improve the quality and standard of sporting fields within Yass LGA
- To provide improved sporting facilities to sporting participants and the broader community
- To provide a management approach that delineates and integrates maintenance activities that will identify the various elements
- To undertake remediation activities that will increase the longevity of the sports field playing surface
- To align with the objectives identified in the individual strategic plans for each sporting field

The funding allocation to undertake the Sports Field Remediation Program is not included in the calculations for the annual operating costs of each facility. This is a separate allocation within the budget.

There were a few concerns raised over the cleaning standard and cleaning frequency of each facility which is being addressed under the current cleaning contract.

There was also mention about the ageing of some facilities and the need for replacement/repairs. This will be addressed through Council's operational plan and future capital works program.

The service levels delivered to each of the sporting facilities will be kept at the current standard.

4. Submissions

ANNUALISED SPORTS FEES:

Council has received thirteen written submissions (**Attachment B**) relating to the annualised sporting fees and charges.

Of these submissions:

- EIGHT submissions are in favour of using the hourly rate method noting:
 - one submission requesting that Walker Park is per hour for the entire complex not per hour per level.
 - 10% further reduction for junior participants.
- TWO submissions are in favour of the user percentage rate method.
- TWO submissions are in favour of CPI increase only
- Of the thirteen submissions, SIX submissions request to postpone the increase for twelve months until further consultation is undertaken.

CASUAL FEES:

Council has received four submissions (**Attachment C**) relating to:

- "Pool Lane Hire – Not for Profit" fee at the Yass pool
- "Sportsground Booking Fee – Casual Users"

Of these four submissions:

- First submission stated the pool fee is a significant increase that should be compared with pool fees from regional areas not city aquatic facilities. Reconsideration of fee increase to a staged or moderated increase. Regional areas such as Temora, Young, Harden, Boorowa, Jugiong etc. do not charge for swimming club lane hire.
- Second submission requests consideration of original fee or gradual increase.
- Third submission suggests should not charge a pool lane hire fee to swim clubs
- Fourth submission requested to postpone the increase of the sportsground booking fee until further consultation is undertaken.

5. Benchmarking of Fees and Charges

Council has undertaken a comparison of fees and charges from surrounding councils.

SPORTS FIELDS:

Council	Method	Sport	Rate	
			Training	Match Play
ACT Government	Per Hour/Per Field	Cricket	\$11.20	\$17.75
		Athletics (Junior)	\$7.70	\$55.55
		League/Rugby/Soccer:		
		Senior	\$27.30	\$54.50
		Junior	\$7.70	\$27.25
		AFL	\$28.05	\$56.05
		Touch Football:		
		Senior	\$13.65	\$27.25
		Junior	\$7.70	\$13.65
Queanbeyan-Palerang Regional Council	Seasonal Fee Per Field Competition per hour Training per hour	2x Training, 1x Comp Day		\$1560
			\$12.50	\$25.00
Hilltops Council	Seasonal Fee: <u>YOUNG:</u> <u>OTHER GROUNDS:</u>	Cricket		\$6043
		Rugby Union		\$3880
		Rugby League – Senior		\$6040
		Rugby League – Junior		\$579
		AFL		\$3300
		Touch		\$1470
		Cricket		\$2000
		Rugby Union		\$2000
		Rugby League		\$2000
		Touch Football		\$1444
Goulburn-Mulwaree Council	Seasonal Fee	Any Sport		\$1003
		Senior Player – per person per year		\$34.00
		Junior Player – per person per year		\$4.50
Upper Lachlan Shire Council	Seasonal Fee	All sports codes		\$660
Cootamundra-Gundagai Regional Council	Seasonal Fee	Rugby League		\$4136
		AFL		\$3067
		Rugby Union		\$2160
		Soccer		\$1443
		Touch Football		\$2160

Council's proposed rate of \$17.80 per hour/per field is comparable to the above hourly fees. Council's proposed seasonal rate at a 20% cost recovery rate (including community use) is comparably high to those fees above. Council's 2024/25 fee with a 2.5% CPI increase is at a comparable rate.

CASUAL SPORTS GROUND HIRE:

Council has increased the "Sportsground Booking Fee – Casual Users" fee from \$171 to \$250 per event.

A comparison of other facilities as listed above shows:

Council	Rate	Notes
ACT Government	\$48.55	Per hour
Queanbeyan-Palerang Regional Council	\$-	Training or competition rates only
Hilltops Council	\$150	Per event
Goulburn-Mulwaree Council	\$427	Per day
Upper Lachlan Shire Council	\$300	Per day
Cootamundra-Gundagai Regional Council	\$110	Per use

SWIMMING POOL:

Council has increased the "Pool Lane Hire – Not for Profit" fee at the Yass pool from \$0.70 to \$1.50. A comparison of other facilities as listed above shows:

Council	Rate	Notes
ACT Government	not listed	
Queanbeyan-Palerang Regional Council	\$30	Commercial rate 50% discount to eligible community hirers
Hilltops Council	Not listed	
Goulburn-Mulwaree Council	\$42	per hour
Upper Lachlan Shire Council	\$216	Private hire per hour
Cootamundra-Gundagai Regional Council	\$140	Private hire per hour

As noted above regional areas such as Temora, Young, Harden, Boorowa, Jugiong etc. do not charge for swimming club lane hire.

As an aside, it should be noted that Council through this process has discovered an underreporting of utilisation across several sporting clubs – meaning that the bookings (or lack thereof) submitted by individual sporting groups does not truly reflect the full extent of use as some trainings/events etc are not fully captured.

6. Options for Consideration

ANNUALISED SPORTS FEES:

- Increase 2024/25 fees by 2.5% CPI only; OR
- Accept an hourly rate fee of \$17.80

CASUAL FEES:

- Increase 2024/25 fees by 2.5% CPI; OR
- Accept fee increase of \$1.50 for Pool Lane Hire – Not for Profit” fee; and accept fee increase of \$250 for Sportsground Booking Fee – Casual Users fee.

It is recommended to Council that the 2.5% CPI be applied to the 2024/25 fees for:

- Annualised Sports Fees
- Pool Lane Hire – Not for Profit
- Sportsground Booking Fee – Casual Users

A further report will be presented to Council prior to the end of the calendar year after additional consultation with sporting groups has been undertaken to determine the preferred sporting facility usage calculation rate.

STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.3 - Manage assets in a proactive way across their lifespan
Delivery Program Action	Implementation of Strategic Plans and Plans of Management for all Council managed community sporting and recreation facilities

- ATTACHMENTS:**
- A. Sports Field Remediation Program
 - B. SUBMISSIONS - Annualised Sports Fees
 - C. SUBMISSIONS - Casual Hire Fees

6.8 YASS LANDCARE NURSERY - WAIVER OF WATER BILLS

SUMMARY

Yass Landcare operates a community nursery within a portion of Council land (LOT2 DP10122968) at 1428 Yass Valley Way, Yass. This report provides advice on their application to access Council water supply and waive water bills when their rainwater tanks require replenishing during hot and dry years.

RECOMMENDATION

That:

1. *Access to Council reticulated water supply is provided, subject to a metered connection being installed.*
2. *A water rebate is applied like that applicable to nursing homes, Council's pools, parks and similar facilities (in the FY2025-26 Draft Fees and Charges the rebate is 35%, subject to Council approval).*
3. *The water meter installation and water bill (after applying the rebate) is paid through the Yass River Catchment Improvement fund budget.*

FINANCIAL IMPLICATIONS

Minor loss of revenue to Water Fund.

POLICY & LEGISLATION

Local Government Act 1993.

REPORT

1. Background

Yass Landcare Community nursery is located behind the Yass Community Centre at 1428 Yass Valley Way, Yass. The Yass Landcare nursery funded the acquisition and installation of rainwater tanks and roof guttering to collect water from the Yass Community Centre roof for use at the nursery.

On 21 December 2015, a User Agreement was signed between Yass Landcare and Council (**Attachment A**) to allow Landcare to operate a nursery within the fenced portion of LOT2 DP10122968.

Main production activities of the nursery are as follows:

- a) Paddock Tree Project – approximately 2,000 trees for wildlife connectivity and farm productivity.
- b) Climate-ready project to increase genetic diversity to help local native vegetation to cope with climate change.
- c) Bushfire recovery – approximately 3,000 seedlings after the 2019/20 bushfires.
- d) Bushfire preparedness.
- e) Wide range of tube stocks for local farms and gardens
Tube stocks are sold to farmers at a nominal price of \$2.50 per tube.

2. Request to waive water charges during dry and hot years

Council received a request from Yass Landcare on 15th May 2025, requesting access to Council's reticulated water supply during dry and hot years or when their rainwater tanks are depleted. The estimated water requirement to replenish the rainwater tanks during a dry year is estimated at 27.5 kilolitre (kL).

In the FY2024-25, the cost of water for customers connected to Council's water supply is \$4.12 per kilolitre (kL). The cost of the requested 27.5 kilolitres is estimated to cost of \$113.30, excluding the application of any rebates (**Attachment B**).

Every water user must have a metered connection to measure their water usage. Currently there is no water meter available to measure Yass Landcare's water usage.

3. Recommendation

An application to access the reticulated town water supply shall be submitted by Yass Landcare to enable a metered water connection for the nursery. The water meter will be installed by Council and funded through the Yass River Catchment Improvement fund (Water fund). The water rebate to be applied to be like that applicable to nursing homes, Council pools, parks and similar facilities (in the FY2025-26 Draft Fees and Charges the rebate is 35% subject to approval by Council).

After the rebate has been applied, the cost of the water bill shall be borne from the water supply network budget for the Yass River Catchment Improvement fund (Water fund).

STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN1: Our natural environment is maintained, protected and enhanced in line with community expectations
Strategies	EN1.3 - Protect and rehabilitate waterways, catchments, and groundwater
Delivery Program Action	Yass Dam and Yass River Improvement Program

ATTACHMENTS:

- A. User Agreement YVC and Landcare 2015
- B. Landcare Yass water needs during a hot year

6.9 TRANSPORT INFRASTRUCTURE ASSETS - CAPITAL WORKS PROGRAM 2025- 2035

SUMMARY

To provide Council with a 10- year capital works program for Transport Infrastructure Assets.

RECOMMENDATION

That the proposed 10-year capital works program (2025-2035) for Transport Infrastructure Assets be noted.

FINANCIAL IMPLICATIONS

Nil – all capital works identified in the 10-year program are 100% funded by external grants and are generally in-line with the 2025-2035 Long Term Financial Plan.

POLICY & LEGISLATION

NSW Roads Act.

REPORT

Background

Council provides our community a range of services, with one of the major service areas delivered by Council is Transport Services, which allows connectivity within and outside of the Yass Valley Local Government Area. Broadly, Transport Services are supplied to facilitate the movement of vehicles and people. This service is fundamental to the economic success and safety of our community. To deliver Transport Services, Council utilises a range of assets generically called Transport Infrastructure Assets. These assets include:

Road Infrastructure Assets:

- Sealed roads – 660km
- Unsealed roads – 600km
- Bridges – 54
- Kerb and guttering – 85km
- Carparks - 4
- Ancillary Assets e.g. lines and signs

Active Transport and Bus Infrastructure Assets

- Paths – 71 km
- Bus stops and shelters – approx. 65 stops and 15 associated shelters

Transport Services and its associated assets are the largest asset group maintained by Council in terms of size and value (approx. \$450 million) and are also one of the most frequently used.

