



Ordinary Meeting of Council

Thursday 18 December 2025

4:00 PM

Yass High School

Grampian Street, Yass

ATTACHMENTS TO REPORTS

Ordinary Meeting of Council

Attachments to Reports

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Planning Proposal

for

**16-18 Cusack Place,
Yass, NSW, 2582**

May 2025

(revised to update Flood Impact Risk Assessment and Zoning Maps)

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Executive Summary

The Planning Proposal has been prepared in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* (Act) and the relevant Department of Planning and Environment (DPE) Guidelines and provides the following:

- Objectives or Intended Outcomes
- Explanation of Provisions
- Justification
- Mapping
- Community Consultation
- Project Timeline

The Planning Proposal seeks to amend *Yass Valley Local Environmental Plan 2013* (YVLEP) to rezone 16-18 Cusack Place, Yass being Lot 2 DP1185025 (10.73ha); 3 DP1185025 (7.327ha) and Lot 4 DP1185025 (9.694ha) (Site) to R1 General Residential and C2 Environmental Conservation and to reduce the minimum lot size to 700m² to facilitate residential subdivision of the land.

The Site, located approximately 2.6km south east of the centre of the town of Yass, is adjacent to existing residential and large lot residential development.

The Site has been historically utilised for grazing and the vegetation within the Site has been substantially modified and dominated by exotic species.

To support this Planning Proposal, an Ecological Assessment, Bushfire Strategic Study, Aboriginal Cultural Heritage Due Diligence Assessment, Detailed Contamination Site Investigation, Traffic Impact Assessment, Preliminary Servicing Strategy, Flood Impact Risk Assessment and Concept Design Report (Civil Engineering) have been prepared. All of these specialist studies support the Planning Proposal.

It is important to note however that the findings of any of these Reports as they relate to Lot 1 DP 1007355 is to be disregarded as Lot 1 DP 1007355 does not form any part of this Planning Proposal.

This Planning Proposal outlines the intended effect and justification for the proposed amendment to YVLEP.

Part 1 - Objectives or Intended Outcomes

(s.3.33(2)(a) A statement of the objectives or intended outcomes of the proposed instrument)

The objective of the Planning Proposal is to amend the *Yass Valley Local Environmental Plan (LEP) 2013* to enable the development of the Site for residential subdivision; creating lots that are a minimum of 700m².

The Site is approx. 27.75ha in size and located approximately 2.6km south east of the centre of the Yass township and approximately 50 kilometres north-west of Canberra. It has a significant frontage to Wee Jasper Road running a length of approximately 325 metres (west facing boundary), with access via Cusack Place to the south and terminating at an existing dwelling at 16-18 Cusack Place, Yass.

Topographically the eastern boundary of the Site sits generally on a north south trending ridge with a side slope down to the west at slopes progressively reducing from 10% to a south to north trending drainage depression located approximately 500m to the west. It then rises over a low spur with side slopes of up to 2% to Wee Jasper Road, a further 200m to the west.

The Site has been historically utilised for grazing and the vegetation within the Site has been substantially modified and largely dominated by exotic species.

The intended outcome of the Planning Proposal is to assist in accommodating the projected population growth for the Yass Valley local government area by facilitating residential development on an appropriately located and relatively unconstrained parcel of land.

The outcome is consistent with the Yass Valley Settlement Strategy 2036 and supported by appropriate specialist investigations.

Detailed design of the proposed subdivision will occur as part of the Development Application (DA) process, following the proposed amendments to the YVLEP.

The Site is shown in the following Figures:

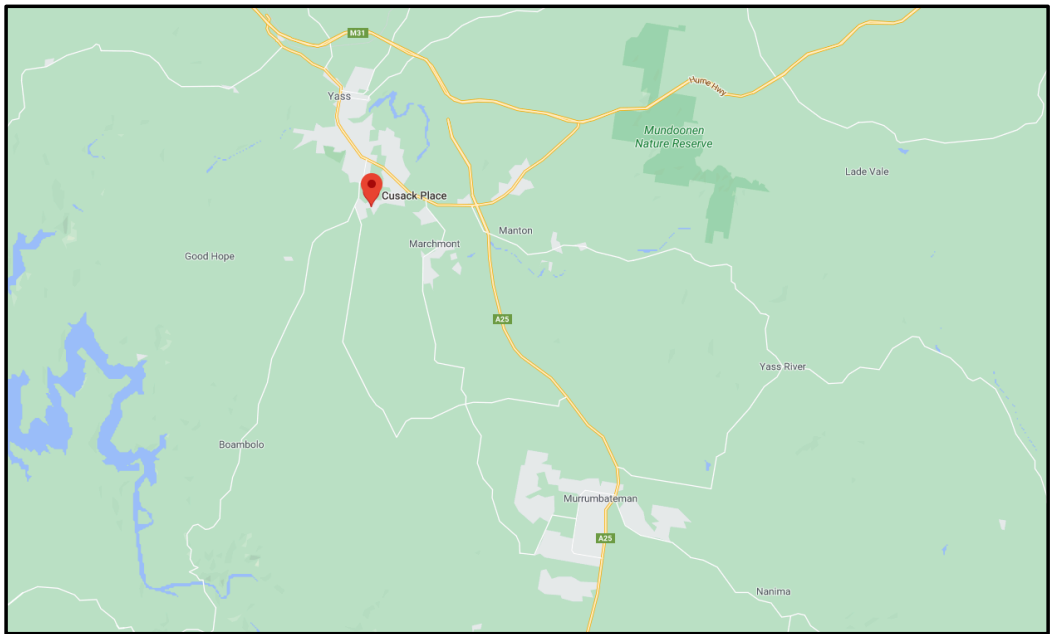


Figure 1 - Regional Location



Figure 2 - Subject Site - Aerial View

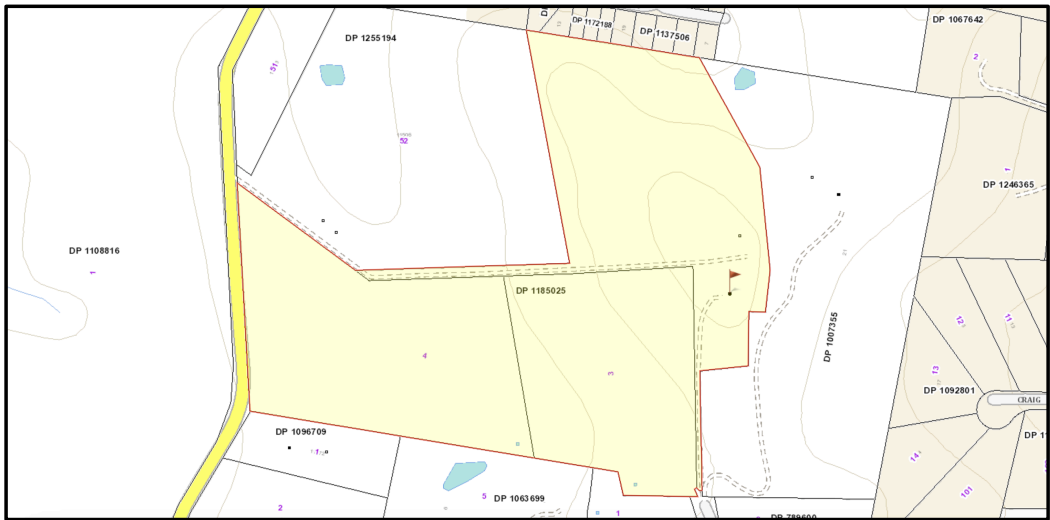


Figure 3 - Subject Site - Lot View

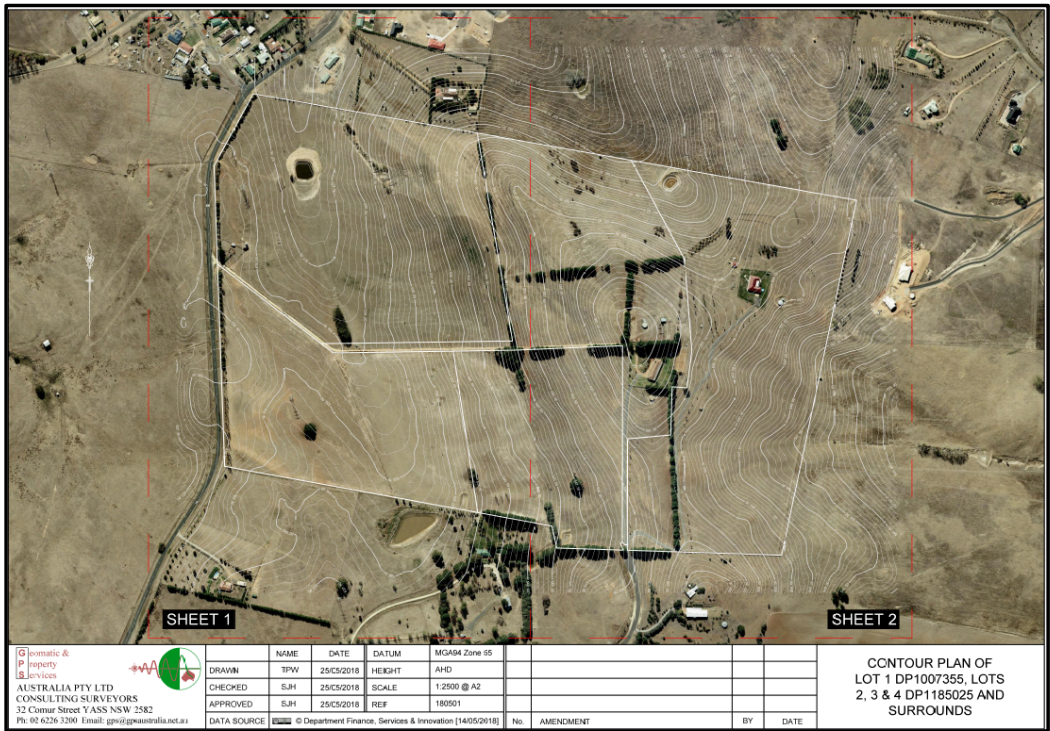


Figure 4 – Survey

Part 2 - Explanation of Provisions

(s.3.33(2)(b) An explanation of the provisions that are to be included in the proposed instrument)

The land is currently zoned R5 Large Lot Residential and has a minimum lot size of 2ha pursuant to YVLEP.

It is proposed to amend the land use zone to R1 General Residential and C2 Environmental Conservation with a minimum lot size of 700m² pursuant to YVLEP.

The proposed outcomes of the Planning Proposal will be achieved by amending:

- YVLEP Land Zoning Map – Sheet LZN_001H
- YVLEP Land Zoning Map – Sheet LZN_002B
- YVLEP Lot Size Map – Sheet LSZ_001H
- YVLEP Lot Size Map – Sheet LSZ_002B

The proposed amendments are included in Part 4.

Part 3 - Justification

(s.3.33(2)(c) Justification for the objectives or intended outcomes and the process for their implementation)

Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is a direct result of the Yass Valley Settlement Strategy 2036 (YVSS) which identified the Site as potential future residential development.

The YVSS identifies that the Site had potential to be rezoned from R5 – Large Lot Residential with a minimum lot size of 2ha to R1 – General Residential with a minimum lot size of 700m².

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the Planning Proposal is the best and most efficient means of achieving the objective and intended outcomes.

Based on the current minimum lot size of 2ha, the Site has the potential to yield approximately 11 – 13 new lots.

Changing the zone and reducing the minimum lot size to 700m², subject to detailed design, will yield approximately 200-250 lots, which comparable to the outcome foreshadowed within YVSS.

The proposal can be integrated into existing street and services networks and can be achieved without any significant impacts to the environment, aboriginal heritage, transport infrastructure, agricultural land, or the existing settlement character of Yass.

The yield could theoretically be increased by only reducing the minimum subdivision size applicable to the Site; however, the zone objectives of the existing R5 Large Lot Residential zone are generally inconsistent with this outcome.

Therefore, changing the zoning of the Site and reducing the minimum subdivision size is the preferred approach to assist in accommodating the projected population growth within Yass Local Government Area.

The introduction of the C2 Environmental Conservation Zone over the strip of land identified as flood affected is a method of ensuring buildings are not constructed on this land.

Section B – Relationship to Strategic Planning Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The Planning Proposal is considered to be consistent with the Goals and Directions contained within the South East and Tablelands Regional Plan 2036.

A summary of the Planning Proposal's consistency is provided in **Appendix 1** of this Planning Proposal.

Q4. Will the planning proposal give effect to Council's strategic planning statement or another endorsed local strategy or strategic plan?

Yes. This Planning Proposal is consistent with local council's Community Strategic Plan, or other local strategic plans.

The Tablelands Regional Community Strategic Plan 2016-2036 (CSP)

The CSP articulates the community and Council's shared vision, values, aspirations and priorities with reference to other local government plans, information and resourcing capabilities.

This Planning Proposal is considered to be consistent with the Strategic Pillars articulated in the CSP in that:

- It supports economic growth in the Region.
- It will have no adverse impact on the Region's social, cultural and economic diversity.
- It is not inconsistent with the adopted Regional Plan.
- It maintains a balance between sustainable growth, development and environmental protection.

Yass Valley Settlement Strategy 2036 (YVSS)

The YVSS was adopted by Council in August 2017 and endorsed by the State Government in September 2018. It provides direction for long term growth and development within the Yass Valley Local Government Area.

The YVSS states that the Yass Valley LGA is forecast to grow to a population exceeding 25,000 people by 2036 and recommends that the majority of the growth be concentrated in Yass. This would see Yass accommodating 20,000 people.

The YVSS recommends three main ways to facilitate population growth within Yass:

- Developing existing residential zoned Greenfield sites;
- Encouraging urban renewal of some existing housing reaching the end of its useful life; and
- that Council reconsider applying smaller lot sizes on some of the existing Greenfield sites.