NB -Transport Infrastructure Road Maintenance and Urban Stormwater Drainage– are not covered in this program.

Report

Council is currently reviewing its Integrated Planning and Reporting (IP&R) documents and to assist with this, the proposed 10-year Transport Infrastructure Asset capital works program has been developed.

A proposed 10-year Infrastructure Asset capital works program has been developed to identify the specific locations or assets nominated to be renewed or refurbished over the next ten years and will give the community an opportunity to know what works are listed within the foreseeable future.

Works that are not on the program may be warranted in terms of their asset condition; however, the priority may not be as high as works included within the proposed 10-year program.

Due to Council's forecasted financial position identified in the 2025-2035 Long Term Financial plan (LTFP), the 10-year Transport Infrastructure Asset capital works program has been developed on the basis that Council will only undertake works that are 100% grant funded.

Since all capital works in the Transport Infrastructure Asset area are totally grant dependent, this 10-year Capital Works Program has been developed around the grants programs that we have current agreements to receive or can be reliably expected to receive (based on historical information) over the next 10 years.

The following Table provides information of the annual amount of grant funding this 10-year capital work plan is based on.

Grant Program	Capital Budget									
	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35
Block	\$ 630,000	\$ 650,000	\$ 670,000	\$ 690,100	\$ 710,803	\$ 732,127	\$ 754,091	\$ 776,714	\$ 800,015	\$ 824,015
R2R	\$ 1,590,000	\$ 1,630,000	\$ 1,715,000	\$ 1,715,000	\$ 1,766,450	\$ 1,819,444	\$ 1,874,027	\$ 1,930,248	\$ 1,988,155	\$ 2,047,800
LRCI	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LG Recovery 2023	\$ 410,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RERRF	\$ 1,270,000	\$ 955,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Road Safety 2023-25	\$ 853,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Natural Disaster	\$ 630,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CPTIGS	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 5,403,000	\$ 3,235,000	\$ 2,385,000	\$ 2,405,100	\$ 2,477,253	\$ 2,551,571	\$ 2,628,118	\$ 2,706,961	\$ 2,788,170	\$ 2,871,815

To maximise the benefit of our limited funds, this proposed program prioritises its available funds on capital works that provides the maximum benefit for the road users and ensuring the assets have the maximum opportunity to achieve its design life. These capital works are limited to the following core activities:

- Resealing
- Gravel re-sheeting

Unless Council is successful in obtaining additional grant funding there will be no expenditure on the other transport infrastructure assets areas or activities.

The grant funds expected to be received, as shown in the table above, will be expended as capital works on the following Transport Infrastructure Assets and activities:

Area	Activity	Capital Budget									
		25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35
Roads	Resealing Regional	\$ 630,000	\$ 650,000	\$ 670,000	\$ 690,100	\$ 710,803	\$ 732,127	\$ 754,091	\$ 776,714	\$ 800,015	\$ 824,015
	Resealing Local	\$ 2,050,000	\$ 1,132,000	\$ -	\$ 815,000	\$ 866,450	\$ 919,444	\$ 974,027	\$ 1,030,248	\$ 1,088,155	\$ 1,147,800
	Total Reseal	\$ 2,680,000	\$ 1,782,000	\$ 670,000	\$ 1,505,100	\$ 1,577,253	\$ 1,651,571	\$ 1,728,118	\$ 1,806,961	\$ 1,888,170	\$ 1,971,815
	Sealed Road Rehab	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Bridges	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Car Parks	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Kerb and Gutter	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Drainage	\$ 1,040,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Gravel Re-sheeting	\$ 810,000	\$ 1,453,000	\$ 1,715,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000	\$ 900,000
	Unsealed Road Upgrade	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Active Transport	Paths	\$ 853,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Bus Shelters	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total		\$ 5,403,000	\$ 3,235,000	\$ 2,385,000	\$ 2,405,100	\$ 2,477,253	\$ 2,551,571	\$ 2,628,118	\$ 2,706,961	\$ 2,788,170	\$ 2,871,815

The Transport Infrastructure Asset 10- year capital works program has been developed using asset condition rating and/or remaining asset life combined with physical inspections.

Based on this the following attachment provides the proposed 10-year capital works program:

- Attachment A – Resealing Capital Works Program; and
- Attachment B – Gravel Re-Sheeting Program.

Limitations and Restrictions

The proposed 10-year Transport Infrastructure Assets capital works programs have been created to provide a guide to our community of what capital works have been forecast to be undertaken over the next 10 years.

Factors that could impact the program include:

- Updated condition data
- Changes to grant funding amounts or conditions
- Changing priorities set by Council
- Significant weather events and declared Natural Disasters

As such the capital programs provided in this document should be considered based on:

- Projects identified in 2025/26 and 2026/27 are firm
- Projects identified in 2027/28, 2028/29, 2029/30 are relatively firm; however, some priorities may alter from year to year depending upon the individual circumstances.
- Projects identified in 2030/31, 2031/32, 2032/33, 2033/34 and 20234/35 have initially been identified to go into the program; however, changes are likely to occur as the program is formally revised in line with updated road conditions, traffic volumes etc.

It is noted that accurate information will be supplied as the annual Operational Plans are developed.

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	IN1.2 - Plan for improvement on Council's road network
Delivery Program Action	Maintain and update Council's Transport Assessment Management Plan to meet community need

ATTACHMENTS:	A. Attachment A - Transport Infrastructure Assets - Capital Works Program 2025-2035 - Resealing
	B. Attachment B - Transport Infrastructure Assets - Capital Works Program 2025-2035 - Gravel Re-sheeting

6.10 YASS WATER TREATMENT PLANT UPGRADE PROJECT - IMPLEMENTATION

SUMMARY

The Yass Water Treatment Plant Upgrade Project is an important and challenging project for Council.

Bi-monthly update reports are a requirement of Council.

RECOMMENDATION

That the updated report and work completed on the Yass Water Treatment Plant Upgrade Project be noted.

FINANCIAL IMPLICATIONS

A budget has been allocated for pre-design and tender management for the Yass Water Treatment Plant (WTP) Upgrade in the Operational Plan 2024-25 and for upgrades to the Yass water reticulation network funded by the ad-hoc election commitment fund.

Funding commitments to date are as follows:

Fund	Amount	Notes
Housing Infrastructure Fund (HIF)	\$6,600,000	<ul style="list-style-type: none"> Administered through Department of Planning, Housing and Infrastructure (DPHI)/NSW Treasury. The Deed was executed on 2 October 2024.
NSW Ad-Hoc Election Fund	\$13,550,000	<ul style="list-style-type: none"> Administered through Department Climate Change, Energy, the Environment and Water (DCCEEW). The Deed was executed on 3 December 2024. Includes funding component for Yass water reticulation upgrade (\$1.7M). The allocation of funds between WTP Upgrade and water reticulation upgrade is subject to change.
National Water Grid Fund (NWGF)	\$18,100,000	<ul style="list-style-type: none"> Funding committed on 13 December 2024. To be administered through DCCEEW as a variation to the existing Ad-hoc Election Funding Deed.
NSW Health Fluoridation Grant	TBA	<ul style="list-style-type: none"> Liaison with NSW Health is in progress and \$972,000 is nominated in the Business Case.
Total Funding	\$38,250,000	Funding total includes Yass water reticulation upgrade component.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Australian Drinking Water Guidelines (ADWG) 2011*
- *Council Procurement Policy (CA-CP-04)*

REPORT

1. Background

The project to prepare a Design and Business Case for the upgrade of the Yass WTP commenced in November 2019. The Housing Acceleration Fund (HAF) funded this project at a cost of \$1.2M with a total commitment of \$10M for the WTP Upgrade. During this project, stakeholders required that Stage 1 - Early Works be carried-out in advance in December 2020. Stage 1 Works included the installation of a bubble plume aeration system at the Yass Dam, upgrade of the Raw Water Pump

Station (RWPS), and urgent works at the Yass WTP. Stage 1 Works were completed at a cost of \$2.2M funded by HAF at the end of February 2023. The Final Business Case was endorsed by Council at its extraordinary Council Meeting on 9 May 2024.

An upgrade of the reticulation system is also required to ensure treated water can reach customers without being impacted by the accumulated mineral deposits in the water mains.

2. Implementation

Engage Owner's Engineer: Council resolved to accept the tender from Beca HunterH2O (136/2025). The contract was signed on 10 April 2025. This contract is to prepare the Reference Design and Tender documents for the procurement of a Design and Construct (D&C) contract. Prior to tendering for the D&C contract, an Owner's Engineer will be engaged to subsequently manage tendering, tender evaluation, construction supervision, commissioning and training.

The following table identifies the major project milestones and key dates, which are subject to change:

Activity	Date
a) Funding Deed Executed	Nov/ Dec 2024
b) Engage Owner's Engineer	Mar/Apr 2025
c) Reference Design and Section 60 Approvals	Oct 2025
d) Expression of Interest (EOI) & Early Tendering Involvement (ETI) Process	Jun 2025 – Mar 2026
e) D&C Tender Open	Apr 2026
f) D&C Contract Award	Oct 2026
g) Construction Commencement	Nov 2026
h) Commissioning of Main WTP	May 2028
i) Completion of Construction	Nov 2028
j) Project Completion	Nov 2028

Reference Design and Section 60 Approvals

The following activities have been completed:

7 Apr 2025	Kick-off Meeting for the contract: Preparation of reference design and tender documentation (YVC-IA-33-2024) with DCCEEW Water.
19-22 Apr 2025	Existing filter inspections were carried-out by Beca HunterH2O and Council staff at Yass WTP. Representatives from DCCEEW and NSW Health also attended this inspection. Inspection reports are being reviewed by DCCEEW and Council.

Preparations for surveys, service locating, geotechnical investigation, site layout etc. are in progress.

3. Water Reticulation Improvement Project

Council engaged Public Works for the investigations, design and preparation of tender packages for the Yass Water Reticulation Upgrade project funded by the Ad-hoc Election Fund.

Field work commenced on 4 February 2025 and is on-going. Priority components were identified based on the *Network Criticality Analysis – Yass Reticulation Network, January 2024* and will be refined following the completion of the site investigations and analysis. Investigations include survey, location of utility services, geotechnical investigations and preparation of Review of Environmental Factors (REF) where required.

Draft design drawings and reports will be available by the end of June 2025.

Council will also implement minor improvement works to install valves and hydrants and continue to trial various pipe cleaning methods available in the market, other than direct flushing.

4. Stakeholders

A Steering Committee meeting with the funding agency representatives for the implementation of the project is scheduled every month commencing 26 February 2025. Representatives from NSW DCCEEW (Grants, technical and federal liaison branches), DPHI/HIF and Council staff attended the meeting. Meetings will be held monthly to oversee funding arrangements and overall project progress.

A technical advisory committee will also be established by the DCCEEW during the preparation of reference design and tender documents. Representatives from DCCEEW, NSW Health and NSW Environment Protection Authority (EPA) will be invited to participate and to provide advice on technical matters.

5. Next Steps

The following activities are scheduled:

- Continue Reference Design and preparation of tender documents.
- Continue survey and investigation for reticulation upgrades.
- Continue liaison with DCCEEW, funding agencies and technical advisories.
- Inform and engage with the community.