The YVSS is guided by 16 key principles and settlement specific recommendations for the future character and growth of the existing towns and villages within the Yass Valley LGA. For completeness, a summary of the Planning Proposal's consistency with these principles is contained in **Appendix 2**.

Importantly, Section 10 of the YVSS outlines the existing roles and character and the Recommendations for the future character and growth of existing towns and villages in the Yass Valley; and contains the following specific recommendation for the Site:

A site bounded by Wee Jasper Road and Cusack Place could be considered for some upzoning from R5 Large Lot Residential to R1. Part of the site is constrained by powerlines, however land in the northernmost portion would be adjacent to and could be integrated with the existing Mary Reid Estate (MLS 700 sqm). Although the land comprises 5 lots, it is held in the ownership of only two families and has a total area of 57.9 ha. This land could accommodate an estimated 200-300 additional lots subject to detailed site investigations, and preparation of an overall Masterplan showing road connection into Mary Reid Estate.

As such, this Planning Proposal specifically aligns with the Principles and Recommendations of the YVSS.

Yass Valley Local Strategic Planning Statement (LSPP)

The LSPP was adopted by Council in May 2020 and sets out the 20 year vision for land use within the Local Government Area, outlining how growth and change will be managed into the future.

The LSPP sets out 7 Planning Priorities of which the following are relevant to this Planning Proposal:

Planning Priority 2 – Focus growth in Yass and Murrumbateman

This Planning Proposal is consistent with this Planning Priority as it is consistent with and implements the recommendations of the YVSS in the short term.

Further the suite of specialist studies that accompany this Planning Proposal demonstrate it avoids land affected by flooding and high bushfire risk and avoid agricultural land use conflict.

Planning Priority 4 - Protect and conserve the natural environment, built and Aboriginal cultural heritage of Yass Valley

This Planning Proposal is accompanied by a detailed Aboriginal Cultural Heritage Due Diligence Assessment and an Ecological Assessment which supports the proposed development outcome.

Planning Priority 5 - Advocate to NSW Government for services and infrastructure to support growth within Yass Valley

This Planning Proposal is accompanied by a Servicing Strategy which demonstrates the proposed development outcome can be integrated into Council's existing town water and sewer network.

Planning Priority 7 - Increase Yass Valley's Resilience to Climate and Natural Hazards

This Planning Proposal is accompanied by a Flood Risk Assessment, Bushfire Strategic Study and Detailed Contamination Site Investigation all of which supports the proposed development outcome.

As such, this Planning Proposal specifically aligns with the Planning Priorities of the LSPP.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is generally consistent with applicable State Environmental Planning Policies.

A summary of the Planning Proposal's consistency with applicable State Environmental Planning Policies is provided in **Appendix 3** of this Planning Proposal.

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The Planning Proposal is generally consistent with applicable s.9.1 Ministerial Directions.

A summary of the Planning Proposal's consistency with relevant s.9.1 Ministerial Directions is provided in **Appendix 4** of this Planning Proposal.

Section C – Environmental, Social and Economic Impact

Q7. Is there any likelihood that critical habitat, or threatened species populations or ecological communities, or their habitats will be adversely affected as a result of the Proposal?

An Ecological Assessment has been carried out and accompanies this Planning Proposal.

This report is specifically intended to indicate the likelihood of the Proposal having a significant effect on threatened species or ecological communities.

It is important to note however that the findings of this Report as it relates to Lot 1 DP 1007355 is to be disregarded as Lot 1 DP 1007355 does not form part of this Planning Proposal.

Investigations were carried out via literature and database searches to gather information required to adequately address the requirements of the *Biodiversity Conservation Regulation 2017* (BCR) and to address BOS thresholds and on-site survey efforts.

The Commonwealth EPBC Act and relevant State Environmental Planning Policies (SEPPs) were also considered and correspondence from the Department of Planning and Environment (Dated 01 November 2022).

The Assessment concluded:

In conclusion, Lots 2, 3 & 4 DP 1185025 are unconstrained from an ecological perspective and suitable to be rezoned for R1 General Residential and the minimum lot size to be reduced to 700m² to facilitate residential subdivision of the land.

As such, the Proposal does not trigger the requirements for production of a Biodiversity Development Assessment Report (BDAR) and the Assessment concludes the Site is appropriate from an ecological perspective to be rezoned for residential purposes.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

To thoroughly assess the potential environmental impacts of the planning proposal, the following specialist reports have been prepared:

- Bushfire Strategic Assessment
- Aboriginal Cultural Heritage Due Diligence Assessment
- Detailed Contamination Site Investigation; and

- Traffic Impact Assessment.
- Flood Impact Risk Assessment

The findings of each of these reports is summarised below.

It is important to note however that the findings of any of these Reports as they relate to Lot 1 DP 1007355 is to be disregarded as Lot 1 DP 1007355 does not form part of this Planning Proposal.

Bushfire Strategic Assessment

The Site is mapped as Category 3 bushfire prone vegetation and, as such, a Bushfire Strategic Assessment has been carried out and accompanies this Planning Proposal.

The Report considers that the residential design itself can offer acceptable bushfire protection measures and that:

- *The location and future concept designs have potential to be managed such that the site is not considered a high bushfire risk area.*
- *It is likely that the bushfire protection measures (namely APZ, access and water supply) will adequately demonstrate compliance with PBP 2019.*
- *The overall development reduces the bushfire risk in the locality, and future development will offer acceptable planning and design that provide resilience to bushfire threat.*

On this basis it is assessed that the Planning Proposal is satisfactory from a bush fire risk perspective.

Aboriginal Due Diligence Assessment

An Aboriginal Due Diligence Assessment has been carried out and accompanies this Planning Proposal.

Across the planning proposal area, the assessment identified one previously unrecorded Aboriginal site noted in the Report as AS/Quarry and PAD in Lot 2 DP 1185025 which is adjacent to an existing power pole.

This site is made up of one artefact scatter (containing 90 stone artefacts), quarry material and a Potential Archaeological Deposit and is recorded as having medium archaeological/scientific significance.

In conclusion, the Assessment recommends:

- *Overall, the assessment area is considered to have low Aboriginal heritage potential.*

- *If the newly recorded Aboriginal site (AS/Quarry/PAD) can be avoided as a result of any future development proposal for Lot 2 DP 1185025, then no further archaeological investigation is warranted.*
- *If the existing Aboriginal site AS/Quarry/PAD and objects cannot be avoided as a result of any future development proposal, then under section 90 of the National Parks & Wildlife Act 1974, an application for an area based Aboriginal Heritage Impact Permit (AHIP) to impact the sites should be lodged with Heritage NSW. An Aboriginal Cultural Heritage Assessment Report (ACHAR) and Archaeological Survey Report will accompany the AHIP application.*
- *The proposed development should not commence until the AHIP is issued, and should then be undertaken in accordance with the AHIP conditions.*
- *The identified Aboriginal objects comprising open site AS/Quarry/PAD Lot 2 DP 1185025 should be collected after the AHIP is issued and prior to commencement of any proposed development.*

Whether or not the Aboriginal site will be avoided is a matter for detailed design as part of any future Development Application. However, at this point it is clear the site provides no impediment to the Planning Proposal proceeding.

Land Contamination

A Preliminary Site Investigation (PSI) was completed by Murrang Earth Sciences (Murrang) in June 2021 to assess potential contamination risks across the Site, the results of which indicated that further investigation, including the sampling of soil would be required to confirm the suitability of the Site for future residential land uses.

As such, a Detailed Site Contamination Investigation was prepared and is accompanies this Planning Proposal. The results of this Investigation are summarised below:

- *The majority of the site was used for agricultural purposes. Two (2) existing residential properties are located on the site.*
- *Sources of potential contamination that had been identified included herbicides that may have been used as a part of pasture improvement, possible lead that may have been deposited at the surface by vehicular traffic along Wee Jasper Road.*
- *Soil across the site comprised of a sandy silt at the surface while a silty clay was encountered below the sandy silt.*

- *Based on the analytical results of soil samples, COPCs were below the adopted criteria in all soil samples analysed while no traces of anthropogenic materials were observed in soil across the site.*
- *A small stockpile of 3 m³ was located in the north-western section of the site. The stockpile had traces of asphalt and concrete, however concentrations of COPCs in soil were below the adopted assessment criteria.*

The Investigation states that the risk of contamination to future land uses is low and, therefore concludes that the Site is suitable for future residential land use.

Traffic and Access Assessment

An assessment of the Traffic and Access Assessment has been carried out and accompanies this Planning Proposal.

This assessment is based on a yield of 300 residential lots on the Site and relevantly states;

It is proposed to provide vehicle access to the development via three (3) locations as follows:

- i. *An extension of Cusack Place across the southern boundary of the subject site,*
- ii. *A connection to the Mary Reed Estate across the northern boundary of the subject site, and*
- iii. *A vehicle access, comprising basic left-turn and right-turn treatments, on Wee Jasper Road (located less than 15m or greater than 210m north of the south boundary of the subject site).*

On this basis, there are no traffic engineering reasons why the proposed development should not be approved, subject to appropriate conditions.

Flood Impact Risk Assessment

A draft subdivision plan and civil design was prepared to enable a Flood Impact Risk Assessment (FIRA) to be carried out. This suite of work accompanies this Planning Proposal. This Assessment concludes:

To provide for future development that is compatible with the flood hazard of the land, consistent with Ministerial Direction 4.1 and readily facilitates compliance with the LEP and DCP requirements, this planning proposal has developed a subdivision in which the earth and drainage works have been designed to provide a final landform that is at or above both the 0.2% AEP event and the Flood Planning Level. The consideration of the 0.5% AEP and 0.2% AEP events is used to provide a suitable proxy for the expected 1% AEP flood conditions including allowances for future climate change.

The FPA extent indicates that there are no significant constraints for dwellings to be constructed within the future subdivision and satisfy FPL controls for finished floor levels. Under the extremely rare PMF conditions the residential lots of the potential future subdivision are only exposed to a low-to-medium flood hazard. Therefore, the formalisation of the overland flow path through the Site and the adjacent filling effectively manages the risk to life and risk to property from flooding.

A relative flood impact assessment has also been undertaken and confirms that the required Site regrading will have a negligible impact on existing off-site flood conditions. The short duration of flooding also means that significant periods of isolation are not a concern, with the overland flow receding within half an hour following the cessation of the flood-producing rainfall.

The current state of subdivision design is compatible with the flood hazard of the land and can be rezoned with confidence that the flood risk at the Site is effectively managed. Any minor adjustments can be implemented and assessed as the earth and drainage works design progresses through the subdivision DA stage.

Notwithstanding this Report's conclusion that the flood impact can be dealt with at DA Stage, the area identified as flood affected, is proposed to be zoned C2 Environmental Conservation.

On this basis, it is assessed that the Site is suitable for the proposed Planning Proposal in terms of flood risk.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

The social and economic impacts of the Planning Proposal are positive for the Local Government Area and the local community.

Rezoning the land and reducing the minimum lot size to facilitate a higher density residential development will have two primary positive social and economic effects, being:

- the provision of a range of residential lot sizes within reasonable proximity to the commercial and community facilities available in Yass; and
- the creation of economic activity through the building and development process.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

Servicing has been discussed with Council Officers and a Preliminary Servicing Strategy has been prepared and accompanies this Planning Proposal.

It is the intention of the Owner that the Site connects to and is serviced by the existing town water and sewer network. Although, we note that the current Guide to Preparing Planning Proposals states it is not necessary for a proponent to identify exactly what infrastructure may be needed at the initial stage.

This Strategy concludes that:

subject to detailed design at DA Stage, the Site can be adequately serviced to support residential development. As such, the Planning Proposal can be supported from a servicing perspective.

As the project progresses and the detailed design is completed, where required necessary services will be augmented in consultation with local service providers so that all proposed servicing infrastructure will be addressed as part of the detailed design with the Development Application.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Formal consultation has not yet been undertaken with State and Commonwealth agencies; however, we do note that the YVSS has been endorsed by DPIE.

The following public agencies and private organisation may be consulted during public exhibition:

- Transport for NSW
- Biodiversity Conservation Division – DPE
- NSW Rural Fire Service
- Heritage NSW
- TransGrid
- Essential Energy

There are a number of electrical easements on the property that are controlled by Transgrid and Essential Energy. The extent of these easements and the associated voltage (based on publicly available information) is shown on the Survey Plan that accompanies this Planning Proposal.

It is the intention of the land owner to consult with Transgrid and Essential Energy during the detailed design phase of the project to ensure these overhead power lines can, as far as practical, be relocated underground.

Where the power lines cannot be relocated underground, the subdivision layout will be designed in consultation with the authorities to provide the required access and integrate into the lot layout and road network.

Should the Proposal be significantly amended as a result of agency consultation, it may be reported back to Council and the Department of Planning and Environment for an amended Gateway Determination.

Part 4 - Mapping

(s.3.33(2)(d) Maps to be adopted by the proposed instrument)

The proposed outcomes of the Planning Proposal will be achieved by amending:

- YVLEP Land Zoning Map – Sheet LZN_001H
- YVLEP Land Zoning Map – Sheet LZN_002B
- YVLEP Lot Size Map – Sheet LSZ_001H
- YVLEP Lot Size Map – Sheet LSZ_002B

Extracts of the proposed amendments are included below.