STRATEGIC DIRECTION

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

ATTACHMENTS: Nil

6.11 TENDER EVALUATION REPORT - WATER MAIN UPGRADE (200MM DIAMETER) ALONG YASS VALLEY WAY (YVC-IA-33-2024)

SUMMARY

This report provides advice on the tender evaluation for the construction of a 200mm diameter water main along Yass Valley Way.

RECOMMENDATION

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

FINANCIAL IMPLICATIONS

Budget is allocated in FY2024-25 Operational Plan for the water main upgrade program.

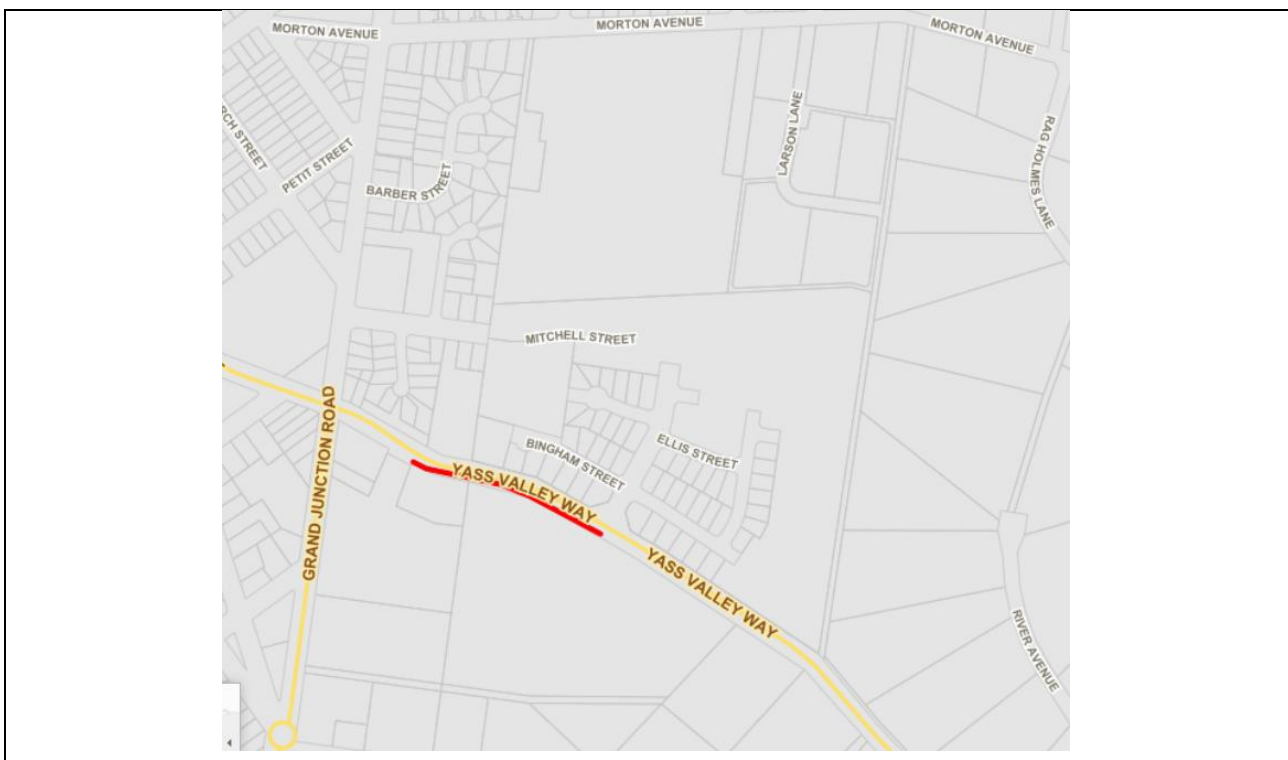
POLICY & LEGISLATION

- Local Government Act 1993
- Council Procurement Policy (CA-CP-04)

REPORT

1. Background

Water supply to the Old Saleyards used a polyvinyl water service (50mm diameter) along Yass Valley Way constructed in 1965. With the decommissioning of the Old Saleyards, this water service was also abandoned due to its poor condition and recurring leaks. This project will replace part of this service (red line) with a 200mm diameter water main as shown below.



It should be noted that the Hamilton Rise Stage 1 sub-division is fed from a new 200 mm diameter water main from Morton Avenue Reservoir/ Pump Station, installed as part of the sub-division works by the developer.

Replacing this dilapidated 50mm water service with a new 200mm diameter pipe will create a looped water main that will improve the water circulation and water quality, reliability of supply, and water pressure. Diameter of the replacement main is considered to cater for future developments in this area until a reservoir at the Old Saleyards site is constructed.

The proposed upgrade works under this contract involves the following:

- Supply and installation of approximately 278m of water main (200mm Diameter)
- Commissioning and testing of the watermain
- Traffic control during construction along Yass Valley Way

2. Tenders

Tenders were open to qualified contractors, experienced in the supply and installation of water mains.

Council called for tenders through the Tenderlink portal on 9 April 2025. A mandatory site meeting was held on 30 April 2025. Tenders closed on 19 May 2025. Three tenders were received from the organisations listed below:

Organisation	Address	ABN
Cord Civil Pty Ltd	17-19 Copper Crescent, Beard ACT 2620	51 129 445 727
Lainte Group Pty Ltd	12 Greenwood Avenue, Belmont, NSW2280	93 375 436 517
Pacific Coast Contracting Pty Ltd	2 Amadeus Street, Elandra, QLD4221	52 700 303 265

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

STRATEGIC DIRECTION

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

ATTACHMENTS: Nil

6.12 COUNCIL'S FINANCIAL FUTURE - FINANCIAL SUSTAINABILITY ROADMAP

SUMMARY

A major focus outlined in the Council's Delivery Program is to progress work required to improve Council's Financial Sustainability. The development and implementation of a Financial Sustainability Roadmap is essential for Council to successfully achieve its goal of Financial Sustainability.

RECOMMENDATION

That:

1. *Council receive and note this report and the Financial Sustainability Roadmap, which is Yass Valley Council's strategy to make significant improvements towards achieving financial sustainability.*
2. *Council endorses to place the Draft Financial Sustainability Roadmap on public exhibition for 28 days.*
3. *A further report will be provided to Council for final adoption.*

FINANCIAL IMPLICATIONS

The current draft Long Term Financial Plan 2025-35 identifies an average \$5 million deficit in each financial year, the need to borrow funds to fund operations from 2028/29 and a projected level of external borrowings of \$73 million at the end of the 10 year period.

The development and implementation of a Financial Sustainability Roadmap is critical to ensure Council can operate sustainability in the future.

POLICY & LEGISLATION

Local Government Act 1993.

REPORT

1. Background

Financial sustainability continues to be a sector-wide key risk that defines Local Government in NSW. Managing ageing assets and infrastructure while rebuilding from natural disasters of COVID and floods, limited avenues to increase revenue compared to cost increases has put a high level of pressure on the financial health of Yass Valley Council. The following outline factors impacting Yass Valley Council, and councils across NSW:

- *Cost shifting*

Councils across the state are increasingly required to do more without any additional resources.

Analysis reported by LGNSW outlined that independent consultants, Morrison Low, calculated the total cost shift to councils in NSW at \$1.36 Billion in 2020/21.

- *Increases in costs unpredictably*
- *Limit in revenue-raising capacity*
- *Impact of Natural Disasters*

COVID-19 and the impact of natural disasters in the last 5 years has consumed the re-direction of financial resources.

- *Erosion of Financial Assistance Grant from Federal Government*

This has eroded as a percentage of federal taxation revenue from 1% to 0.53%.

- *Ageing infrastructure*

Reported in Council's 2023-24 financial statements Yass Valley Council had an Infrastructure Backlog Ratio of 3.91% which was higher than the OLG benchmark ratio of less than 2% and an

Asset renewal Ratio of 85.27% in 2023-24 which is below the OLG benchmark of greater than 100%. This is showing insufficient investment and assets not being replaced at the rate required.

The development of the 2025/26 Budget and Long Term Financial Plan 2025-35 clearly identified a 'call for action' for Yass Valley Council to:

- Address the level of deficits in each of the financial years and high level of borrowing
- Minimise the need to borrow funds for operations from 2028/29
- Develop a Financial Sustainability Roadmap

The financial sustainability of Council has been identified by the NSW Office of Local Government, with their Deputy Secretary addressing Council and for Council to 'pull' every lever to improve its financial sustainability.

2. Financial Sustainability Roadmap

The Financial Sustainability Roadmap (FSR) has been developed to provide clear and transparent actions to address the financial sustainability of Council:

- Background of the financial challenges
- Financial Sustainability vision and objectives
- Activities to be undertaken across four years of the roadmap.

2.1 Measures included in the Financial Sustainability Roadmap

Broad measures included in the roadmap:

- Identify business improvement opportunities and areas to undertake service reviews across all functions of Council with a focus on:
 - efficiencies and cost containment/reductions
 - productivity improvements
 - service delivery
- Review Council's Own Source Revenue streams and identify opportunities for improvement.
- Dedicated effort to achieving improvements in systems, processes, capacity, and capability in the application of Councils governance and financial management.
- Review and improve Council's Asset Management and Procurement systems to ensure prudent decision making and decreased risk.
- Undertake a review of income and expenditure cost allocation across all funds, such as, but not limited to:
 - Water, Sewer and Domestic Waste Funds.
 - Develop and implement a cost attribution methodology.
 - Pricing of Water, Sewer, and Domestic Waste to ensure revenue meets expenditure requirements.
- Undertake a Property Portfolio Review – identifying core land and building assets, recommend strategies for saleability of existing assets to maximise return to Council along with an investment strategy to obtain/maintain existing assets for future benefit of Council and the Community.
- Develop a detailed Special Rate Variation report, which considers community engagement outcomes, that provides options including potential rate rises and/or service reduction, is reported to Council.
- Continued advocacy to State and Federal Governments for additional operational and capital grant funding. We will also continue to advocate to all levels of government for improved and increased funding for the local government sector to lessen the burden on the community.

2.2 Reporting outcomes of the Financial Sustainability Roadmap

Once adopted Councillors and community will be updated regularly via Council's website on the status of the actions taken and progress made on the actions identified.

A quarterly Financial Sustainability Report will be provided to Council including progress of actions identified in the FSR.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Abide by Accounting Standards and Office of Local Government accounts regulations

ATTACHMENTS: A. Financial Sustainability Roadmap June 2025

6.13 REQUEST TO WAIVE/REFUND BOOKING FEE

SUMMARY

Council received a request to reimburse the booking fee paid by a community member to use Sutton Hall for a community fundraising Biggest Morning Tea event.

RECOMMENDATION

That Council approves the application to reimburse the hall hire fee of \$148.00.

FINANCIAL IMPLICATIONS

A reduction in Council's revenue of \$148.00.

POLICY & LEGISLATION

Section 610E Local Government Act 1993

REPORT

On Saturday, 31 May 2025, a 'Biggest Morning Tea fundraiser' was hosted for Cancer Council Australia at Sutton Hall. The event holders have reported that event was a success and that approximately \$5,750.00 was raised for the charity.

Council has received a request for reimbursement of the hall hire fee (\$148.00) paid to use Sutton Hall for the Biggest Morning Tea event. The applicants are seeking this reimbursement to ensure that most of the funds raised can be donated to the Cancer Council.