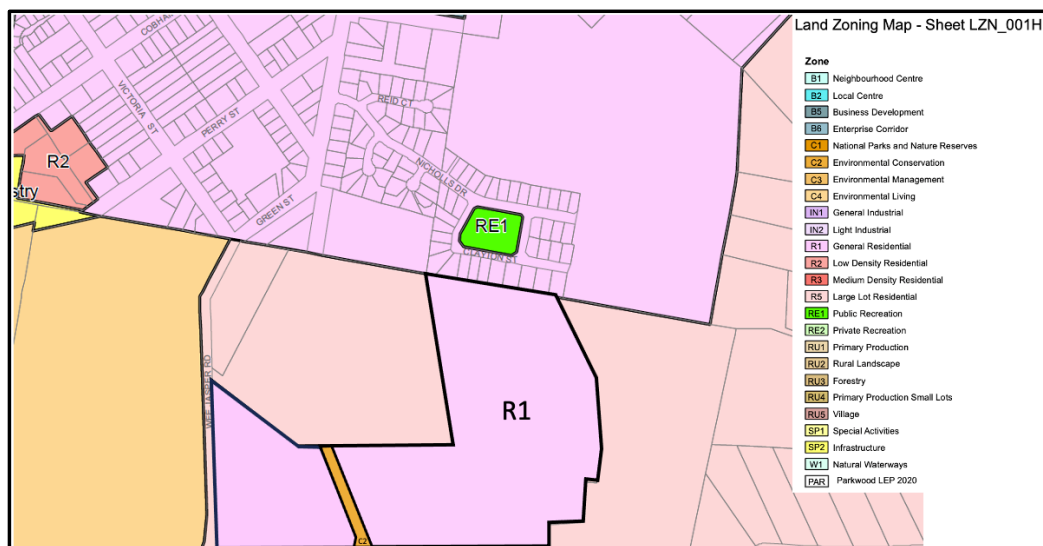


Figure 5 - Extract from Land Zoning Map - Sheet LZN_001H

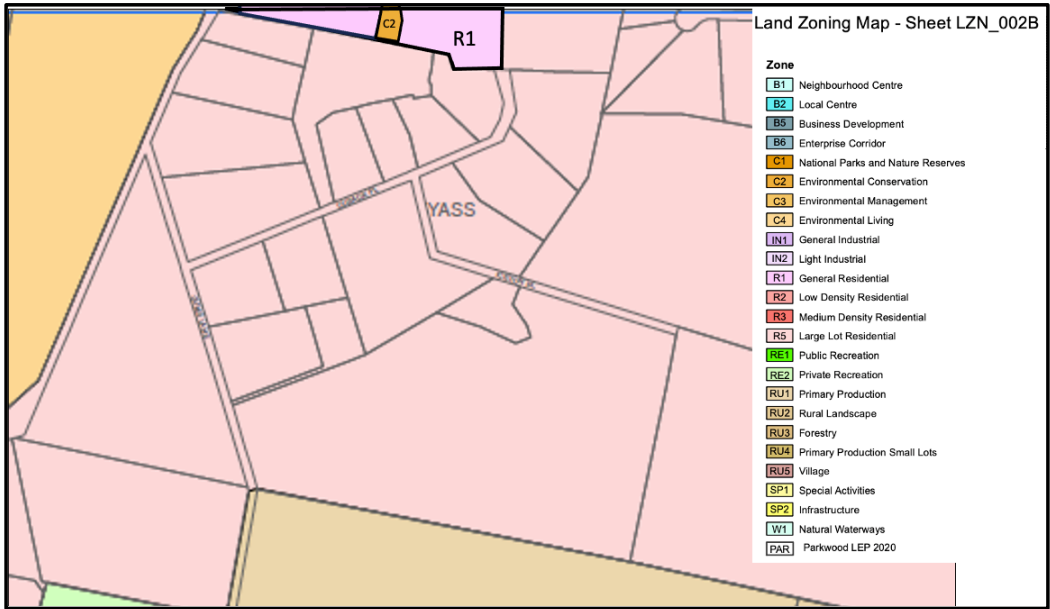


Figure 6 - Extract from Land Zoning Map - Sheet LZN_002B

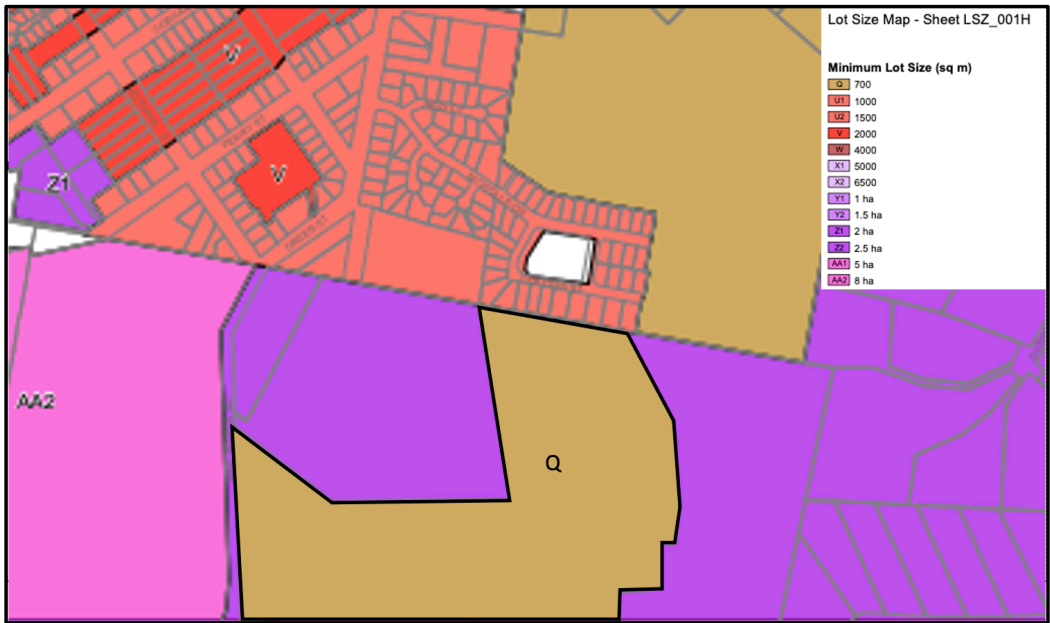


Figure 7 - Extract from Lot Size Map - Sheet LSZ_001H

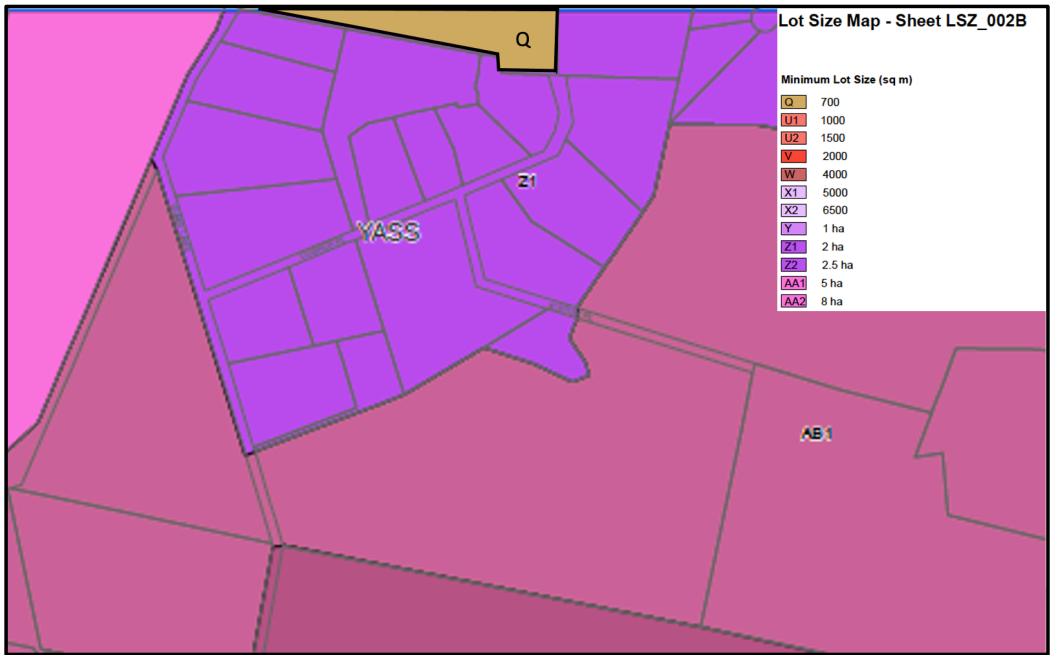


Figure 8 - Extract from Lot Size Map - Sheet LSZ_002B

Part 5 - Community Consultation

(s.3.33(2)(e) community consultation required)

In accordance with Section 3.34(2)(c) of the *Environmental Planning and Assessment Act 1979*, this Planning Proposal may be made available for public comment for a minimum of 28 days.

In accordance with Council's adopted consultation protocols the following may also be undertaken:

- Direct mail notification to adjacent and adjoining land owners;
- Exhibition material and all relevant documents will be available at Council's Administration Offices;
- Exhibition material and all relevant documents will be available on NSW Planning Portal
- Exhibition material and all relevant documents will be available on Council's website.

Consultation required will be specified by the Gateway determination.

Part 6 - Project Timeline

In accordance with the Department of Planning and Environment guidelines, the following timeline is provided, which includes the tasks deemed necessary for the making of this local environmental plan.

Task	Responsibility	Timeframe	Date (approximate)
Council resolution to support the Planning Proposal	Council	-	May 2025
Lodgement of Planning Proposal for Gateway Determination	Council	-	May 2025
Gateway Determination Issued	Minister for Planning	-	June 2025
Consultation with Public Authorities in accordance with Gateway Determination (if required)	Council	Minimum 21 days	June 2025
Public exhibition of Planning Proposal (if required)	Council	Minimum 28 days	June 2025
Report to Council	Council	-	July 2025
Making of local environmental plan	Council as delegate	6 – 8 weeks	August 2025

Part 7 – Conclusion

The primary aim of the Planning Proposal is to amend the YVLEP to facilitate residential development on the Site by amending the zone to R1 General Residential and C2 Environmental Conservation and reducing the minimum lot size to 700m².

The Proposal is consistent with YVSS and all relevant planning policies and Ministerial Directions.

In addition, it is considered to have strategic merit as it will:

- Utilise a suitable site to provide residential land to service the local community.
- Provide positive social and economic impacts.
- Result in no undue amenity impacts or land use conflict.
- Have no unacceptable environmental impacts.
- Have no unacceptable impact on Aboriginal Cultural Heritage.
- Have no unacceptable impact on traffic.
- Have no unacceptable impact through flooding risk.

On this basis, it is recommended that Council adopt this Planning Proposal and endorse it for Gateway determination.

Appendix 1 – Consistency with Regional Plan

The primary purpose of the South East and Tablelands Regional Plan 2036 (Regional Plan) is to guide the NSW Government's land use planning priorities and decisions over the next 20 years.

The Regional Plan is not intended to be a step-by-step approach to all land use planning. Rather, it is an overarching framework to guide more detailed land use plans, development proposals and infrastructure funding decisions.

Whilst many of the Goals and Actions are not relevant to this Planning Proposal, it is consistent with the overall Vision of the Plan.

The relevant matters under the Regional Plan for consideration within this Planning Proposal, are documented within the following table.

GOAL 2 - A diverse environment interconnected by biodiversity corridors	
Direction 14: Protect important environmental assets	
14.3 Minimise potential impacts arising from development on areas of high environmental value, including groundwater-dependent ecosystems and aquatic habitats, and implement the 'avoid, minimise and offset' hierarchy.	The Ecological Assessment that supports this Planning Proposal concludes that there will be minimal environmental impact arising from the development.
Direction 18: Secure Water Resources	
18.1 Locate, design, construct and manage new developments to minimise impacts on water catchments, including downstream impacts and groundwater sources.	<p>The Preliminary Servicing Strategy that accompanies this Planning Proposal provides conceptual analysis to demonstrate that the development of the Site can be designed in such a way to minimise downstream impacts.</p> <p>It is intended that detailed design will be undertaken at DA Stage.</p>
18.4 Incorporate water sensitive urban design into development that is likely to impact water catchments, water quality and flows.	It is the intention to include Water Sensitive Urban Design strategies in the detailed design of the project.

GOAL 3 Healthy and connected communities	
Direction 22: Build socially inclusive, safe and healthy communities	
22.3 Integrate walking and cycling networks into the design of new communities to encourage physical activity.	It is the intention that the subdivision will have an integrated walking and cycling network that will link to existing facilities.
22.4 Promote energy efficiency in new development proposals.	All new dwellings will be required to satisfy BASIX.
Direction 22: Protect the region's heritage	
23.1 Undertake and implement heritage studies, including regional Aboriginal cultural heritage studies, to inform local strategies.	Aboriginal Cultural Heritage Due Diligence Assessment that accompanies this Planning Proposal concludes that the assessment area has low heritage potential and that the proposal can proceed, subject to standard safeguards.
GOAL 4 Environmentally sustainable housing choices	
Direction 24: Deliver greater housing supply and choice	
24.2 Prepare local housing strategies consistent with the Settlement Planning Principles to provide a surplus supply of residential land to meet projected housing needs.	YVSS has been prepared and endorsed by DPIE and the Planning Proposal is a direct response to that Strategy.
Direction 25: Focus housing growth in locations that maximise infrastructure and services	
25.1 Focus future settlement to locations that: - prioritise new release areas that are an extension of existing strategic and local centres.	The Site adjoins the existing residential area of Yass and is consistent with the YVSS.
Direction 27: Deliver more opportunities for affordable housing	
27.2 Facilitate greater housing diversity, including studios and one- and two-bedroom dwellings, to match forecast changes in household sizes.	The Planning Proposal will result in an increase in supply of housing available in Yass which, in turn, will assist with affordability.

Local Government Narratives - Yass Valley	
Priorities	
Protect and maintain the area's high environmental value lands and heritage assets.	<p>The Ecological Assessment that supports this Planning Proposal concludes that there will be minimal impact arising from the development.</p> <p>Aboriginal Cultural Heritage Due Diligence Assessment that accompanies this Planning Proposal concludes that the assessment area has low heritage potential and that the proposal can proceed, subject to standard safeguards.</p>
Housing	
Focus housing on existing centres rather than isolated land releases.	The Site adjoins the existing residential area of Yass and is consistent with the YVSS.

Appendix 2 – Consistency with YV Settlement Strategy

The YVSS was adopted by Council in 2017 and endorsed by the DPIE in May 2019. It focusses on how Council can meet the projected demand for population growth, while acknowledging the constraints to growth.