Section 610E of the Local Government Act 1993 state that Council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.

Council recognises that fundraising events undertaken by community groups/members provide significant community benefits. To assist community groups in the delivery of fundraising events, Council may consider reimbursing or waive certain fees. Waiving or reimbursement of the fee demonstrates support of the community and this community members fundraising efforts.

The waiving/reimbursement of this fee benefits the Not-for-Profit group, Cancer Council Australia, and not an individual.

STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.2 - Creative expression through arts and culture is encouraged
Delivery Program Action	Assistance provided to community groups for arts and culture activities or events

ATTACHMENTS:

- A. Sutton Hall Booking Confirmation
- B. Letter of Authority - Australia's Biggest Morning Tea

6.14 APPLICATION TO THE MINISTER FOR LOCAL GOVERNMENT TO LOAN FUNDS FROM EXTERNAL RESTRICTED RESERVE

SUMMARY

To apply to the Minister for Local Government to seek approval to loan funds from one of Council's externally restricted funds to the general fund, should this be required, to meet operational requirements, and to not breach provisions of the *Local Government Act 1993* (the Act).

RECOMMENDATION

That Council:

1. *Note the current balance of external and internal restrictions.*
2. *Note the potential risk to its cash position and reserves if the advance payment of the Financial Assistance Grants is not received at the end of June.*
3. *Approve for the Chief Executive Officer write to the Minister for Local Government seeking approval for an 'internal loan' from the Sewer Fund to the General Fund should this be required.*

FINANCIAL IMPLICATIONS

If Council is required to access the restricted funds interest will be incurred.

POLICY & LEGISLATION

Local Government Act 1993.

REPORT

1. Background

Council has significant cash, cash equivalents and investments (\$39.0M as at 31 May 2025). Restrictions have been established to set aside funds for Council to meet its legislative requirements, to allocate funds against future projects and activities and to ensure sufficient funding is available to meet current and long term financial obligations.

Restrictions are established for specific purposes. Yass Valley Council's restrictions are held within five funds and spread across many areas of Council operations. Council's five funds are: General, Water, Sewer, Stormwater, Domestic Waste.

During the year, Council also identified a separate 'internal' restriction to separately manage pre-drawn loan funds for the Crago Mill Precinct development project.

Types of Restriction

There are two types of restrictions:

External Restrictions over cash, cash equivalents and investments are those where there is a legislative obligation to use the funds for the purpose for which they were paid to Council. Council must not utilise these funds for any purpose other than the purpose for which the funds are restricted by legislation.

Under section 409(3) of the Act there are of three categories:

- Money received as a result of levying a special rate of charge for a particular purpose (e.g., Domestic Waste Management charges)
- Money that is required by legislation to be set aside of a specific purpose (e.g., developer contributions)
- Money received from Federal or State Government for a specific purpose (e.g., specific purpose grant funding)

Internal Restrictions over cash, cash equivalents and investments are those funds restricted only by a resolution of the Council where Council resolves to set cash for a specific purpose in the future. Internal restrictions should not be used to accumulate funds without an identified purpose. Council can remove an existing internal restriction or create a new internal restriction by Council resolution.

Unrestricted Cash is cash available to cover operational needs (working capital) and unexpected or emergency costs within each Fund. Unrestricted money in Water, Sewer or Drainage Funds cannot be utilised by other Funds without Ministerial Approval to do so, section 410 of the Act refers.

Under section 410 (3) of the Act “Money that is not yet required for the purpose for which it was received may be lent (by way of internal loan) for use by council for any other purpose if, and only if, its use for that other purpose is approved by the Minister.”

Current external and internal restrictions

Council’s current balance of external and internal restrictions, as at the end of May 2025 are detailed in **Attachment A**.

2. Internal Loan Externally Restricted Reserve

Council’s ‘Cash, cash equivalents and investments’ and ‘Reserve’ balances are managed closely and reported to Council monthly.

Consistently ‘Unrestricted and unallocated cash, cash equivalents and investments’ when compared to ‘Total cash, cash equivalents and investments’ show a negative balance. Noting this, the balance has not been above the amount of “Internal restrictions” set by Council through resolutions.

This has meant that for Council to fund operations it is utilising amounts identified through ‘internal restriction’ but has not yet had to draw from ‘external restrictions’. Noting that to draw (by way of an internal loan) funds from externally restricted funds, approval is required from the Minister for Local Government.

The current balance of Council’s Reserves to Council’s Cash, cash equivalents and investments is outlined in **Attachment A** indicating: Total Cash, cash equivalents and investments of \$38.990M and total External Restrictions of \$35.522M.

In the 2023-24 Financial Year, Council received an advance payment (85%) of the 2024-25 financial year Financial Assistance Grant in late June 2024 (\$3.622M). Whilst it is anticipated that this may occur at the end of 2024-25 the Office of Local Government have advised Council that they have not yet received confirmation that this will occur for 2024-25. In this respect Council need to be conscious that this may impact its ‘Cashflow’ and cash balances.

As Council approaches the end of Financial Year and to meet its operating requirements through the General Fund, externally restricted funds may be inadvertently accessed, in turn resulting in a breach of the *Local Government Act 1993*.

To mitigate this risk it is proposed that Council approve for the Chief Executive Officer to write to the Minister for Local Government, seeking approval to internally loan funds from Council’s Sewer Fund to a value of up to \$3.5M, provided to the General Fund, for the purpose of funding Council operations, should it be required. Details of the loan:

- Loan amount \$3.5 million
- From: Sewer Fund
- To: General Fund
- Annual interest rate: RBA Cash rate at the time of the loan
- Funds plus interest to be re-paid over 12 months

An internal loan from the Sewer Fund will only be drawn when it is absolutely necessary.

It is planned that loan funds drawn, plus interest, will be re-paid as soon possible if and when 85% of the Financial Assistance Grants are received post 30 June 2025, or when Council has sufficient funds to undertake the repayment over the next 12 months.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Abide by Accounting Standards and Office of Local Government accounts regulations

ATTACHMENTS: A. Attachment A - Reserve Balances May 2025

6.15 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 31 May 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.

RECOMMENDATION

That the Investment & Borrowings Reports, covering the period 1 to 31 May 2025 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

REPORT

1. Council Loans

Council has five loans with a balance of \$27.32M owing on 31 May 2025. Council commenced drawing down funds for the Crago Mill project during October 2024. Refer to Table A for details.

Table A – Council Loans

General Loan	Principal as at	Interest rate	Comment
*Sewer - CBA Loan for Sewer Infrastructure	2,982,590.59	4.82%	20 years, repaid in 2035/36 20 years amortisation, 10 years term
*Water - NAB Westpac Dam Wall	7,623,028.14	5.36%	Aug 2032
*Water - Yass to Murrumbateman water supply (Tcorp)	1,044,499.50	2.55%	10 years, full repaid in 2029
*Water main and pump station upgrades (Tcorp)	570,706.03	2.55%	10 years, full repaid in 2029 20 years, full repaid 2043 - Variable
Crago Mill funding facility (Westpac)	15,100,000.00	6.32%	rate (2.17%+BBSR)
Total balance as at 31/05/2025	27,320,864.23		

*Interest Rates are fixed.

2. Summary of movements in Council Investments

Council Cash, Cash Equivalent, and Term Deposit Investments at 31 May 2025 are detailed in Table B.

Table B – Council Investments

Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
Cash Working Accounts	Ref.						
NAB Working Account1	082-939 51-506-2454	10,581,554.78	A1+/AA-	n/a	n/a	at call	RBA cash rate
Tcorp Strategic Cash Facility	778	5,536,602.11	AAA	n/a	n/a	3 day call	4.76%
		16,118,156.89					
Term Deposits < 12 Months							
Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
NAB	10949173	1,200,000.00	A1+	04/03/25	02/06/25	90	4.70%
MyState Bank	CN080661	1,000,000.00	A2	05/12/24	03/06/25	180	5.00%
MyState Bank	CN080785	1,000,000.00	A2	11/12/24	10/06/25	181	5.00%
My State Bank	CN081025	1,000,000.00	A2	20/12/24	18/06/25	180	5.00%
NAB	10906670	1,000,000.00	A1+	03/07/24	03/07/25	365	5.00%
Judo Bank	CN076032	1,000,000.00	A2	03/07/24	03/07/25	365	5.10%
NAB	10955001	1,000,000.00	A1+	10/04/25	08/07/25	89	4.65%
Bank of Queensland	CN091741	1,000,000.00	A2	17/04/25	16/07/25	90	4.45%
Bendigo	CN091998	1,000,000.00	A2	30/04/25	30/07/25	91	4.30%
NAB	10959710	1,000,000.00	A1+	19/05/25	18/08/25	91	4.40%
NAB	10953668	1,000,000.00	A1+	31/03/25	28/08/25	150	4.75%
My State Bank	CN079005	1,000,000.00	A2	04/09/24	04/09/25	365	5.10%
NAB	10958330	1,000,000.00	A1+	07/05/25	04/09/25	120	4.40%
Bank of Queensland	CN082412	1,000,000.00	A2	11/03/25	08/09/25	193	4.60%
Great Southern Bank	CN082413	1,000,000.00	A2	11/03/25	07/10/25	210	4.69%
Great Southern Bank	CN082550	1,000,000.00	A2	17/03/25	13/10/25	210	4.64%
Bank of Queensland	CN093753	1,000,000.00	A2	16/05/25	12/11/25	180	4.35%
NAB	10960206	1,500,000.00	A1+	21/05/25	19/08/25	90	4.35%
Judo Bank	CN093984	1,000,000.00	A2	28/05/25	27/08/25	91	4.30%
NAB	10960551	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
NAB	10960552	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
NAB	10960550	1,000,000.00	A1+	26/05/25	26/05/26	365	4.20%
		22,700,000.00					
Total Short Term		38,818,156.89					

The value of term deposits in May reduced by \$1,500,000 with the following movements:

- Eight term deposits with a value of \$8,500,000 matured and were re-invested during May; and
- One term deposit with a value of \$1,500,000 matured and was not re-invested, for these funds to be available for operating cash requirements.

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

6.16 MONTHLY FINANCIAL 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 May 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.

RECOMMENDATION

That the Monthly Financial Report May 2025 be noted.

FINANCIAL IMPLICATIONS

This report shows the council's year-to-date financial position as at the end of the reporting month.

1. Consolidated Income Statement

Operating Result from Continuing Operations:

This result includes capital grants and contributions. The Actual Year to Date (YTD) result is a \$9.1M surplus and is \$4.2M less (unfavourable) compared to the YTD budget.

Net Operating Result Before Capital Grants and Contributions:

This result does not include capital grants and contributions. The Actual YTD result is a \$3.2M deficit and is \$0.7M lower (favourable) when compared to the YTD budgeted deficit.

Results are shown with the recognition of Rates and Annual Charges revenue for the full year. Calculating this revenue on a pro-rata basis to the end of May, the results would show a Net Operating Result Before Grants and Contributions as deficit of \$5.1M.

Income Statement Consolidated	QBR3 24- 25 Full Year	QBR3 24- 25 YTD	Actual 24-25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
				\$'000	%	\$'000	%
Income from continuing operations	-59,285.5	-51,823.2	-45,395.2	6,428.0	-12.4%	13,890.4	-23.4%
Rates and Annual charges	-22,947.1	-22,948.4	-22,970.7	-22.3	0.1%	-23.6	0.1%
User charges and fees	-6,337.6	-5,258.6	-5,372.0	-113.4	2.2%	965.6	-15.2%
Other revenues	-281.3	-270.4	-611.8	-341.3	126.2%	-330.5	117.5%
Grants and contributions provided for operating purposes	-8,740.0	-4,758.4	-1,697.7	3,060.7	-64.3%	7,042.3	-80.6%
Grants and contributions provided for capital purposes	-19,523.5	-17,235.7	-12,262.4	4,973.3	-28.9%	7,261.0	-37.2%
Interest and investment income	-1,003.5	-936.6	-1,837.0	-900.3	96.1%	-833.5	83.1%
Other income	-352.6	-323.3	-393.0	-69.7	21.6%	-40.4	11.5%
Net gain/loss from the disposal of assets	-100.0	-91.7	-250.6	-158.9	173.4%	-150.6	150.6%
Expenses from continuing operations	42,404.4	38,527.8	36,346.0	-2,181.7	-5.7%	-6,058.3	-14.3%
Employee benefits and on-costs	13,540.0	12,152.4	12,121.2	-31.2	-0.3%	-1,418.8	-10.5%
Materials and services	16,109.4	14,810.5	12,879.6	-1,930.9	-13.0%	-3,229.7	-20.0%
Borrowing costs	1,559.8	1,429.8	1,219.0	-210.8	-14.7%	-340.8	-21.8%
Depreciation, amortisation and impairment of non-financial assets	10,095.5	9,254.2	9,258.8	4.6	0.0%	-836.7	-8.3%
Other Expenses	1,099.7	880.8	814.6	-66.2	-7.5%	-285.1	-25.9%
Operating result from continuing operations	-16,881.1	-13,295.4	-9,101.8	4,193.5	-31.5%	7,779.3	-46.1%
Net Operating Result Before Capital Grants and Contributions	2,642.3	3,940.4	3,160.6	-779.8	-19.8%	518.3	19.6%

Table Note: All figures in this table are shown as they appear in the council's management accounting system. **Income is shown as negative**, and **expenses are shown as positive** numbers. The green figures indicate a favourable variance against the budget, while the red figures indicate an unfavourable variance against the budget. Note that favourable and unfavourable variances do not mean a change to the budget is required at this stage.

2. Income Statement Variance Analysis

a) Income

Operating Grants and Contributions is \$3.1M below the YTD budget primarily due to \$1.2M Transport grants budgeted but not yet received, and \$1.8M estimated to be received in emergency Disaster Recovery Funding (DRFA) funding for prior financial year works undertaken (identified during the Second Quarter Budget Review) not yet received. The DRFA claim has been provided to Transport for NSW and is currently going through their due diligence processes with funds expected by the end of the year. It should be noted that the claim will only amount to between \$800k to \$900k.

Capital Grants and Contributions is \$4.9M below the YTD budget and primarily due to \$4.5M in transport grants and \$541k in Water and Sewer grants that were budgeted but not received.

Interest and Investment Income is \$900k above the YTD budget primarily due to investment income being \$754k above budget.

Net gain/loss from disposal of assets is \$158k above the YTD budget. Noting, the actuals only include the proceeds from the sale of the council's vehicles; the calculation for the actual gain/loss will be updated as part of the 2024-25 Financial Statement process.

b) Expense

Employee benefits and on-costs are \$30k below the YTD budget.

Materials and Services are \$1.9M below YTD budget. Comprising the \$1.9M that, whilst budgeted, has not yet been incurred or invoiced as per below:

- \$682k for Raw Materials
- \$489k for Repairs and Maintenance
- \$313k for Consultancy Costs
- \$116k for Audit fees
- \$112k for Subscriptions
- \$59k for Training Costs

Borrowing Costs are \$210k below the YTD budget due to the timing of drawdowns of loans compared to the budgeted expectations. It is expected that borrowing costs will be below the full budget for the year.

Depreciation, amortisation, and impairment have been adjusted in QBR1 to match the actuals in the 2023-24 financial statements, plus forecast additional depreciation for new assets in the 2024-25 FY. The figures in the actual column are the same as the adjusted budget. The 2024-25 actual expenditure will be calculated when the council finalises its 2024-25 financial statements.

Other expenses are \$66k below the YTD budget primarily due to the timing of donations and grants to community groups.

3. Income Statement by Fund

The following Income Statements are for each Council Fund.

General Fund

Income Statement	QBR3 24-25 Full Year	QBR3 24-25 YTD	Actual 24-25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
General Fund				\$'000	%	\$'000	%
Income from continuing operations	-43,856.2	-37,503.4	-31,349.4	6,153.9	-16.4%	12,506.8	-28.5%
Rates and Annual charges	-15,522.9	-15,522.9	-15,689.8	-166.8	1.1%	-166.8	1.1%
User charges and fees	-3,435.0	-3,189.8	-2,958.1	231.7	-7.3%	476.9	-13.9%
Other revenues	-281.1	-270.2	-610.5	-340.3	125.9%	-329.4	117.2%
Grants and contributions provided for operating purposes	-8,740.0	-4,758.4	-1,697.7	3,060.7	-64.3%	7,042.3	-80.6%
Grants and contributions provided for capital purposes	-14,614.3	-12,597.6	-7,925.2	4,672.4	-37.1%	6,689.1	-45.8%
Interest and investment income	-823.0	-761.1	-1,837.0	-1,075.8	141.3%	-1,014.0	123.2%
Other income	-340.0	-311.6	-380.6	-68.9	22.1%	-40.6	11.9%
Net gain/loss from the disposal of assets	-100.0	-91.7	-250.6	-158.9	173.4%	-150.6	150.6%
Expenses from continuing operations	31,850.8	29,328.8	27,456.8	-1,872.0	-6.4%	-4,394.0	-13.8%
Employee benefits and on-costs	10,987.8	9,877.1	9,733.2	-144.0	-1.5%	-1,254.6	-11.4%
Materials and services	11,665.6	11,148.0	9,672.5	-1,475.5	-13.2%	-1,993.1	-17.1%
Borrowing costs	948.5	869.5	683.1	-186.4	-21.4%	-265.4	-28.0%
Depreciation, amortisation and impairment of non-financial assets	7,149.2	6,553.4	6,553.4	0.0	0.0%	-595.8	-8.3%
Other Expenses	1,099.7	880.8	814.6	-66.2	-7.5%	-285.1	-25.9%
Operating result from continuing operations	-12,005.4	-8,174.6	-3,892.7	4,281.9	-52.4%	8,112.7	-67.6%
Net Operating Result Before Capital Grants and Contributions	2,608.9	4,423.0	4,032.6	-390.4	-8.8%	1,423.7	54.6%

Sewer Fund

Income Statement	QBR3 24-25 Full Year	QBR3 24-25 YTD	Actual 24-25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
Sewer Fund				\$'000	%	\$'000	%
Income from continuing operations	-4,582.4	-4,564.0	-4,444.9	119.1	-2.6%	137.5	-3.0%
Rates and Annual charges	-2,758.8	-2,760.1	-2,753.3	6.8	-0.2%	5.5	-0.2%
User charges and fees	-170.8	-157.2	-134.5	22.6	-14.4%	36.3	-21.3%
Other revenues	0.0	0.0	-1.0	-1.0		-1.0	
Grants and contributions provided for operating purposes	0.0	0.0	0.0				
Grants and contributions provided for capital purposes	-1,592.8	-1,591.8	-1,556.1	35.6	-2.2%	36.6	-2.3%
Interest and investment income	-60.0	-55.0	0.0	55.0	-100.0%	60.0	-100.0%
Other income	0.0	0.0	0.0				
Net gain/loss from the disposal of assets	0.0	0.0	0.0				
Expenses from continuing operations	2,567.1	2,307.4	1,963.6	-343.9	-14.9%	-603.5	-23.5%
Employee benefits and on-costs	663.1	588.5	324.8	-263.7	-44.8%	-338.4	-51.0%
Materials and services	860.7	762.5	680.5	-82.1	-10.8%	-180.2	-20.9%
Borrowing costs	154.9	142.0	143.9	1.9	1.4%	-11.0	-7.1%
Depreciation, amortisation and impairment of non-financial assets	888.4	814.4	814.4		0.0%	-74.0	-8.3%
Operating result from continuing operations	-2,015.2	-2,256.6	-2,481.3	-224.8	10.0%	-466.1	23.1%
Net Operating Result Before Capital Grants and Contributions	-422.5	-664.8	-925.2	-260.4	39.2%	-502.7	119.0%

Water Fund

Income Statement	QBR3 24-25 Full Year	QBR3 24-25 YTD	Actual 24-25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
Water Fund				\$'000	%	\$'000	%
Income from continuing operations	-8,387.0	-7,295.8	-7,300.8	-5.0	0.1%	1,086.1	-13.0%
Rates and Annual charges	-2,205.4	-2,205.4	-2,227.6	-22.2	1.0%	-22.2	1.0%
User charges and fees	-2,731.8	-1,911.7	-2,279.4	-367.8	19.2%	452.4	-16.6%
Other revenues	-0.2	-0.2	-0.3	-0.1	48.5%	-0.1	48.5%
Grants and contributions provided for operating purposes	0.0	0.0	0.0				
Grants and contributions provided for capital purposes	-3,316.4	-3,046.4	-2,781.1	265.3	-8.7%	535.3	-16.1%
Interest and investment income	-120.5	-120.5	0.0	120.5	-100.0%	120.5	-100.0%
Other income	-12.7	-11.7	-12.4	-0.8	6.7%	0.2	-1.8%
Net gain/loss from the disposal of assets	0.0	0.0	0.0				
Expenses from continuing operations	4,819.4	4,187.5	4,197.3	9.8	0.2%	-622.1	-12.9%
Employee benefits and on-costs	837.6	749.6	948.7	199.2	26.6%	111.2	13.3%
Materials and services	1,854.1	1,487.6	1,328.4	-159.2	-10.7%	-525.8	-28.4%
Borrowing costs	456.4	418.4	388.2	-30.2	-7.2%	-68.2	-14.9%
Depreciation, amortisation and impairment of non-financial assets	1,671.3	1,532.0	1,532.0	-0.0	0.0%	-139.3	-8.3%
Other Expenses	0.0	0.0	0.0				
Operating result from continuing operations	-3,567.6	-3,108.3	-3,103.5	4.7	-0.2%	464.0	-13.0%
Net Operating Result Before Capital Grants and Contributions	-251.2	-61.9	-322.5	-260.6	421.2%	-71.3	28.4%