The Settlement Strategy is guided by a set of 16 Principles and settlement specific recommendations for the future character and growth of the existing towns and villages in the Yass Valley LGA. The key Principles for consideration and the Planning Proposal's consistency with the relevant Principles are documented within the following table.

Principles of YVSS	Assessment
Provide for a diversity of choice in residential land and dwelling types in a range of appropriate locations.	Consistent. The Planning Proposal will result in an increase in supply of housing available in Yass at an appropriate location.
Encourage development that responds to emerging demographic trends and associated lifestyle requirements.	Consistent. The Planning Proposal will result in an increase in flexible housing opportunities that will be able to adapt to demographic trends and lifestyle requirements.
Future development, particularly at the residential/agricultural and the residential/ industrial interfaces should be planned for and managed to minimise potential conflict between adjacent land uses.	Consistent. The Planning Proposal will not result in land use conflict as it does not directly adjoin any rurally zoned land.
Future development should be appropriately located in relation to: its scale, nature or type of development; the ability to provide infrastructure and services; the need for access and to ensure effective traffic management.	Consistent. The Site is specifically identified within the YVSS for residential purposes and the Planning Proposal is accompanied by a Preliminary Servicing Strategy and Traffic Impact Assessment that concludes the Site is appropriate for the proposed use.
Future developments should complement existing settlement structure, character and uses and allow for the creation of legible and integrated growth.	Consistent.
Long term land identified as potentially appropriate for urban purposes shall be safeguarded from inappropriate	Consistent.

interim land uses and fragmentation that may compromise and conflict with the layout, orderly staging and mix of long term urban uses.	
Future development should strengthen the hierarchy of settlements, support and maintain strong multi-functional business centres and maximise infrastructure and service efficiencies.	Consistent.
Future development should strengthen the efficient use of infrastructure, services and transport networks and not overburden existing services elsewhere.	Consistent. The Site is specifically identified within the YVSS for residential purposes and the Planning Proposal is accompanied by a Preliminary Servicing Strategy and Traffic Impact Assessment that concludes the Site is appropriate for the proposed use.
Ensure sufficient employment land is provided to allow towns to play an appropriate retail role as their population increases, providing employment and reducing escape expenditure.	N/A
Future development should avoid areas of environmental significance, significant natural and/or economic resources, potential hazards, high landscape or cultural heritage value, or potential increased risk associated with impacts of climate change. Future development adjoining land with these values should incorporate buffers as necessary to help protect those values and to avoid future land use conflict.	Consistent. The Ecological Assessment that supports this Planning Proposal concludes that there will be minimal impact arising from the development. Aboriginal Cultural Heritage Due Diligence Assessment that accompanies this Planning Proposal concludes that the assessment area has low Aboriginal heritage potential and that the proposal can proceed, subject to standard safeguards.
Future development areas or settlements should recognise, protect and complement any unique topographic, natural or built cultural features essential to the visual setting, character, identity, or heritage significance.	Consistent. The Site has an appealing outlook but does not contain any unique topographic, natural or built cultural features, and is identified for residential development within the YVSS.
Future development should respond to the risks associated with the impacts of climate change by enhancing the	Consistent. The Proposed development will employ all contemporary energy efficient design

efficiency and resilience of existing and future settlements.	features and all new dwellings are required to comply with BASIX.
Future development should be designed and located to maximise total water cycle management and minimise impacts on the environment.	<p>Consistent.</p> <p>The Preliminary Servicing Strategy that accompanies this Planning Proposal provides conceptual analysis to demonstrate that the development of the Site can be designed in such a way to minimise downstream impacts.</p> <p>It is the intention to include Water Sensitive Urban Design strategies in the detailed design of the project.</p>
Unless land can only be accessed from the ACT, and appropriate servicing arrangements can be entered into with the ACT, urban development will not be supported.	N/A
Future development areas should maintain a buffer or transition zone and open space within and between to maintain and reinforce the identity of Yass Valley LGA's various settlements.	Consistent.
Ensure growth of towns occurs without ribbon development.	Consistent.
YVSS Recommendations (Yass)	Assessment
A site bounded by Wee Jasper Road and Cusack Place could be considered for some upzoning from R5 Large Lot Residential to R1. Part of the Site is constrained by powerlines, however land in the northernmost portion would be adjacent to and could be integrated with the existing Mary Reid Estate (MLS 700 sqm). Although the land comprises 5 lots, it is held in the ownership of only two families, and has a total area of 57.9 ha. This land could accommodate an estimated 200-300 additional lots subject to detailed site investigations, and preparation of an overall Masterplan showing road connection into Mary Reid Estate.	<p>Consistent.</p> <p>The Planning Proposal will result in what is anticipated in this Recommendation.</p>

Appendix 3 – Consistency with State Environmental Planning Policies

Consistency of the Planning Proposal with State Environmental Planning Policies is assessed in the following Table with specific comments in relation to the more relevant SEPPs provided after the Table.

State Environmental Planning Policies	Consistency with SEPP
State Environmental Planning Policy (Primary Production) 2021	N/A
State Environmental Planning Policy (Resources and Energy) 2021	N/A
State Environmental Planning Policy (Resilience and Hazards) 2021	✓ See below
State Environmental Planning Policy (Industry and Employment) 2021	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	✓ See below
State Environmental Planning Policy (Biodiversity and Conservation) 2021	✓ See below
State Environmental Planning Policy (Planning Systems) 2021	N/A
State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021	N/A
State Environmental Planning Policy (Precincts - Central River City) 2021	N/A
State Environmental Planning Policy (Precincts - Western Parkland City) 2021	N/A
State Environmental Planning Policy (Precincts – Regional) 2021	N/A

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of this SEPP aims to promote the remediation of contaminated land for the purpose of reducing risks to people and the environment by specifying certain considerations that are relevant in rezoning land and in determining development applications in general.

Relevant to this Planning Proposal, Clause 6 of the SEPP provides that the Council must not allow the development of land for residential or environmental conservation purposes unless:

- a. the planning authority has considered whether the land is contaminated, and
- b. if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
- c. if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

A Detailed Site Contamination Investigation was prepared and is provided with this Planning Proposal.

This Investigation concludes that the risk of contamination to future land uses is low and, therefore concludes that the Site is suitable for future residential land use.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Section 2.121 of this SEPP outlines the planning requirements for traffic generating development listed in Schedule 3 of the SEPP.

The Site has potential to yield over 200 lots and has frontage to Yass Valley Way, which is classified as a Regional Road, and it is proposed to provide access to this road from the proposed subdivision.

The Traffic Impact Assessment states that acceptable Levels of Service for Yass Valley Way will be maintained.

The Proposal is not inconsistent with this SEPP; however, the Proposal will require referral to TfNSW.

Overhead transmission lines traverse the Site within existing easements and any future Development Application for subdivision will be referred to the electricity authority for comment.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Ecological Assessment provides a detailed assessment of impacts to native vegetation.

The Site does not contain any vegetation declared by a development control plan to be vegetation to which Part 2 of this SEPP applies.

The Ecological Assessment assesses the Site for the presence of tree species listed as Koala Use Tree Species under Schedule 3 for the Central and Southern Tablelands Koala management area. This Assessment states:

Four tree species listed as Koala Tree Species on the Central and Southern Tablelands have been planted within the Study Area; Eucalyptus mannifera (Brittle Gum) and Eucalyptus sideroxylon (Mugga Ironbark), Eucalyptus melliodora (Yellow Box) and Eucalyptus albens (White Box). However, none of the individuals have a DBH greater than 10 cm, as such are not classified as a 'tree' under the Draft Koala Habitat Protection Guideline. Therefore, no Koala habitat was identified within the Study Area.

On this basis the Planning Proposal is consistent with these policies.

Appendix 4 – Consistency with s.9.1 Ministerial Directions

Consistency of the Planning Proposal with the s.9.1 Ministerial Directions is assessed in the following Table with specific comments in relation to the more relevant Directions provided after the Table.

s.9.1 Ministerial Direction	Comment
Focus area 1: Planning Systems	
1.1 Implementation of Regional Plans	The Planning Proposal is consistent with the relevant Regional Plan as demonstrated in Appendix A.
1.2 Development of Aboriginal Land Council land	N/A
1.3 Approval and Referral Requirements	This Planning Proposal does not increase concurrence or referral requirements on the Site.
1.4 Site Specific Provisions	No restrictive site-specific provisions are proposed for this Site.
Focus area 1: Place-based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A

s.9.1 Ministerial Direction		Comment
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N/A
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N/A
1.14	Implementation of Greater Macarthur 2040	N/A
1.15	Implementation of the Pyrmont Peninsula Place Strategy	N/A
1.16	North West Rail Link Corridor Strategy	N/A
1.17	Implementation of the Bays West Place Strategy	N/A
Focus area 2: Design and Place		
Blank		
Focus area 3: Biodiversity and Conservation		
3.1	Conservation Zones	N/A
3.2	Heritage Conservation	<p>This Planning Proposal proposes no change to the Heritage Conservation provisions within YVLEP.</p> <p>The Site has been assessed for impact on Aboriginal objects or places and through the Due Diligence Assessment it has been determined works may proceed with caution subject to a number of recommendations.</p>
3.3	Sydney Drinking Water Catchments	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
3.5	Recreation Vehicle Areas	N/A
Focus area 4: Resilience and Hazards		
4.1	Flooding	The Site is not mapped as flood prone land pursuant to the LEP.

s.9.1 Ministerial Direction	Comment
	<p>Nevertheless a Flood Risk Assessment is provided with this Planning Proposal which finds the proposal satisfactory.</p> <p>See below for full assessment against this Direction.</p>
4.2 Coastal Management	N/A
4.3 Planning for Bushfire Protection	<p>A Strategic Bushfire Study Report accompanies this Planning Proposal.</p> <p>The Report considers that the residential design itself can offer acceptable bushfire protection measures and has assessed the Planning Proposal as satisfactory from a bush fire risk perspective.</p>
4.4 Remediation of Contaminated Land	The Planning Proposal is accompanied by a Detailed Site Contamination Assessment which concludes the Site is suitable for the proposed use.
4.6 Mine Subsidence and Unstable Land	N/A
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	The Planning Proposal is consistent with YVSS which has been endorsed by DPIE and, as such, is not inconsistent with this Direction.
5.2 Reserving Land for Public Purposes	N/A
5.3 Development Near Regulated Airports and Defence Airfields	N/A
5.4 Shooting Ranges	N/A
Focus area 6: Housing	
6.1 Residential Zones	<p>The Planning Proposal is consistent with this Direction as it will;</p> <ul style="list-style-type: none"> - make residential housing more widely available in Yass, - make, utilise and augment existing infrastructure and services; and - improve the efficiency of the use of appropriate land on the urban fringe of Yass.

s.9.1 Ministerial Direction		Comment
		This Planning Proposal will increase the permissible residential density of the Site.
6.2	Caravan Parks and Manufactured Home Estates	N/A
Focus area 7: Industry and Employment		
7.1	Business and Industrial Zones	N/A
7.2	Reduction in non-hosted short-term rental accommodation period	N/A
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N/A
Focus area 8: Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	N/A
Focus area 9: Primary Production		
9.1	Rural Zones	N/A
9.2	Rural Lands	N/A
9.3	Oyster Aquaculture	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N/A

Directions for Further Analysis

Additional Analysis - Focus area 4: Resilience and Hazards - 4.1 Flooding	
<p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk 	<p>The Planning Proposal is supported by a FIRA which has been accepted by YVC and is prepared in accordance with the principles of the Floodplain Development Manual 2005.</p> <p>The section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p>

management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.	
(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones.	<p>The land is currently zoned R5 Large Lot Residential (that is, not Recreation, Rural, Special Purpose or Conservation Zones) and, therefore, this clause has no application to the Planning Proposal.</p> <p>Notwithstanding this clause has no application to this Planning Proposal, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p>
<p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit development for the purposes of residential accommodation in high hazard areas,</p> <p>(d) permit a significant increase in the development and/or dwelling density of that land,</p> <p>(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care</p>	<p>The FIRA and draft subdivision plan only include drainage infrastructure within the flood planning area and no further development.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p> <p>The FIRA and draft subdivision plan demonstrate there is no impact from the Planning Proposal on other properties.</p> <p>The FIRA and draft subdivision plan demonstrate that the Site is not a high hazard area.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p> <p>The FIRA and draft subdivision plan only include drainage infrastructure within the flood planning area.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p> <p>The FIRA and draft subdivision plan only include drainage infrastructure within the flood planning area.</p>

<p>facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</p> <p>(g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p>	<p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p> <p>The FIRA and draft subdivision plan only include drainage infrastructure within the flood planning area.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p> <p>The FIRA and draft subdivision plan demonstrate that the flood planning area is only 2.2% of the overall Site 27.75ha Site. The draft subdivision plan has multiple egress points and includes only drainage infrastructure within the flood planning area. There will be no increased requirement for Government spending because of this Planning Proposal.</p> <p>The Site is currently zoned for residential uses and the proposed zoning does not permit such industries or establishments.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p>
<p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding</p>	<p>Pursuant to the draft subdivision plan and FIRA, there are no Special Flood Planning Considerations apply to the Site.</p> <p>In addition, there are no residential lots that are exposed to high hazard flood conditions at the PMF.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p>

<p>houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p>	
<p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p>	<p>The FIRA and, as such, the Planning Proposal have been prepared in accordance with the Floodplain Development Manual 2005 as there is no Plan adopted by YVC.</p>
<p>Consistency</p>	
<p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles</p>	<p>It is assessed that the Planning Proposal is consistent with this Direction. For completeness we also make the following observations:</p> <p>Not applicable.</p> <p>Not applicable.</p>

<p>of the Floodplain Development Manual 2005 or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>	<p>The Planning Proposal is supported by a FIRA which has been accepted by YVC and is prepared in accordance with the principles of the Floodplain Development Manual 2005.</p> <p>The Flood Planning Area shown on Figure 12 of the FIRA is approximately 6,300m², which means it represents a mere 2.2% of the 27.75ha Site and therefore is of minor significance.</p> <p>In any event, the section of the Site identified as flood affected is proposed to be zoned C2 Environmental Conservation.</p>
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Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2025-1002): To rezone 16-18 Cusack Place, Yass to R1 General Residential Zone and C2 Environmental Conservation Zone

I, the Acting Director Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Yass Valley Local Environmental Plan 2013 to rezone 16-18 Cusack Place, Yass to R1 General Residential Zone and C2 Environmental Conservation Zone should proceed subject to the following:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 10 April 2026

Gateway Conditions

1. Prior to community consultation, the planning proposal is to be updated to include current Land Zoning and Lot Size maps.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service
 - DCCEEW Biodiversity and Conservation

- Heritage NSW – Aboriginal Cultural Heritage
- Transport for NSW

Consultation is also required with the following organisations

- Essential Energy
- TransGrid
- Onerwal Local Aboriginal Land Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 10 July 2025



Chantelle Chow
Acting Director Southern, Western and
Macarthur Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces

From:
Sent: Wednesday, 17 September 2025 8:37 PM
To: YVC Customer Service Team <Council@yass.nsw.gov.au>
Subject: Planning Proposal PP2025-1002: 16-18 Cusack Place Yass -

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

Planning Proposal PP2025-1002: 16-18 Cusack Place Yass (due 19th Sep 2025 NLT 1700)

This submission is from the homeowners of
regarding the planning proposal PP 2024-1002 – 16-18 Cusack Place Yass.

We object to the proposed change of zoning from R5 Large Lot Residential to R1 General Residential, reducing the minimum lot size from 2 hectares to 700 square meters.

Reasons for our objections are as follows:

- The homeowners along Clayton St and Lumsden Ave have discussed at length Planning Proposal PP2025-1002, and as a collective, hold serious concerns regarding the additional impacts that would result from PP2025-1002.

Water.

- The slope of the land on the northern side of the high voltage powerlines (the easement from the powerlines to the northern boundary), currently causes significant run-off during any rainfall event that exceeds an average event. Seriously impacting properties on the northern boundary line (Clayton St and Lumsden Ave).
- Additionally, underground springs in and around the land owned by 16-18 Cusack Place, also impact properties that border the northern boundary line. Often exacerbating the surface water issues for weeks after any given rain event (as can be seen at various property driveways along Clayton St and Lumsden Ave).
- Currently there are NO water runoff (surface or subsurface) mitigation strategies or plans in place to lessen the impact to homeowners along Clayton Street and Lumsden Ave.
- To date, neither the property owner of 16-18 Cusack Place or Yass Valley Council have done anything to remediate the existing water issues, let alone discussion the significant additional impacts that will result from PP2025-1002.

Utilities.

- There is not enough detail in the planning documents to identify how critical infrastructure such as water, storm water, sewage and power will be enhanced to adequately service all the additional houses that will be available under the change proposal.
- Properties along Clayton St and Lumsden Ave already experience poor water quality and disruptions with the current levels of housing and development. A change from large lot residential to general residential would significantly exacerbate this problem without significant remediation.
- Similarly, the storm water infrastructure is insufficient during heavier than normal rain events. Roads flood and drains overflow, which in addition to the existing surface and subsurface water issues has the potential for significant property damage. Homeowners living in Lumsden Ave have reported flooding as recently as 2022 and are seriously concerned about the impacts of increasing the housing density along 16-18 Cusack Place.

Consultation

- For a change proposal as significant as PP2024-1002 – 16-18 Cusack Place Yass, the homeowners along Clayton St and Lumsden Ave would like the opportunity to discuss their concerns at a public hearing.
- It is noted that Council is not required to hold a public hearing, under section 3.24(2) of the ACT. However, point 4. of the Gateway Determination document (IRF25/1404, signed by Chantelle Chow on the 10 July 2025) states that *"This does not discharge Council from any obligation it may otherwise have to conduct a public hearing, for example, in response to a submission"*

This is the position of the homeowners of Clayton St and Lumsden Ave.

We look forward to the opportunity to discuss in detail, the above concerns as raised.

From: >
Sent: Friday, 19 September 2025 10:30 PM
To: YVC Customer Service Team <Council@yass.nsw.gov.au>
Subject: OBJECTION LETTER 2024-1002-16-18 CUSACK PLACE, YASS

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

Hello Sharon,

I write you to express mine and my wife's extreme opposition to this proposal more specifically to the northern edge of the proposal which borders the southern residents of Mary Reid estate. and along with every other resident along Clayton street and Lumsden we bought this block, built to live here based on what we were told by Yass Valley Council staffers which was that the adjoining agricultural land could not be re-developed. We bought this block of land after being exposed to pathetic inheritance "land grab" developers at our previous home where we had to challenge inappropriate development proposals which were nothing short of exploitative. We did our research and were told by Yass Valley Council staffers that the two power line easements would simply make residential development impossible to approve up to our boundary because the southern easement for these transmission lines is around 80 metres from our boundary. If we knew at that time the neighbours could develop that land we would have never bought this block and looked elsewhere.

One of the main reasons why no Clayton Street or Lumsden Lane resident will support a residential development is topography. The first approximately 200 metres of land form from the northern boundary of the proposed development which will adjoin the above-mentioned neighbours has a reasonably dramatic slope downwards in the direction of the existing neighbours. This land form is basically one- great- big- rock. I understand this intimately as a licenced Builder of some 30 years industry experience and of course the builder of this home. During the preparation stage of developing this block I enlisted a Geo/Structural Engineer of great experience and distinction whom I paid great attention to when expressed his deep concern around the visible rock "Reefs" over the boundary fence. As part of furthering our understanding of potential risks we sought permission from the land owner at the time (Grant Hanrahan) to conduct a close and thorough inspection of the very visible rock formations by way of spending a couple of hours walking the property to take away the guess work from a distance. During this inspection my Engineer expressed great concern about water reticulation out of the numerous rock formations known as reefs and that great care would need to be taken when undertaking excavations and then making sure sub-terranean water is managed with utmost respect and attention.

Needless to say, we went ahead with the build but even after spending many tens of thousands of dollars on protective and mitigation works water management is still an issue for us and all of the adjoining neighbours on the two streets even during a moderately wet winter. I have video footage to support these claims which I am happy to share if and when required. Having walked this land (with permission) on numerous occasions I fail to see how this part of the development could be considered by Yass Valley Council professional representatives as residentially developable. I would implore anyone involved in considering this development to personally inspect this space/area before supporting anything. I honestly feel that they too will appreciate what I feel and that is that you cannot expose home owners to this kind of land where the building of a home on this land formation could easily be disastrous by way of issues with rock and its unknowns at surface level and below ground.

I have many other concerns around this area and plan to share these in future written transmissions to help everyone understand our case and try to be part of negotiating an outcome that protects and benefits all existing neighbours and potential land buyers into the future.

Kind Regards

Yass NSW 2582

18 September 2025

(Yass Valley Council use only)

Yass Valley Council

PO Box 6

Yass NSW 2582

Objection to Planning Proposal PP.2025-1002 – 16-18 Cusack Place Yass

Planning Proposal PP2025-1002

I object to the planning proposal in relation to 16-18 Cusack Place, Yass as follows:

Stormwater and Floodwater

Despite the recognition of the stormwater running through multiple private properties and the concentration of flows at the Green Street culvert (Flood Impact Assessment page 5), the flood modelling provided does not show impacts beyond Lot 52 DP 1255194 (Figure 4 - 17 of the Flood Impact Risk Assessment).

The omission of this modelling data does not allow us to see potential flood depths and levels, velocity nor understand potential impacts to the culvert at Green Street or as it continues to Perry Street.

I question whether the existing multi pipe culvert in Green Street has the capacity and infrastructure to accommodate existing storm water, storm water from development at 114 Grand Junction Road and Cusack Place without a significant upgrade.

Timeframe for Overland Flow to Recede

I note the Flood Impact Risk Assessment states “...with the overland flow receding within half an hour following the cessation of the flood-producing rainfall.”

Does this time period applies to **all** properties and roads through which flood/stormwater water passes before it flows into the drain in Perry Street.

Sewerage

The Preliminary Servicing Strategy (page 10 section 39) and Annex 1 sheet 3 (sewer reticulation concept) are outdated and misleading in that the “undeveloped road reserve” that is planned to be utilised for the sewerage no longer exists following the development of 114 Grand Junction Road. I believe all service easements within 114 Grand Junction Road are now full.

Sewerage Infrastructure Capacity

If tied into the sewerage from 114 Grand Junction Road would the chamber located in Grand Junction Road have capacity and infrastructure to accommodate an additional 200+ lots (100-120 lots from the Central Catchment and 75-85 lots from the Eastern Catchment) without a significant upgrade?

Traffic Impact

The existing culvert in Green Street is quite narrow. Traffic on this culvert includes residents, tourists, three daily school buses and trucks (from 5 tonne 'farm' trucks to 'B' doubles). Larger vehicles tend to drive in the middle of the road as they cross the culvert.

Does the width of the existing culvert in Green Street meets all requirements for current and increased traffic flow without a significant upgrade?

I am happy to discuss any of the foregoing further.

Yours Faithfully

YASS VALLEY COUNCIL

Received 19 SEP 2025

Yass NSW 2582

18 September 2025

(Yass Valley Council use only)

Yass Valley Council

PO Box 6

Yass NSW 2582

Objection to Planning Proposal PP.2025-1002 – 16-18 Cusack Place Yass

Planning Proposal PP2025-1002

I object to the planning proposal in relation to 16-18 Cusack Place, Yass as follows:

Stormwater and Floodwater

Despite the recognition of the stormwater running through multiple private properties and the concentration of flows at the Green Street culvert (Flood Impact Assessment page 5), the flood modelling provided does not show impacts beyond Lot 52 DP 1255194 (Figure 4 - 17 of the Flood Impact Risk Assessment).

The omission of this modelling data does not allow us to see potential flood depths and levels, velocity nor understand potential impacts to the culvert at Green Street or as it continues to Perry Street.

I question whether the existing multi pipe culvert in Green Street has the capacity and infrastructure to accommodate existing storm water, storm water from development at 114 Grand Junction Road and Cusack Place without a significant upgrade.

Timeframe for Overland Flow to Recede

I note the Flood Impact Risk Assessment states “....with the overland flow receding within half an hour following the cessation of the flood-producing rainfall.”

Does this time period applies to **all** properties and roads through which flood/stormwater water passes before it flows into the drain in Perry Street.

Sewerage

The Preliminary Servicing Strategy (page 10 section 39) and Annex 1 sheet 3 (sewer reticulation concept) are outdated and misleading in that the “undeveloped road reserve” that is planned to be utilised for the sewerage no longer exists following the development of 114 Grand Junction Road. I believe all service easements within 114 Grand Junction Road are now full.

Sewerage Infrastructure Capacity

If tied into the sewerage from 114 Grand Junction Road would the chamber located in Grand Junction Road have capacity and infrastructure to accommodate an additional 200+ lots (100-120 lots from the Central Catchment and 75-85 lots from the Eastern Catchment) without a significant upgrade?

Traffic Impact

The existing culvert in Green Street is quite narrow. Traffic on this culvert includes residents, tourists, three daily school buses and trucks (from 5 tonne 'farm' trucks to 'B' doubles). Larger vehicles tend to drive in the middle of the road as they cross the culvert.

Does the width of the existing culvert in Green Street meets all requirements for current and increased traffic flow without a significant upgrade?

I am happy to discuss any of the foregoing further.

Yours Faithfully

16 September 2025

(Yass Valley Council use only)

To Whom it May Concern,

Re: Planning Application Ref. PP-2024-1002

Proposal: 16–18 Cusack Place, Yass

I write to lodge a formal objection to the above development application.

The application and associated servicing reports confirm that the proposed subdivision *cannot proceed without sewer infrastructure being constructed across my property*. I have not been consulted nor have I provided landowner consent for such works.

The Servicing Report provided to Council states that:

- *“Central and Eastern sewer catchments will require drainage through adjacent Lot 52 DP 1255194.”*
- The Eastern Catchment (75–85 lots) is unable to be serviced by gravity connection to Council’s network and requires a 600m long directional drilled gravity sewer main, beneath the ridge, connecting through Lot 52.
- The Central Catchment (100–120 lots) and Eastern Catchment would ultimately connect via Lot 52 to Council’s chamber in Grand Junction Road.
- The Western Catchment and Northern Catchment also require drainage via sewer alignments that traverse Lot 52.

On the applicant’s own evidence, all four catchments in the proposed subdivision require sewer connections through my property in order to be serviced.

Under the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2021*, a development application that involves works on land not owned by the applicant must be accompanied by the written consent of the affected landowner(s) (see, for example, cl. 23 of the Regulation). No such consent has been sought or obtained from me.

Accordingly:

1. **Council has no jurisdiction to assess or determine this application in its current form, as it fails to satisfy the mandatory requirements for lodgement.**
2. **Any consent purportedly granted without landowner consent for required sewer infrastructure across my land would be legally invalid.**
3. **The proposal is misleading in purporting to demonstrate a viable servicing strategy when in fact it is wholly dependent on access to my property — which is neither available nor agreed to.**

4. The reliance on my land for essential infrastructure unfairly burdens my property, potentially sterilising development potential, restricting future land use, and reducing value.
5. The application should be refused as it cannot demonstrate essential services (sewer and stormwater) can be provided to the site in compliance with planning law without third-party landowner consent.

For the reasons above, I strongly object to the proposed subdivision and request that Council refuse the application outright unless and until lawful arrangements, including my written consent, are secured.