Stormwater Management Fund

Income Statement	QBR3 24-25 Full Year	QBR3 24-25 YTD	Actual 24-25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
Stormwater Management Fund				\$'000	%	\$'000	%
Income from continuing operations	-60.0	-60.0	-59.4	0.6	-1.0%	0.6	-1.0%
Rates and Annual charges	-60.0	-60.0	-59.4	0.6	-1.0%	0.6	-1.0%
User charges and fees	0.0	0.0	0.0				
Other revenues	0.0	0.0	0.0				
Grants and contributions provided for operating purposes	0.0	0.0	0.0				
Grants and contributions provided for capital purposes	0.0	0.0	0.0				
Interest and investment income	0.0	0.0	0.0				
Other income	0.0	0.0	0.0				
Net gain/loss from the disposal of assets	0.0	0.0	0.0				
Expenses from continuing operations	434.3	393.9	213.9	-180.0	-45.7%	-220.4	-50.8%
Employee benefits and on-costs	170.8	151.1	1.2	-149.9	-99.2%	-169.6	-99.3%
Materials and services	34.9	33.3	3.2	-30.1	-90.5%	-31.8	-90.9%
Borrowing costs	0.0	0.0	0.0				
Depreciation, amortisation and impairment of non-financial assets	228.6	209.6	209.6		0.0%	-19.1	-8.3%
Other Expenses	0.0	0.0	0.0				
Operating result from continuing operations	374.3	333.9	154.5	-179.4	-53.7%	-219.8	-58.7%
Net Operating Result Before Capital Grants and Contributions	374.3	333.9	154.5	-179.4	-53.7%	-219.8	-58.7%

Domestic Waste Management Fund

Income Statement Domestic Waste Management Fund	QBR3 24- 25 Full Year	QBR3 24- 25 YTD	Actual 24- 25	QBR3 YTD x Actuals		QBR3 Full Year x Actuals	
				\$'000	%	\$'000	%
Income from continuing operations	-2,400.0	-2,400.0	-2,240.6	159.4	-6.6%	159.4	-6.6%
Rates and Annual charges	-2,400.0	-2,400.0	-2,240.6	159.4	-6.6%	159.4	-6.6%
User charges and fees	0.0	0.0	0.0				
Other revenues	0.0	0.0	0.0				
Grants and contributions provided for operating purposes	0.0	0.0	0.0				
Grants and contributions provided for capital purposes	0.0	0.0	0.0				
Interest and investment income	0.0	0.0	0.0				
Other income	0.0	0.0	0.0				
Net gain/loss from the disposal of assets	0.0	0.0	0.0				
Expenses from continuing operations	2,732.8	2,310.1	2,514.5	204.4	8.8%	-218.3	-8.0%
Employee benefits and on-costs	880.8	786.2	1,113.4	327.2	41.6%	232.6	26.4%
Materials and services	1,694.0	1,379.1	1,195.2	-184.0	-13.3%	-498.9	-29.4%
Borrowing costs	0.0	0.0	3.8	3.8		3.8	
Depreciation, amortisation and impairment of non-financial assets	158.0	144.8	149.4	4.6	3.2%	-8.6	-5.4%
Other Expenses	0.0	0.0	0.0				
Operating result from continuing operations	332.8	-89.9	221.2	311.0	-346.1%	-111.6	-33.5%
Net Operating Result Before Capital Grants and Contributions	332.8	-89.9	221.2	311.0	-346.1%	-111.6	-33.5%

4. Statement of Financial Position

The council's consolidated statement of financial position as at 31 May 2025 shows the following;

- total cash and cash equivalents of \$16.3M
- investments of \$22.7M
- and total borrowings of \$27.3M, which includes the \$15.1M loan for the Crago Mill Precinct project.

Statement of Financial Position	Consolidated \$
Asset	662,936,296
Current assets	51,554,099
Cash and cash equivalents	16,290,039
Investments	22,700,000
Receivables	8,310,812
Contract assets and Contract cost assets	4,109,947
Inventories	143,301
Non-current assets	611,382,197
Infrastructure, property, plant and equipment	604,382,197
<i>Capital work in progress</i>	<i>41,835,687</i>
<i>Plant and equipment</i>	<i>484,509,863</i>
<i>Land</i>	<i>72,646,256</i>
<i>Infrastructure</i>	<i>1,637,041</i>
<i>Other assets</i>	<i>3,753,350</i>
<i>Reinstatement, rehabilitation and restoration assets</i>	<i>0</i>
Investment properties	7,000,000

Statement of Financial Position	Consolidated \$
Liabilities	-43,223,504
Current liabilities	-13,232,778
Payables	-2,160,462
Borrowings	-22,636
Contract Liabilities	-8,318,052
Employee benefit provisions	-2,731,628
Lease liabilities	0
Provisions	0
Non-current liabilities	-29,990,726
Borrowings	-27,291,949
Employee benefit provisions	-129,521
Provisions	-2,569,256
Lease liabilities	0
Net Assets	619,712,792
Equity	-619,712,792
Accumulated surplus	-322,958,407
IPPE revaluation reserve	-296,754,385

5. Reserves Balance

The reserves balance report shows the current balance for each of the council's reserves based on the best available information at the time of reporting. Some end-of-year adjustments might impact the final balance for the financial year.

Externally restricted reserves are those that are only available for specific use by the Council due to a restriction placed by legislation or third-party contractual agreement. Internally restricted reserves are internally allocated by the resolution or policy of the elected Council.

Total cash and investments increased to \$39.0M in May from \$38.1M in the previous month. The total restricted reserves increased to \$35.5m, higher than last month. However, externally restricted, Crago Mill Reserve and internally restricted funds total more than the cash on hand.

Reserve	\$M
Externally restricted funds	\$35.5
Crago Mill Reserve	-\$1.8
Internally Restricted funds	\$ 6.0
Total	\$39.7

May 2025 Report Consolidated

Reserves balance report	Balance	
	Jun-24 \$	May-25 \$
External restrictions	27,611,240	35,521,867
Domestic waste management	2,143,857	1,984,229
S64 Developer contributions – sewer fund	2,448,198	3,983,811
S64 Developer contributions – water fund	5,751,027	8,532,096
S7.11 Developer contributions – general	1,298,345	1,253,459
S7.12 Developer contributions – general	5,011,848	5,270,874
Sewer fund	4,282,897	4,658,167
Specific purpose unexpended grants – general fund	4,430,009	6,818,052
Stormwater Management	34,267	89,351
Water Fund	2,210,792	2,931,828
Crago Mill Reserve	0	-1,771,931
Internal restrictions	9,350,104	6,022,738
Binalong pool	21,475	21,475
Carry over works	652,833	652,833
Comur street rehabilitation	20,362	20,362
Council elections	188,304	25,774
Electricity Savings Reserve	96,720	96,720
Employees leave entitlement	993,000	738,634
Land and assets	1,452,451	1,452,451
Murrumbateman Library School Ground	123,179	123,179
Plant and vehicle replacement	1,125,000	1,693,297
Quarry rehabilitation	689,729	689,729
Roads	44,818	44,818
Victoria Park	320,232	463,465
Financial Assistance Grant (received in advance)	3,622,000	0
External + Internal restriction + Crago Mill	36,961,344	39,772,674
Total cash, cash equivalents and investments	37,017,000	38,990,039
Unrestricted and unallocated cash, cash equivalents and investments	55,656	-782,635
External restriction + Crago Mill Reserve	27,611,240	33,749,936
Total cash, cash equivalents and investments less External restriction + Crago Mill Reserve	9,405,760	5,240,103

Total cash increased by \$0.9m where the total reserves balance decreased \$1.3m. As a result Council decreased the use of internally restricted funds for operations from \$3.0M at the end of April to \$0.8M at the end of May. Noting also, the Crago Mill Reserve has been fully drawn and is now has a negative balance. This will be replenished by drawing from the Crago Mill loan.

Capital Expenditure

The total capital expenditure (CAPEX) budgeted for the year is \$54.1M. The year-to-date (YTD) budget for May 2025 was \$44.7M, and the actual expenditure was \$27.7M, which is \$17.0M less than the YTD budget. This includes the Crago Mill project, with a total budget of \$28.0M for the year, a \$25.3M YTD budget and a \$16.7M actual expenditure.

The capital works are distributed over 91 projects; 68 have already started, and 23 are still to commence.

Refer **Attachment A** for detail of Capital Expenditure.

6. Crago Mill Progress Report

Refer **Attachment B** for detail.

STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Abide by Accounting Standards and Office of Local Government accounts regulations

- ATTACHMENTS:**
- A. Attachment A - Capital Expenditure May 2025
 - B. Attachment B - Crago Mill Precinct Cashflow May 2025

6.17 ORGANISATION STRUCTURE REVIEW

SUMMARY

As per Section 333 of the *NSW Local Government Act 1993 (the Act)*, Council may re-determine its organisation structure at any time, but must review, and may re-determine its organisation structure within 12 months after any ordinary election of the Council. Noting that the most recent local government elections were held on 14 September 2024. This report presents the organisations structure to Council in adherence of Section 333 of the Act.

RECOMMENDATION

That Council adopt the organisation structure as detailed in this report, for implementation from 1 July 2025, which includes the divisions of:

- i. *Executive Services*
- ii. *Corporate & Community*
- iii. *Infrastructure & Assets*
- iv. *Planning & Environment*

FINANCIAL IMPLICATIONS

The proposed new temporary department will be funded through savings achieved and/or additional revenue / sales from commercial property development/management. The temporary department is estimated to cost ~\$340,000 per annum. These costs have been included in the 2025/26 budget.

POLICY & LEGISLATION

As per advice from the Office of Local Government (OLG) and in line with Section 333 of the *NSW Local Government Act 1993 (the Act)*, Council may re-determine its organisation structure at any time, but must review, and may re-determine its organisation structure within 12 months after any ordinary election of the Council, noting that the most recent local government elections were held on 14 September 2024. The reference to 'Council' in section 333 of the Act refers to the Council as an organisation.

Section 333 expressly requires Councils to redetermine the organisation structure in accordance with Part 1 of Chapter 11 of the Act. This means that when redetermining its organisation structure under section 333, a Council must do so in accordance with section 332 of the Act. Section 332(1) provides that the Council (as the governing body of the Council), is responsible for determining the resources to be allocated towards the employment of staff. Section 332(1A) in turn places responsibility exclusively on the General Manager of a Council to determine the positions within the organisation structure of the Council. The governing body and General Managerⁱ are required to exercise these functions in consultation with each other.

The governing body exercises its functions under section 332(1) by making a lump sum budget allocation for the employment of staff. Section 332(1) does not allow Councillors to determine which specific positions it will fund. To do so would be to effectively usurp the role of the General Manager under section 332(1A), to determine the positions within the organisation of Council.

The above information is also reflected in the Post-Election Guide for Councils provided by the Office of Local Government (OLG) in August 2024.

As noted above, the General Manager has responsibility for determining the organisational structure and is guided by the strategic priorities and allocated budget that are set out in the suite of Integrated Planning and Reporting (IP&R) plans now being considered by Council. The Employee Benefit and Oncost (staff costs) included within the draft 2025/26 budget represent the resources being allocated by Council towards the employment of staff for the delivery of the agreed strategic priorities.

REPORT

Yass Valley Council – Organisational Structure

The Yass Valley Council Chief Executive Officer (CEO) commenced with Council in mid April 2025 and following many hours of meetings with the Mayor and Councillors, Executive and Leadership teams, Council staff (across the majority of work areas) in the months since commencement, the CEO is recommending changes to the Yass Valley Council organisation structure that will reinforce and inspire continued commitment to achieving:

1. reduction of operating deficit in the short term;
2. financial sustainability in the long term; and
3. creating a culture of excellence.