Yours sincerely,

Yass NSW 2582

18 September 2025

(Yass Valley Council use only)

XXXXXX

Yass Valley Council

PO Box 6

Yass NSW 2582

Objection to Planning Proposal PP.2025-1002 – 16-18 Cusack Place Yass

Planning Proposal PP2025-1002

I wish to lodge an objection to the planning proposal in relation to 16-18 Cusack Place, Yass as follows:

Stormwater and Flood Management

Omission of Modelling Data

The Preliminary Servicing Report identifies stormwater from Catchment 2 (page 12 section 46) and Catchment 5 (page 15 section 57-58) will cross private property before discharging into the multi-pipe culvert beneath Green Street.

The Flood Impact Risk Assessment page 5 identifies

There is a localised redistribution in flood flow (and hence peak depth and velocity conditions) immediately downstream of the Site due to the concentration of flows through the proposed culvert structure

However, despite the recognition of the stormwater running through multiple private properties and the concentration of flows at the Green Street culvert, the flood modelling provided does not show impacts beyond Lot 52 DP 1255194 (Figure 4 through to 17 of the Flood Impact Risk Assessment).

The omission of this modelling data does not allow us to see potential flood depths and levels, velocity nor understand potential impacts to the culvert at Green Street or as it continues to Perry Street.

I seek Councils confirmation that the existing multi pipe culvert in Green Street has the capacity and infrastructure to accommodate existing storm water, storm water from development at 114 Grand Junction Road and Cusack Place without a significant upgrade.

Timeframe for Overland Flow to Recede

I note the Flood Impact Risk Assessment states (page 6 - highlight is mine):

The short duration of flooding also means that significant periods of isolation are not a concern, with the overland flow receding **within half an hour** following the cessation of the flood-producing rainfall.

I seek confirmation that this time period applies to **all** properties and roads through which flood/stormwater water passes before it flows into the drain in Perry Street.

Sewerage

From documentation available of Council's website Preliminary Servicing Strategy page 10 section 39 comments that

The connecting gravity main would need to pass through Lot 52 DP1255194 and the undeveloped extension of the Grand Junction Road reserve located between Lot 1 DP781307 and Lot 4 DP833773.

This comment and Annex 1 sheet 3 (sewer reticulation concept) are outdated and misleading. Following development of 114 Grand Junction Road the undeveloped road reserve now has sealed and named roads.

It is my understanding that all verges are at capacity (housing utility services) for these Lots.

Infrastructure Capacity

I question the longer-term planning considerations and indeed the effectiveness of a gravity fed sewer line as proposed.

I seek Councils confirmation that the chamber located in Grand Junction Road has capacity and infrastructure to accommodate an additional 200+ lots (100-120 lots from the Central Catchment and 75-85 lots from the Eastern Catchment) without a significant upgrade.

Traffic Impact

The existing culvert in Green Street is quite narrow. Traffic on this culvert includes residents, tourists, three daily school buses and trucks (from 5 tonne 'farm' trucks to 'B' doubles). Larger vehicles tend to drive in the middle of the road as they cross the culvert.

I seek Councils confirmation that the width of the existing culvert in Green Street meets all requirements for current and increased traffic flow without a significant upgrade.

I am happy to discuss any of the foregoing further.

Yours Faithfully

YASS VALLEY COUNCIL

16 SEP 2025 1:30 PM



18 September 2025

(Yass Valley Council use only)

Yass Valley Council

PO Box 6

Yass NSW 2582

Objection to Planning Proposal PP.2025-1002 – 16-18 Cusack Place Yass

Planning Proposal PP2025-1002

I have recently become aware through social media that a planning proposal has again been submitted in relation to 16-18 Cusack Place, Yass. Whilst I have received no formal advice on this matter from Council, I have found the proposal on Council's website and have used these documents as my reference.

I object to the planning proposal in relation to 16-18 Cusack Place, Yass as follows:

Omission of Modelling Data Across Private Property

Despite the recognition of the stormwater running through multiple private properties and the concentration of flows at the Green Street culvert (Flood Impact Assessment page 5), the flood modelling provided does not show impacts beyond Lot 52 DP 1255194 (Figure 4 - 17 of the Flood Impact Risk Assessment).

The omission of this modelling data is concerning as it does not allow me to see potential flood depths and levels, velocity nor understand potential impacts to my property and assets, the culvert at Green Street or as it continues to Perry Street.

I question whether the existing multi pipe culvert in Green Street has the capacity and infrastructure to accommodate existing storm water, storm water from development at 114 Grand Junction Road and Cusack Place without a significant upgrade.

Capacity of Culvert of Green Street

The culvert in Green Street has been unable to cope with stormwater levels multiple times over the years I have resided here. I question whether the multi-pipe culvert at Green Street has the capacity to service existing storm water, storm water from development of 114 Grand Junction Road and the proposed Cusack Place development without a significant upgrade.

Timeframe for Overland Flow to Recede

I note the Flood Impact Risk Assessment states (page 6) "... with the overland flow receding within half an hour following the cessation of the flood-producing rainfall."

Does this time period applies to **all** properties and roads through which flood/stormwater water passes before it flows into the drain in Perry Street.

I have not been consulted by the developer and have not provided any agreement (implied, verbal or written) nor do I support the establishment or management of storm water flows over my properties.

Sewerage

The Preliminary Servicing Strategy (page 10 section 39) and Annex 1 sheet 3 (sewer reticulation concept) are outdated and misleading in that the “undeveloped road reserve” that is planned to be utilised for the sewerage no longer exists following the development of 114 Grand Junction Road.

All service easements within 114 Grand Junction Road are now full, to the best of my knowledge.

Infrastructure Capacity

If tied into the sewerage from 114 Grand Junction Road would the chamber located in Grand Junction Road have capacity and infrastructure to accommodate an additional 200+ lots (100-120 lots from the Central Catchment and 75-85 lots from the Eastern Catchment) without a significant upgrade?

I have not been consulted by the developer and have not provided any agreement (implied, verbal or written) nor do I support the establishment or management of sewerage over my properties.

Traffic Impact

The existing culvert in Green Street is too narrow, the traffic on this culvert includes residents, tourists, three daily school buses and trucks (from 5 tonne ‘farm’ trucks to ‘B’ doubles). Two large vehicles cannot pass each other while on the culvert, this will be a safety hazard considering the anticipated added traffic, if this proposal goes ahead

Does the width of the existing culvert in Green Street meets all requirements for current and increased traffic flow without a significant upgrade?

Incorrect/Missing DP Numbers for Private Property Impacted

I note one of the DP numbers quoted the Preliminary Serving Report is incorrect (This was previously raised submission Nov 2022). Further, I believe another DP number has not been identified.

With regard to the plans that I have viewed especially regarding infrastructure required or may be required on my property I object to them now and in the future if they remain.

I am happy to discuss any of the foregoing further.

Yours Faithfully

18 September 2025

(Yass Valley Council use only)

Yass Valley Council

PO Box 6

Yass NSW 2582

Objection to Planning Proposal PP.2025-1002 – 16-18 Cusack Place Yass

Planning Proposal PP2025-1002

I have recently become aware through social media that a planning proposal has again been submitted in relation to 16-18 Cusack Place, Yass. Whilst I have received no formal advice on this matter from Council I have found the proposal on Council's website and have used these documents as my reference.

Following review of this proposal I wish to raise the following objections:

Stormwater and Flood Management

Omission of Modelling Data Across Private Property

The Preliminary Servicing Report identifies that my property will receive stormwater from Catchment 2 (page 12 section 46) and Catchment 5 (page 15 section 57-58) before discharging into the multi-pipe culvert beneath Green Street.

The Flood Impact Risk Assessment page 5 identifies (highlight is mine)

There is a localised redistribution in flood flow (and hence peak depth and velocity conditions) immediately downstream of the Site due to the concentration of flows through the proposed culvert structure

Despite the recognition of the stormwater running through multiple private properties and the concentration of flows at the Green Street culvert, the flood modelling provided does not show impacts beyond Lot 52 DP 1255194 (Figures 4 - 17 of the Flood Impact Risk Assessment).

The omission of modelling data showing impact across all private property before the stormwater enters the Green Street culvert is very concerning. The absence of modelling data does not allow:

- me to see potential flood depths and levels, velocity nor understand potential impacts to my property and assets nor

- Council to consider implications not only for my property, culvert capacity at Green Street but subsequent impacts to residents which back onto the stormwater flow between Green Street and Perry Street.

Capacity of Culvert of Green Street

The culvert in Green Street has been unable to cope with storm/flood water levels multiple times over the years I have resided here.

Does the existing multi pipe culvert in Green Street have the capacity and infrastructure to accommodate existing storm/flood water, storm/flood water from development of 114 Grand Junction Road and the proposed Cusack Place development without a significant upgrade?

Timeframe for Overland Flow to Recede

I note the Flood Impact Risk Assessment states (page 6 - highlight is mine):

The short duration of flooding also means that significant periods of isolation are not a concern, with the overland flow receding **within half an hour** following the cessation of the flood-producing rainfall.

Does this time period applies to **all** properties and roads through which flood/stormwater water passes before it flows into the Council drain at Perry Street.

I have not been consulted by the developer and have not provided any agreement (implied, verbal or written) nor do I support the establishment or management of storm water flows over my properties.

Sewerage

The Preliminary Servicing Strategy page 10 section 39 identifies that

The connecting gravity main would need to pass through Lot 52 DP1255194 and the undeveloped extension of the Grand Junction Road reserve located between Lot 1 DP781307 and Lot 4 DP833773.

This comment and Annex 1 sheet 3 (sewer reticulation concept) are outdated and misleading. Following development of 114 Grand Junction Road the undeveloped road reserve no longer exists – road is now sealed and named. There is no mention of Lot 1 DP1294842 in the above.

It is my understanding that all service easements are full within 114 Grand Junction Road.

Infrastructure Capacity

Regardless of how tie in is proposed does the chamber located in Grand Junction Road have capacity and infrastructure to accommodate an additional 200+ lots (100-120 lots from the Central Catchment and 75-85 lots from the Eastern Catchment) without a significant upgrade?

I have not been consulted by the developer and have not provided any agreement (implied, verbal or written) nor do I support the establishment or management of sewerage over my properties.

Traffic Impact

The existing culvert in Green Street is quite narrow. Traffic on this culvert includes residents, tourists, three daily school buses and trucks (from 5 tonne 'farm' trucks to 'B' doubles). Larger vehicles tend to drive in the middle of the road as they cross the culvert.

Does the width of the existing culvert in Green Street allow for larger vehicles – eg school bus and trucks - to pass on the culvert? Does the culvert meet all requirements for current and increased traffic flow without a significant upgrade?

Incorrect DP Numbers for Private Property Impacted

I note one of the DP numbers quoted the Preliminary Serving Report is incorrect (previously raised submission Nov 2022).

With regard to the plans that I have viewed especially regarding infrastructure required or may be required on my property I object to them now and in the future if they remain.

I am happy to discuss any of the foregoing further.

I look forward to hearing from you.

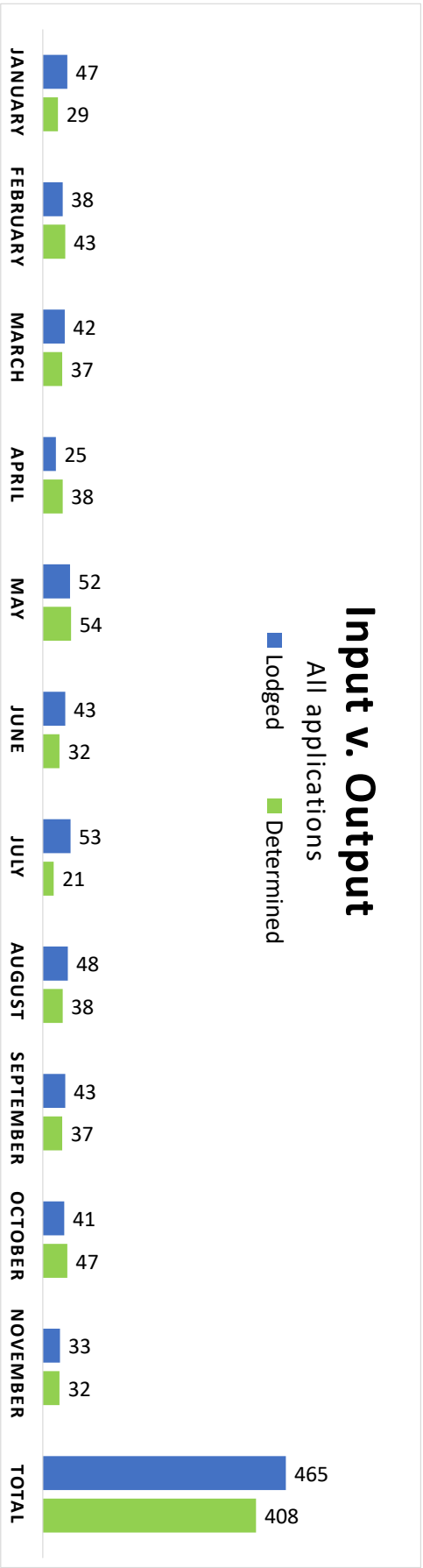
Yours Faithfully

Applications Update – October and November 2025

Summary

Active Applications (as of 09 November 2025)	Applications Lodged October and November	Applications Determined October and November
234	74	79

Year to Date Overview



Details of applications lodged and determined in previous months are published on council's website [here](#).