The proposed structure aims to make a marked improvement to Council's current financial position within the current draft 2025-2035 Long Term Financial Plan detailing the following:

- average operating loss of -\$5.2m per annum
- Annual loan borrowings for operations commencing 2027/2028 (and each year thereafter)
- overall borrowings position of \$73m by 2035

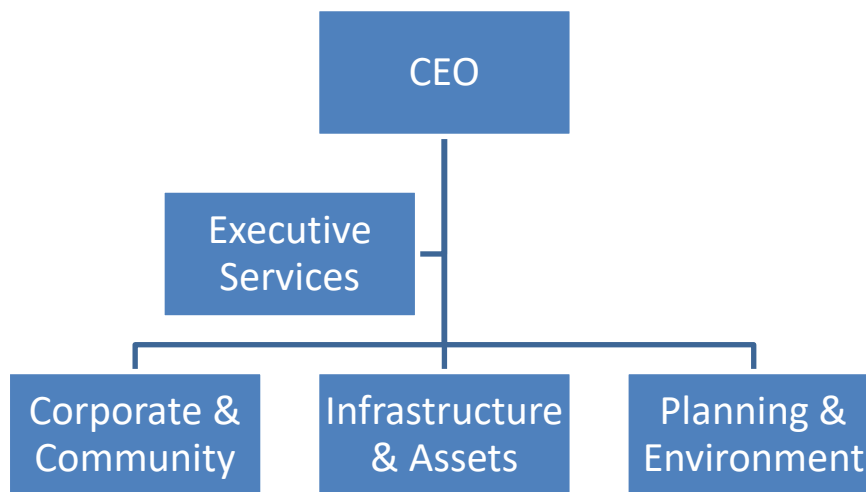
The CEO will continue to build a workforce that can deliver on the strategic priorities of Council and having considered the current organisation structure, the CEO is proposing a high-level structural change which in addition to the three existing Directorates (Corporate & Community, Infrastructure & Assets and Planning & Environment) will see the inclusion of a 2-year temporary Executive Services Directorate. This new Executive Services Directorate will focus, develop, implement and report on Financial Sustainability and Business Improvement initiatives. The Executive Services Directorate will report directly to the CEO and include the following functions (note: position titles are subject to change):

- **Executive Support** (this is one existing full-time position which is proposed to remain unchanged): Provision of support to the Executive, Mayor and Councillors.
- **Commercial Property Development** (proposed one position): this function will focus on developing and implementing a property strategy which maximises the value and determines appropriate development and/or sale of Council's 'commercial' property assets. The key functions include, but are not limited to:
 - Identifying underutilised sites and proposing creative, viable solutions for reuse or redevelopment
 - Leading projects through feasibility, stakeholder engagement, Development Applications, and delivery
 - Managing consultants and external contractors across planning, infrastructure, and sales
 - Guiding community stakeholders through complex change and presenting to executive leadership
 - Structure and provide transaction management for commercial transactions, including land, housing, precincts and infrastructure projects.
 - Design and implement efficient government Expression of Interest and Request for Proposals, procurement processes and evaluation tools, providing strategic commercial advice and ensuring alignment with probity, governance, and High Value High Risk (HVHR) policy requirements.
 - Mentor others and contribute to internal capability uplift in commercial strategy and structured transaction design.
- **Business Improvement & Financial Sustainability** (proposed 2 positions)– this function will focus on developing frameworks, facilitating, evaluating and reporting on:

- Progress of the Financial Sustainability Roadmap.
- Service Review Framework to improve service delivery, reduce costs and/or increase revenue.
- Manage Consultants engaged to undertake a deep dive technical review for a specific area or work function (for example: restricted reserve price methodology review, fleet and plant review, water/sewer/waste cost allocation reviews, existing contract reviews, procurement reviews, etc).
- Measure performance against the financial sustainability roadmap.
- Track and report on benefit realisation.

This function will be funded through savings achieved and/or additional revenue/sales from commercial property development/management. The cost associated with the function is estimated to be ~\$340,000 per annum. These costs have been included in the 2025/26 budget.

The proposed organisational hierarchy structure is as follows:



The main functions of each of the Directorates are proposed as follows:

Executive Services	Corporate & Community	Infrastructure & Assets	Planning & Environment
<ul style="list-style-type: none"> • Commercial property development • Business Improvement • Financial Sustainability 	<ul style="list-style-type: none"> • Finance • Human Resources • Workplace Health & Safety • Governance • Customer Service • Information Communication & Technology • Economic Development & Tourism • Library 	<ul style="list-style-type: none"> • Water • Sewer • Transport • Stormwater • Development Engineering • Engineering Services • Road Safety • Facility maintenance • Waste • Emergency Management 	<ul style="list-style-type: none"> • Strategic Planning • Development Assessment • Environmental Management • Compliance Service • Building Certification • Parks Recreation

It should be noted that there is currently a disconnect between the approved structure (paper) and the actual organisation structure. Based on the organisational structure at end of February if Council were to budget and fund all positions in the 'current structure' it would cost \$17,416,848 and consist of 192 positions (excluding casual positions) of which:

- 26 were vacant and unfunded (estimated cost \$2,094,827);
- 38 positions were vacant and funded; and
- All funded positions cost approximately \$15,322,021

Importantly, and not sustainable in the long term, is that 25 positions currently filled with secondments, casuals, or contracted staff. This is an unusually high number of staff 'acting' in roles, along with long term position vacancies, is causing undue stress and anxiety for many Council employees.

For budgeting purposes, the Executive has allowed \$15,546,624 in 2025/26, which essentially provides for an 'as is' funded structure with 3% indexation as per the Local Government Award and an increase of the Superannuation Guarantee Charge from 11.5% to 12%. The additional proposed Executive Services temporary department will be in addition to this budget.

Once Council has endorsed the high-level organisation structure, further work will continue to refine a sectional / departmental organisation structure throughout this term of Council. This will take time given our commitment to sincere and in-depth consultation and engagement with staff and unions to achieve an organisational-wide structure that is fit-for-purpose, enables service delivery excellence, and is financially responsible. These sectional / departmental structural changes will be managed in the normal course of business by the Executive and Leadership teams and in line with the approved 2025/26 budget and Council's industrial relations obligations.

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

6.18 2025/2026 INTEGRATED PLANNING & REPORTING DOCUMENTS

SUMMARY

The 2025/26 Integrated Planning & Reporting (IP&R) documents were placed on public exhibition on 9 May 2025 until 15 June 2025. Following consideration of community submissions, the documents were reviewed and updated.

The documents are now submitted to Council for adoption in accordance the IP&R Guidelines.

RECOMMENDATION

That Council resolve to:

1. *Adopt the*
 - a) *Community Engagement Strategy,*
 - b) *2025/26 – 29/30 Delivery Program,*
 - c) *2025/2026 Operational Plan,*
 - d) *2025/2026 Budget,*
 - e) *Asset Management Strategy 2025-2035*
 - f) *2025-2029 Workforce Management Strategy;*
 - g) *2025- 2035 Long Term Financial Plan.*
 - h) *2025/2026 Revenue Statement, including Council fees and charges.*
2. *Make the annual Ordinary Rates for 2025/26 as detailed in the following table, in accordance with the 2025/2026 Revenue Statement.*

CATEGORY	SUB - CATEGORY	AD VALOREM	MINIMUM CHARGE	BASE CHARGE	INCOME
Farmland		0.00124513		\$811.00	\$5,095,829
Residential	Non Urban	0.00131664		\$528.70	\$4,762,596
Residential	Yass	0.00274624	\$797.00		\$2,414,029
Residential	Binalong	0.00183415	\$797.00		\$166,972
Residential	Bowning	0.00183977	\$797.00		\$92,255
Residential	Wee Jasper	0.00183415	\$797.00		\$29,489
Residential	Bookham	0.00183415	\$797.00		\$12,752
Residential	Murrumbateman	0.00190729	\$797.00		\$232,355
Residential	Gundaroo	0.00158281	\$797.00		\$205,614
Residential	Sutton	0.00195598	\$797.00		\$82,407
Business	Sutton & Gundaroo	0.00131599		\$528.70	\$19,823
Business	Yass & Other Villages	0.00737413	\$797.00		\$1,082,281
				Total	\$14,196,403

3. *Each annual and consumption charge for water, sewer, liquid trade waste and waste as detailed in the 2025/26 Revenue Statement.*

-
4. A 10.5% p.a. (Circular 24-05) interest payable on overdue rates and charges for the period 1 July 2025 to 30 June 2026 (inclusive) in accordance with s566(3) Local Government Act 1993.
-

FINANCIAL IMPLICATIONS

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

POLICY & LEGISLATION

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

REPORT

During the period of public exhibition of the Draft Integrated Planning and Reporting suite of documents, Council held community engagement sessions at the following locations:

- Sutton and Gundaroo - 19 May 2025
- Murrumbateman – 26 May 2025
- Binalong, Bowning and Bookham – 27 May 2025
- Yass – 2 June 2025
- Wee Jasper – 10 June 2025

The face-to-face sessions were well attended. Council appreciates the community taking the time to participate in community engagement sessions and providing feedback.

Councillors were provided several opportunities to meet with the Executive to discuss the content of the documents.

52 submissions were received from a variety of organisations and residents. The submissions included one from a Councillor. The submissions are attached.

Council will respond directly to each submitter.

Submission Themes

There were 15 high-level themes that capture the core concerns, suggestions, and priorities expressed by community members and organisations across the Yass Valley region:

1. Financial Sustainability and Governance

- Concerns about Council's financial mismanagement, especially the Crago Mill project.
- Calls for transparency, accountability, and adherence to IPART/OLG guidelines.

2. Strategic Planning and Growth Management

- Urgent need for Masterplan (e.g., Murrumbateman), scenario planning, and integration of growth impacts like Parkwood.
- Desire for coordinated infrastructure and service planning.

3. Roads, Transport, and Infrastructure

- Strong advocacy for road upgrades (e.g., Marked Tree Road, Sutton Causeway and Tallagandra Lane), footpaths, and public transport.
- Requests for better maintenance, vegetation control, and drainage.
- Development of the Active Transport Strategy.

4. Asset Management and Maintenance

- Feedback on inadequate lifecycle costing, asset condition reporting, and renewal funding.
- Requests for inclusion of community-owned assets in Council's asset strategy.

5. Community-Owned Facilities and Volunteer Support

- Recognition of the role of community groups in managing halls, parks, and cemeteries.
- Requests for annual operational funding, insurance support, and reduced reliance on volunteer fundraising.

6. Equitable Service Delivery Across Villages

- Perception that rural villages (e.g., Gundaroo, Binalong, Wee Jasper) are under-served.
- Calls for fairer distribution of resources and infrastructure investment.

7. Community Engagement and Transparency

- Desire for more inclusive, timely, and meaningful consultation.
- Criticism of tokenistic engagement and lack of follow-through.

8. Heritage and Village Character Protection

- Emphasis on preserving built, cultural, and environmental heritage.
- Requests for stronger heritage advisory services and funding.

9. Youth, Recreation, and Public Spaces

- Support for more recreational and sporting facilities particularly relating to youth.
- Requests for equitable investment in recreational infrastructure.

10. Waste Management and Environmental Charges

- Concerns about steep fee increases, transparency of levy use, and fairness of voucher systems.
- Calls for better accounting and communication of waste-related costs.

11. Swimming Pool Access and Affordability

- Strong opposition to lane hire fee increases for swimming clubs.
- Comparisons to other Councils offering free or subsidised access.

12. Climate Resilience and Environmental Stewardship

- Need for integrated climate risk assessments, biodiversity protection, and sustainable development.
- Suggestions for tree planting, wetlands, and water-sensitive design.

13. Economic Development and Business Engagement

- Calls for reinstating the Economic Development Committee and creating a strategy with business groups.
- Emphasis on tourism, local events, and village revitalisation.

14. Planning and Development Oversight

- Concerns about inconsistent application of planning rules and lack of enforcement.
- Requests for better integration of community feedback in development approvals.

15. Emergency Preparedness and Infrastructure Resilience

- Need for better emergency communication, evacuation centres, and disaster planning.
- Requests for backup power, water, and road access during crises.

Many of the themes flowing from the submissions have been identified by Council in the IP&R documents and are identified as being addressed as part of the 2025/26 Operational Plan.

Some of the submissions demonstrate a lack of clarity in Council's communication around service provision.

Council notes the high level of feedback with respect to changes to Fees and Charges. There is a separate report on Council's agenda regarding the annualised fees for sporting groups.

Summary of Amendments

Following a review and consideration of community engagement and submission, the Executive Management Team have endorsed the following amendments in these documents.

Community Engagement Strategy

A new section has been added which strengthens the strategy by embracing lessons from the past and recognising community fatigue. It outlines positive steps to build trust, broaden participation, and share the load more fairly. These updates reflect Council's renewed commitment to inclusive, transparent engagement and a more connected, empowered Yass Valley community.

2025 - 29 Delivery Program

Minor quality assurance updates.

2025 – 2026 Operational Plan

Two new activities have been added to the Operational Plan

DP Principal Activity	Actions	Responsibility	Indicator
NEW			
EN6.1	Completion of the Active Transport Strategy	Strategic Planning Team	Strategy complete
IN8.1	Construction of a new public toilet in Wee Jasper	Recreational Assets	Toilet constructed

Minor quality assurance updates.

Asset Management Strategy

Minor quality assurance updates.

10 Year Capital Works plan has been developed outside the IP&R framework in response to submissions.

Workforce Management Strategy

Submissions identified that Council has an inability to attract and retain talent. This challenge has been captured in the Workforce Management Strategy and forms part of the action items to be undertaken over the life of the strategy.

A salary system review has been commissioned and will commence in July 2025.

No further changes made.

Long Term Financial Plan

Additional clarity added with respect to the indexation of the LTFP figures into the outer years.

Budget changes (outlined below) have been updated through the document.

Minor quality assurance updates.

2025/2026 Revenue Statement

Updated the Ad Valorem rates and base valuation date updated to July 2022.

Minor quality assurance updates.

Fees and Charges

The sporting group fees and charges have been reverted to 2024/25 rates and increased by 2.5% CPI.

Minor quality assurance updates.

Draft 2025-2026 Budget

The Draft Budget has been updated to:

- Include expenses to enable the implementation of Council's Financial Sustainability Roadmap.
- Include \$30,000 for Murrumbateman BMX Pump Track pre-planning and design works.
- Apply a 10% cost allocation from Externally Restricted funds to General fund to cover overheads (detailed analysis to come).
- Remove approximately \$587k water operational expense for Yass Dam wall anchor points.
- Include the additional \$12K for GIS Software.
- Included the additional \$25k for online Engagement software.
- Update Councillors fees in accordance with Remuneration Tribunal Decision.
- Included \$10K for Gundaroo Community Assets, noting council does not maintain any assets. (Future council report to determine appropriate allocation.)

Financial Assistance under Section 356 of the *Local Government Act 1993*

Previously Council allocated approximately \$90,000.00 for the provision of financial assistance to the community under Section 356 of the *Local Government Act 1993*. The Act prescribes the requirements when councils provide financial assistance to others (including charitable, community and sporting organisations and private individuals).

This year council has removed the allocation of funds for Financial Assistance Grants.

Council has instead allocated these funds to provide support for community events e.g. ANZAC Day and Christmas on Comur. Future council report to determine appropriate allocation.

DRAFT Financial Sustainability Roadmap

This document had been developed to address the current Financial Sustainability circumstance at Yass Valley Council. Council has included relevant expenses to enable the implementation of the Financial Sustainability Roadmap.

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. IP&R Submissions Combined - Redacted
- B. Community Engagement Strategy
- C. Delivery Program 2025 - 2029
- D. Operational Plan - 2025-27
- E. Asset Management Strategy 2025-2035
- F. Workforce Management Plan 2025-2029
- G. Long Term Financial Plan 2025-2035
- H. Revenue Statement 2025-2026
- I. Budget 2025-2026
- J. Fees and Charges 2025-26

7.1 RENEWABLE ENERGY

Councillor Jasmin Jones has given notice that at the Ordinary Council Meeting on 23 June 2025, she will move the following motion.

MOTION

That a report be provided to the Ordinary Council Meeting in July 2025 providing the following information:

- a. Number of renewable energy developments constructed in the Yass Valley local government area.*
- b. Number of renewable energy developments with approved consent in the Yass Valley local government area.*
- c. Number of 'known' renewable energy development companies currently undertaking investigations for potential further developments within Yass Valley local government area.*
- d. What Council's role is within the renewable energy development planning framework and what point within this framework does Council have an opportunity to request alteration to the Secretary's Environmental Assessment Requirements (SEARs) or provide comment to a project.*
- e. What further advocacy work can be done for residents and existing local businesses that may be significantly impacted by the proposed renewable energy developments.*

BACKGROUND

There is growing community concerns of speculative wind turbine, battery energy storage systems and connecting high tension transmission line projects that are currently scoping sites in Yass Valley despite Council's non-renewable energy zone status and policy position stating the local government authority is at maximum capacity:

Councillor: Mayor, Cr Jasmin Jones

Chief Executive Officer Comments

A report will be provided to the Ordinary Council Meeting in July 2025.

ATTACHMENTS: Nil

9.1 MINUTES OF THE MURRUMBATEMAN BMX/PUMP TRACK FOCUS GROUP HELD ON 29 MAY 2025

REPORT

The minutes of the Murrumbateman BMX/Pump Track Focus Group meeting held on 29 May 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.

From the minutes of the Focus Group, there were four recommendations made:

BMX/Pump Track Location

The Focus Group have recommended that the southern sand arena at the Murrumbateman Recreation Ground be endorsed as the location for the construction of the track.

Murrumbateman Recreation Ground User Group

The Focus Group have recommended it have a representative on the Murrumbateman Recreation Ground Focus Group. The Terms of Reference for the Murrumbateman Recreation Ground Focus Group adopted by Council at its meeting in February 2025 **[Min No 101]** provide for representation from each user group and prospective user group.

The Focus Group recommended further consultation be undertaken regarding the use of the southern sand area for the track.

2021 Murrumbateman Recreation Ground Strategic Plan

The Focus Group have recommended that the Strategic Plan be amended to repurpose the southern sand arena as the dedicated pump track location and the strategic plan be placed on public exhibition for a period no less than 28 days.

A further report will be presented to a future Council meeting following the meeting of Murrumbateman Recreation Ground User Group with discussion regarding the above matters and including a comparative analysis of sites suitable for this use.

RECOMMENDATION

That the minutes of the Murrumbateman BMX/Pump Track Focus Group meeting held on 29 May 2025 be noted.

ATTACHMENTS: A. Minutes of the BMX/Pump Track Focus Group Committee 29 May 2025

9.2 DRAFT MINUTES OF THE CRJO JOINT AUDIT, RISK AND IMPROVEMENT COMMITTEE

REPORT

The draft minutes of the Canberra Region Joint Organisation (CRJO) Audit Risk and Improvement Committee meeting held on 31 March 2025 are provided in **Attachment A**. These minutes will be endorsed at the June 2025 Meeting.

The following is provided as the Meeting Recap from the ARIC:

- **Formal resolutions of the Audit, Risk and Improvement Committee:** Member Bryce suggested having a discussion with the new CEO to clarify expectations and identify the support ARIC can provide. Acting CEO Julie will provide incoming CEO Gayleen's contact details.
- **Committee's assessment of audits conducted, including breaches or deficiencies in controls:** No audits brought to meeting for review.
- **Progress on the implementation of corrective actions:** for review next meeting with corrective actions from external audit, internal audit and other internal reviews and assurance activities to be included by YVC in corrective actions tracker
- **Opportunities for longer-term improvement:** No specific opportunities identified.
- **Key opinions or takeaways from the committee's meeting:** Member Bryce expressed satisfaction in presence of the executive and senior governance and ICT management at ARIC meeting and their understanding of the ARIC process and ARIC's role. The committee appreciated the officers' contributions to the papers and discussions.

RECOMMENDATION

That the draft minutes of the Canberra Region Joint Organisation Audit Risk and Improvement Committee meeting held on 31 March 2025 be received.

ATTACHMENTS: A. UNENDORSED - ARIC Meeting Minutes - YVC - 31 March 2025

9.3 MINUTES OF THE YASS POOL REDEVELOPMENT PROJECT COMMITTEE HELD ON 11 JUNE 2025

REPORT

The minutes of the Yass Pool Redevelopment Project Committee meeting held on 11 June 2025 are included in **Attachment A**.

From these minutes there are items that may require expenditure not provided for in the current Operational Plan. Any adjustment to the Operational Plan or Budget relating to actions identified in the Yass Pool Redevelopment Project Committee minutes will be considered as part of usual budget process.

From the minutes of the Project Committee there is one recommendation that their Terms of Reference be amended to include six community members being:

- Two representatives of the Yass Swim Club
- One representative of the Yass Valley Triathlon Club
- Three community members (not current members of the Yass Swim Club and/or Yass Valley Triathlon Club)

The change to the Terms of Reference is to provide one position on the Project Committee for the Yass Valley Triathlon Club. If it is determined by Council to amend the Terms of Reference to include the Yass Valley Triathlon Club, the Club would be requested to nominate one of their members to join. Depending on their nomination this may impact the community membership of the Committee. At its meeting on 28 November 2024 [Min No 62] Council resolved on a priority list of community membership meaning that a vacant community position would be offered to the next person on the list.

RECOMMENDATION

That

- a *The minutes of the Yass Pool Redevelopment Project Committee meeting held on 11 June 2025 be noted.*
- b *The Yass Pool Redevelopment Project Committee Terms of Reference be amended to include six community members being*
 - *Two representatives of the Yass Swim Club*
 - *One representative of the Yass Valley Triathlon Club*
 - *Three community members (not current members of the Yass Swim Club and/or Yass Valley Triathlon Club)*
- c *The Yass Valley Triathlon Club be invited to nominate one of their members to join the Yass Redevelopment Project Committee and if this nomination results in a community membership vacancy, then then Council invite the next person on the priority list to join the Committee as per its resolution at its meeting on 28 November 2024 [Min No 62].*

ATTACHMENTS: A. Minutes of the Yass Pool Redevelopment Project Committee 11 June 2025

10 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 - Water Main Upgrade (200mm Diameter) along Yass Valley Way (YVC-IA-33-2024)

Item 10.1 is confidential in accordance with section s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and discussion of the matter in an open meeting would be, on balance contrary to the public interest, 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 section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance contrary to the public interest and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

ⁱ In local government in NSW, the General Manager and Chief Executive Officer (CEO) roles are often used interchangeably and essentially represent the same function.