Applications Determined
October 2025

Total 47

Lodgement Date	Application No.	Fees Payable	Owner / Applicant	Applicant Address	Development Site Description	Locality	Development Description	Status	Determination Date	Time* (Days)
Building Information Certificates (1)										
17 July 2025	BP250304	\$1,066.00	Terrence Martens	162 ROSSI ST, YASS NSW 2582	LOT:5 DP:1098476	162 Rossi Street	Yass	Dwelling	Approved	2 October 2025 77
Development Applications (32)										
5 December 2024	DA240401	\$2,043.00	Frances & Stuart Atkins	PO Box 2055 Bowring	Lot 1 DP 1256366	27499 Hume Highway	Bowring	Dwelling	Approved	23 October 2025 322
14 February 2025	DA250138	\$2,873.88	Mohamed El-Hassan/Mr J P McGrath	70 Downard Street Calwell	Lot B DP 153884	141 Meehan Street	Yass	Alterations & Additions	Approved	1 October 2025 229
12 March 2025	DA250311	\$1,965.54	Wayne Crumblin	PO Box 678 Yass	Lot 7 DP 1071431	6 Discovery Drive	Yass	Dual Occupancy Dwelling	Approved	2 October 2025 204
25 March 2025	DA250320	\$6,058.92	Brendan Price/S H Fund Pty Ltd ATF B.D.P. SMSF	7 Hanley Place Yass	Lot 1 DP 1193382	7 Hanley Place	Yass	Multi-Dwelling Housing	Refused	2 October 2025 191
3 April 2025		\$2,474.48	Tom White/ Murrumbateman Community Association	19 East Street, Murrumbateman	Lot 2 DP 733604	19 East Street	Murrumbateman	Event	Approved	15 October 2025 195
10 April 2025	DA250343	\$1,327.60	Pete Van Ryn/Mr T G & Mrs K M McLaren	5/35 Wyanbah Road Cronulla	Lot 2 DP 809418	39 Fitzroy Street	Binalong	Alterations & Additions	Approved	7 October 2025 180
5 May 2025	DA250365	\$3,310	Hyung Kim	12 Blakey's Close Sutton	Lot 11 DP 271494	12 Blakey's Close	Sutton	Dwelling	Approved	23 October 2025 171
9 May 2025	DA250371	\$1,087.36	Linn & Orida Armour	600 Childowia Road Bookham	Lot 222 DP 39689	600 Childowia Road	Bookham	Dwelling	Approved	3 October 2025 147
9 May 2025	DA250376	\$1,005	Kate Jerrymyn	39 SHEPPARD STREET HUME 2620	Lot 2 DP 1234323	1230 Nanima Road	Nanima	Alterations & Additions	Approved	3 October 2025 50
14 May 2025	DA250382	\$3,210.08	Rene Sedlmaier	4 326 BOOROWA STREET YOUNG 2594	Lot 4 DP 1241346	525 Murrumbateman Road	Murrumbateman	Dwelling	Approved	10 October 2025 149
27 May 2025	DA250403	\$2,212.46	Kristy Moyle/T Whitley	17 Dirty Butter Creek Road Araluen	Lot 8 DP 714051	760 Marked Tree Road	Gundaroo	Dual Occupancy Dwelling	Approved	7 October 2025 133
2 June 2025	DA250398	\$958.44	Nigel Barton c/- DPS for Squadron Energy Pty Ltd	c/- DPS, PO Box 5, Yass	Multiple	Childowia & Fagan Roads	Bookham	Other	Refused	10 October 2025 130
2 June 2025	DA250406	\$1,263.00	Craig McGaffan for B Johnson, P Dawes & L Dawes	284 Conmur Street, Yass	Lot 3 DP 1203365	736 Childowia Road	Good Hope	Subdivision - Torrens title - 2 to 5 lots	Approved	14 October 2025 134

6.3 DEVELOPMENT APPLICATION UPDATE - OCTOBER AND NOVEMBER 2025
Attachment A Applications Update - October and November 2025

17 June 2025	DA250425	\$3,793.28	Jonathon Newton/T A P Nguyen & J F Newton	4/326 Boorowa Street Young	Lot 24 DP 1301590	13 Prosecco Place	Murrumbateman	Dwelling	Approved	22 October 2025	127
23 June 2025	DA250420	\$3,078.76	MF Pasqualeone	Unit 128/2 Windjana Street, Harrison	Lot 102 DP 1268670	3 Malbec Drive	Murrumbateman	Dwelling	Approved	28 October 2025	127
19 June 2025	DA250432	\$2,585.16	Mellross Homes for CN & AT Maher	4/326 Boorowa Street, Young	Lot 34 DP1268670	14 Merlot Circuit	Murrumbateman	Dwelling	Approved	1 October 2025	104
26 June 2025	DA250443	\$1,469.50	Lenoard Allen/ Royce Thompson	PO Box 139 Kotara NSW 2289	LOT 6 DP-259025	34 Alfred Road	Sutton	Moveable Dwelling	Approved	24 October 2025	120
30 June 2025	DA250450	\$2,594.20	Jacob McRea	166 Knapp Street, Fortitude Valley QLD	LOT 5 DP 1278625	10 Industrial Close	Yass	Highway Service Centre	Approved	28 October 2025	120
30 June 2025	DA250456	\$4,600.00	Lewis Pedersen/ Bardamie Holdings	8/9 The Causeway, Kingston, ACT, 2604	LOT 101 DP-1137114	3 Macdonald Street	Yass	Alterations & Additions	Approved	30 October 2025	122
4 July 2025	DA250441	\$4,318	Jim Madaffari	100 Miller Street (no town mentioned)	Lot 15 DP 1301590	10 Prosecco Place	Murrumbateman	Dual Occupancy Dwelling	Approved	31 October 2025	119
9 July 2025	DA250461	\$2,287.22	Edgar Castro	14/2 Trevor Gibson Way, Taylor ACT	Lot 30 DP 1265264	10 Kyeena Drive	Gundaroo	Dwelling	Approved	24 October 2025	107
9 July 2025	DA250464	\$505.27	Gavin Bland	15 Vallance Drive, Murrumbateman	Lot 74 DP 258762	15 Vallance Drive	Murrumbateman	Storage Shed	Approved	23 October 2025	106
17 July 2025		\$2,970.04	Regal Homes/ Liza lin chin and Daniel Martin	9/45 Tennant Street Fyshwick ACT 2609	LOT 9 DP 1301590	21 McIntosh Circuit	Murrumbateman	Dwelling	Approved	29 October 2025	104
17 July 2025	DA250473	\$276.52	Cale Padrotta/ Charles & Deanne Perreboom & Rosslyn Waters	2 Craig Close, Yass	LOT:20 DP-1092801	2 Craig Close		Deck / Pergola / Balcony / Verandah	Approved	22 October 2025	97
22 July 2025		\$375.52		404 WALLAROO ROAD WALLAROO 2618	LOT:2 DP-1115894	404 Wallaroo Road	Wallaroo	Storage Shed	Approved	24 October 2025	94
25 July 2025	DA250486	\$315.52	Phil Hromow	47 Malbec Drive, Murrumbateman	LOT 192 DP 1269930	47 Malbec Drive	Murrumbateman	Storage Shed	Approved	20 October 2025	87
8 August 2025	DA250499	\$761.34	Jamie Baguley	C/- RD Planning & Development PO Box 495, YASS NSW	LOT 51 DP 1171318	21 Marquess Place	Murrumbateman	Storage Shed	Approved	14 October 2025	67
21 August 2025	DA250518	\$279.52	RD Planning /Andrew Barrett & Caroline Poulton	2582 21 Brennan Street, Yass	LOT 1 DP 787836	21 Brennan Street, Yass	Yass	Storage Shed	Approved	14 October 2025	54
29 August 2025	DA250543	\$505.67	Melinda and Nathan Cooke	107 Zouch Road, Yass	LOT:11 DP-1074516	107 Zouch Road	Yass	Storage Shed	Approved	2 October 2025	34
9 September 2025	DA250561	\$607.59	Stephen Kolano	9/43 Gladstone St Fyshwick ACT	LOT 9 DP-1263007	97 Lute Street	Gundaroo	Swimming Pool / Deck / Fencing	Approved	31 October 2025	52
10 September 2025	DA250566	\$600.31	Craig Watson/ C J DESIGN SERVICES PTY LTD	26 Macdonald Street	LOT:1 DP-708389	26 Macdonald Street	Yass	Alterations & Additions	Approved	24 October 2025	44
18 September 2025	DA250571	\$379.29	Sandara Muscat for C & S Muscat	47 Pettit Street, Yass	Lot 1 DP 248285	47 Pettit Street	Yass	Demolition	Approved	24 October 2025	36
17 July 2025	DA2102938	\$950	John Sutcliffe/ Paul Keir	30 OLERIA STREET KARABAR 2620	Lot 1 DP 322236	2155 Sutton Road	Sutton	Modification	Approved	28 October 2025	103

26 August 2025	DA230531B	\$858.80	Jack Walker	Yass Valley Way, Yass	LOT 2 DP 853358	Yass Valley Way, Yass	Yass	Modification	Approved	31 October 2025	66
26 August 2025	DA210272C	\$858.80	Jack Walker	Nelson Street, Yass	LOT 76 DP 1273537	Nelson Street, Yass	Yass	Modification	Approved	31 October 2025	66
8 September 2025		\$402.04	Toby Trobe - T.T. ARCHITECTURE (ACT) PTY LTD/ Matthew Muller and Grace Lee	Unit 10, 9 The Causeway, Kingston ACT 2604	Lot 112 DP 1268670	6 Cabernet Way	Murrumbateman	Modification	Approved	10 October 2025	32
5 September 2025	DA240369B	\$858.80	Elizabeth Slapp	PO BIC 261 Merimbula NSW 2548	Lot 10 DP 271494	10 Blakeys Close	Sutton	Modification	Approved	10 October 2025	35
17 September 2025	DA240314B	\$858.80	Kathryn Packard and Brendan Haverfield	147 Read Road, Sutton	Lot 14 DP 249946	147 Read Road	Sutton	Modification	Approved	22 October 2025	35
11 September 2025	DA240079B	\$858.80	Andrew Caspar	270 The Parade Kensington SA 5068	Lot 1 DP 1277037	1717 Yass Valley Way	Yass	Modification	Approved	24 October 2025	43
17 September 2025	DA165280E	\$858.80	Chris Stannage	49 Wybalena Road Hunters Hill	LOT 1 DP 1275133	376 Glenrock Road	Cavan	Modification	Approved	23 October 2025	36
16 October 2025	DA250348B	\$585.80	Elizabeth Slapp/ David Maxwell	Unit 3, 65 Main Street Merimbula NSW 2548	Lot 41 DP 271494	159 Woodbury Drive	Sutton	Modification	Approved	24 October 2025	8
20 October 2025	DA240429B	\$344.16	John Bonham and Wendy Billington	388 LAVERSTOCK ROAD BOWNING	Lot 1 DP 866415	388 Laverstock Road	Yass	Modification	Approved	28 October 2025	8
s.68 - Plumbing Works (1)											
26 August 2025	PP250126	\$266.50	Andrew Harbour	8 Scrubby Lane, Murrumbateman	LOT 124 DP 270586	8 Scrubby Lane, Murrumbateman	Murrumbateman	Dwelling	Approved	14 October 2025	49
s.68 - Solid Fuel Heater (1)											
26 September 2025	BP250432	\$281.88	Michael Curtis	24 McKenna Avenue, Yass	Lot 56 DP 1141221	24 McKenna Avenue	Yass	Solid Fuel Heater	Approved	2 October 2025	0
Subdivision Certificates (2)											
25 September 2025	DA250582	\$717.50	Jason Harrop	c/- DP's, PO Box 5, Yass	Lots 58 & 59 DP 753598	2504 Childowia Road	Bookham	Subdivision - Torrens title - 2 to 5 lots	Approved	28 October 2025	33
1 October 2025	DA250570	\$717.50	DPS/ Rodney Cregan	7 ADELE STREET YASS 2582	LOT:11 SEC:7 DP:758133	15 Drummond Street	Bookham	Subdivision - Torrens title - 2 to 5 lots	Approved	23 October 2025	22

Applications Determined November 2025

Total 32

Lodgement Date	Application No.	Fees Payable	Owner / Applicant	Applicant Address	Folio Identifier	Development Site Description Street Number and Name	Locality	Development Description	Status	Determination Date	Time* (Days)
Building Information Certificates (3)											
24 October 2024	BP240444	\$1,040	Janet Thompson/Mr G L Greetham	44 John Bull Street Queanbeyan	Lot 1 DP 708530	4483 Gundaroo Road	Gundaroo	Moveable Dwelling	Refused	20 November 2025	392
1 August 2025	BP240307	\$1,044.00	Naomi Taylor	C/- DPS PO Box 5, YASS NSW 2582	LOT:20 SEC:7 DP:758133	6 Dale Street	Bookham	Dwelling	Refused	20 November 2025	111
27 September 2024	BP240408	\$1,044.00	Carmen Swaffield	96 Meehan Street, Yass NSW	Lot 1 DP 38601	10 Macdonald Street	Yass	Dwelling	Refused	20 November 2025	419
Development Applications (15)											
15 October 2024	DA240266	\$6,716	Renee Stais/Mrs H H & Mr I W Chu	GPO Box 1817 Canberra	Lot 188 DP 1269930	46 Malbec Drive	Murrumbateman	Dwelling	Approved	3 November 2025	384
18 March 2025	DA250316	\$1,846.20	Tsz Pang Wong/ Peter and Susan Jones	Level 3 223 Liverpool Street Sydney	LOT:A DP:948768	9 East Street	Murrumbateman	Other	Approved	12 November 2025	239
5 May 2025	DA250361	\$973	David Shater/Mr D & Mrs C L Jamali	6 Bidgee Close Murrumbateman	Lot 59 DP 270586	6 Bidgee Close	Murrumbateman	Other	Withdrawn	12 November 2025	191
14 May 2025	DA250383	\$5,197.52	Shamsul Huda / Capital Plus 1 Woodbury Ridge Pty Ltd	35 Clem Hill Street, Gordon ACT 2906	Lot 24 DP 271494	76 Woodbury Drive	Sutton	Dwelling	Approved	3 November 2025	173
6 June 2025	DA250413	\$736.80	Peter Dyce	797 Marked Tree Road Gundaroo	Lot 1 DP 558651	797 Marked Tree Road	Gundaroo	Subdivision - Torrens title - 2 to 5 lots	Approved	19 November 2025	166
17 July 2025		\$363.52	Elizabeth Slapp/ Rochelle & Phil Hoskings	Po Box 261 Merimbula NSW 2548	LOT 53 DP 271494	228 Woodbury Drive	Sutton	Modification	Approved	12 November 2025	118
17 July 2025	DA250491	\$1,613.88	Christopher Kendall/ Vivien Raine	53 INGLIS STREET LAKE ALBERT 2650	LOT:17 DP:234850	664 Yass River Road	Yass	Moveable Dwelling	Approved	28 November 2025	134
22 July 2025	DA250483	\$593.40	DPS/ John Hall	C/- DPS PO BOX 5 YASS NSW 2582	LOT:168 DP:754112	221 Lavestock Road	Binalong	Subdivision - Torrens title - 2 to 5 lots	Approved	6 November 2025	107
24 July 2025	DA250492	\$2,878.20	Emma Hallam	72 Denison Street Crookwell 2583	LOT:1 DP:1047553	Marked Tree Road	Gundaroo	Dwelling	Approved	7 November 2025	106
29 July 2025	DA250500	\$886.20	DPS/ Anne-marie Glover	7 Adele Street, Yass	LOT:21 DP:753591	340 Bendanine Road	Binalong	Subdivision - Torrens title - 2 to 5 lots	Approved	13 November 2025	107
31 July 2025	DA250512	\$1,039.72	Harrison Walkear	45 Goodnah Road Bowing	LOT 10 DP 1301590	19 McIntosh Circuit	Murrumbateman	Storage Shed	Approved	3 November 2025	95
31 July 2025	DA250506	\$719.84	Richard and Jennifer Murnumbateman	302 Keirs Road, Murrumbateman	Lot 101 DP 1264914	300 Keirs Road	Murrumbateman	Other	Approved	12 November 2025	104
28 August 2025	DA250538	\$83.20	David Corbett	156 Sibley Road, Gundaroo	LOT 3 DP1056285	156 Sibley Road, Gundaroo	Gundaroo	Subdivision - Torrens title - 2 to 5 lots	Approved	26 November 2025	90

26 August 2025	DA250534	\$915.00	Christopher Hodder	8 Mitchell Street, Yass	LOT 390 DP 1256519	8 Mitchell Street, Yass	Yass	Storage Shed	Approved	26 November 2025	92
21 August 2025	DA250533	\$805.02	Lorraine Domingo	4 Lomandra Street, Gundaroo	LOT 24 DP 1265264	4 Lomandra Street, Gundaroo	Gundaroo	Storage Shed	Approved	26 November 2025	97
Modifications of Development Consent (4)											
19 August 2025	DA210087B	\$223.00	Jeremy Wilson	1094 Yass River Road, Yass River	LOT 2 DP 1259971	1094 Yass River Road, Yass River	Yass	Modification	Approved	28 November 2025	101
26 September 2025		\$858.50	Madison and Micheal Nolan	8 LOMANDRA STREET GUNDAROO	Lot 22 DP 1265264	8 Lomandra Street	Sutton Gundaroo	Modification	Approved	11 November 2025	46
29 October 2025	DA220276D	\$94.54	Suite Six Studios, Level 3, 11 Buckingham Street, Surry Hills	Suite Six Studios, Level 3, 11 Buckingham Street, Surry Hills	Lot 92 DP 754132	168 Wurrungul Lane		Approved	Approved	11 November 2025	13
6 November 2025	DA240389B DA240265B	\$561.75	Buckingham Street, Surry Hills Jonathan Ferguson	c/- 7 Adele Street, Yass	Lot 1 DP 133497	712 Sheldricks Lane	Manton	Subdivision - Torrens title - 2 to 5 lots	Approved	28 November 2025	22
s.68 - Plumbing Works (7)											
7 October 2025		\$266.50	MCDONALD JONES HOMES	142 LAKE ENTRANCE ROAD OAK FLATS	LOT:27 DP:12/9696	30 Bingham Street	Yass	Dwelling	Approved	18 November 2025	42
6 October 2025	PP250151	\$266.50		11 SHANTALLA CRESCENT YASS	LOT:56 DP:227231	11 Shantalla Crescent	Yass	Alterations & Additions	Approved	13 November 2025	38
14 October 2025	PP250149	\$266.50	Simone Puckett	209 Cornur Street, Yass	LOT 103 DP 1038127	86 Cornur Street	Yass	Alterations & Additions	Approved	13 November 2025	30
16 October 2025	PP250152	\$266.50	Yass Valley Council	142 LAKE ENTRANCE ROAD OAK FLATS	LOT 32 DP 1279696	11 Watson Street	Yass	Dwelling	Approved	18 November 2025	33
31 October 2025	PP250155	\$266.50	McDonald Jones Homes	6/68 Meehan St, Yass, NSW, 2582	LOT:31 DP:12/9696	9 Watson Street	Yass	Dwelling	Approved	18 November 2025	18
6 November 2025	PP250163	\$266.50	Laiju Abraham/Reena Samuel	PO Box 96 Yass NSW 2582	LOT 40 DP 1269136	13 Woods Street	Yass	Dwelling	Approved	13 November 2025	7
12 November 2025	PP250167	\$266.50	Yass Valley Council/ Melinda Coke	209 Cornur Street, Yass NSW	LOT:7 SEC:5 DP:758736	10 Hercules Street	Murrumbateman	Other	Approved	18 November 2025	6
Subdivision Certificates (3)											
14 March 2025	DA250315	\$700	Jennifer and Rick Munberson / DPS	PO Box 5 Yass	Lot 100 DP 1264914	302 Keir's Road	Murrumbateman	Subdivision - Torrens title - 2 to 5 lots	Approved		
26 August 2025	DA240121	\$717.50	Paul Carnody	103 Lute Street, Gundaroo	LOT 6 DP 1263007	103 Lute Street, Gundaroo	Gundaroo	Modification	Approved		
29 September 2025	DA240034	\$1,025.00	Kirby Jones for F & K Jones and A & A Murray	c/- DPS, PO Box 5, Yass	Lot 8 DP 33128	277 Yeenburra Road	Jeir	Subdivision - Torrens title - 2 to 5 lots	Approved		

Applications Lodged October 2025

Total 41

Lodgement Date	Application No.	Fees Payable	Owner / Applicant	Applicant Address	Development Site Description		Locality	Development Description	Status
Building Information Certificates (4)									
6 October 2025	BP250343	\$1,066.00	RD Planning/ Patricia Wells	PO Box 495, YASS NSW 2582	LOT:22 DP-285843	39 Merryville Drive	Murrumbatema	Storage Shed	Under Assessment
14 October 2025		\$1,066.00			LOT:1	1 Field Lane	Yass	Dwelling	Under Assessment
29 October 2025	BP250458		Damian Foley	1 Fifield Lane, Yass	DP-435195	1 Fifield Lane			
29 October 2025	BP250465	\$1,066.00	c/- 7 Adele Street, Yass	c/- 7 Adele Street, Yass	Lot 9 DP 1040192	7 Ryslipp Drive	Murrumbatema	Dwelling	Under Assessment
30 October 2025	BP250479	\$512.50	Cheyl O'Brien	5 Weemilah Street, Yass	LOT:1 DP-203771	5 Weemilah Street	Yass	Dwelling	Under Assessment
Development Applications (20)									
11 October 2025		\$2,714.20	RD Planning/ Andrew Mills/ Guy & Candice Glendenning	C/- RD Planning & Development P/L PO Box 495, YASS NSW 2582	LOT 109 DP 1064675	350 Beralson Road	Gundaroo	Alterations & Additions	Distributed to Assessing Officer - Awaiting Assessment
10 October 2025	DA250585	\$1,661.48	Anthony Worm/ Stephanie Dakin	PO BOX 4184 Geelong 3220	LOT:1 DP-522048	363 Rolfe Road	Wallaroo	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
14 October 2025	DA250591	\$687.67	Kristy Moyle/ Lyndsie Gilbank	1/22 Coronation Ave, Braidwood NSW 2622	LOT 8 DP 1265264	6 Acacia Street	Gundaroo	Moveable Dwelling	Distributed to Assessing Officer - Awaiting Assessment
16 October 2025	DA250596	\$3,432.11	Kristy Moyle/ Nathan Merritt	1/22 Coronation Avenue Braidwood NSW 2622	LOT 26 DP 1301590	38 Isabel Drive	Murrumbatema	Dual Occupancy Dwelling	Distributed to Assessing Officer - Awaiting Assessment
16 October 2025	DA250598		Elizabeth Slapp/ Rajay and Melissa Rampersad			105 Harcourt Lane	Sutton	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
15 October 2025	DA250601	\$1,637.27		PO Box 261 Merimbula NSW 2548	LOT 58 DP 271494				
15 October 2025	DA250602		Azure Hermes/ DPS	C/- RD Planning & Development PO Box 495, YASS NSW 2582	LOT:16 SEC:17 DP-758488	67 Cork Street	Gundaroo	Alterations & Additions	Distributed to Assessing Officer - Awaiting Assessment
15 October 2025	DA250606	\$812.30	Mrunal Barad	6 Franklin Close, Yass	LOT 15 DP 1263262	6 Franklin Close	Yass	Subdivision - Community Title Dwelling	Distributed to Assessing Officer - Awaiting Assessment
16 October 2025	DA250611	\$2,321.10	MH Group	142 LAKE ENTRANCE ROAD OAK FLATS 2529	LOT 49 DP 1269136	8 Woods Street	Yass	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
24 October 2025		\$174.25	Unit 7/20 Tucks Road, Seven Hills		LOT 21 Section 17 DP 759136	101 Cornur Street	Yass	Other	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	BP250466								
29 October 2025	BP250466	\$1,661.48	28 Rosamel Street, Gundaroo	28 Rosamel Street, Gundaroo	Lot 6 Section 21 DP 758488	52 Cork Street	Gundaroo	Other	Distributed to Assessing Officer - Awaiting Assessment

29 October 2025	DA250595	\$428.81	76 Pollux Street, Yass	76 Pollux Street, Yass	Lot 6 DP 246412	76 Pollux Street	Yass	Alterations & Additions	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	DA250600	\$939.20	3/31 Grose Street, Paramatta	3/31 Grose Street, Paramatta	Lot 100 DP 1015129	71 Laverstock Road	Bango	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	DA250607	\$833.20	7 Adele Street, Yass	7 Adele Street, Yass	Lot 5 DP 859401	1209 Marked Tree Road	Gundaroo	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	DA250610	\$851.47	Unit 2, 48 Hoskins Street, Mitchell	Unit 2, 48 Hoskins Street, Mitchell	Lot 107 DP 1268670	9 McIntosh Circuit	Murrumbatema	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	DA250613	\$780.20	c/- 7 Adele Street, Yass	c/- 7 Adele Street, Yass	Lot 1 DP 317535	Wargella Road	Bowling	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
24 October 2025	DA250614	\$3,187.96	c/- RD Planning, PO Box 495, Yass	c/- RD Planning, PO Box 495, Yass	Lot 2 DP 1299892	1735 Yass River Road	Yass	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
31 October 2025	DA250605	\$2,158.52	Alexandra Hill and Patrick Thomas	12 Joyner Place ACT 2615	Lot 2 DP1265264	18 Acacia Street	Gundaroo	Dual Occupancy Dwelling	Distributed to Assessing Officer - Awaiting Assessment
31 October 2025	DA250620	\$2,099.06	David Schumacher/ Brendon Martin	PO Box 199, Unanderra, 2526	Lot 2 DP1272213	42 Bellevale Road	Yass	Other	Distributed to Assessing Officer - Awaiting Assessment
30 October 2025	DA250617	\$3,179.96	James Eriksson	4 326 BOOROWA STREET YOUNG 2594	Lot 48 DP 1265259	12 Kyeema Drive	Gundaroo	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
30 October 2025	DA250615	\$833.20	Craig McGiffin / Ali Gasham	284 COMUR STREET YASS 2582	Lot 119 DP-1088125	1098 Nottingham Road	Wee Jasper	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
Modifications of Development Consent (5)									
1 October 2025	DA1800408	\$94.54	DPS/ Margaret & John Buckmaster	7 ADELE STREET YASS 2582	Lot 2 DP 1172616	186 Manton Road	Manton	Modification	Distributed to Assessing Officer - Awaiting Assessment
15 October 2025	DA2102428	\$94.54	Rhonda and Jeremy Tompson	14 MCCARTHY ROAD WALLAROO 2618	Lot 11 DP 253616	14 McCarthy Road	Wallaroo	Modification	Distributed to Assessing Officer - Awaiting Assessment
16 October 2025	DA2404298	\$585.80	Elizabeth Slapp/ David Maxwell	Unit 3, 65 Main Street Merimbula NSW 2548	Lot 41 DP 272494	159 Woodbury Drive	Sutton	Modification	Approved
20 October 2025	DA2300038	\$344.16	John Bonham and Wendy Billington	388 LAVERSTOCK ROAD BOWMING 2582	Lot 1 DP 866415	388 Laverstock Road	Yass	Modification	Approved
29 October 2025	DA2403898	\$94.54	Suite Six Studios, Level 3, 11 Buckingham Street, Surry Hills	Suite Six Studios, Level 3, 11 Buckingham Street, Surry Hills	Lot 92 DP 754132	168 Wurungul Lane	Gundaroo	Modification	Distributed to Assessing Officer - Awaiting Assessment
Occupation Certificates (1)									
14 October 2025	BP153101	\$358.75	Jacob Fakhour	15 Governor Drive, Murrumbatema	Lot 34 DP-1153140	15 Governor Drive	Murrumbatema	Dwelling	Distributed to Assessing Officer - Awaiting Assessment

6.3 DEVELOPMENT APPLICATION UPDATE - OCTOBER AND NOVEMBER 2025
Attachment A Applications Update - October and November 2025

s.68 - Plumbing Works (7)									
7 October 2025	PP250151	\$266.50	MCDONALD JONES HOMES	142 LAKE ENTRANCE ROAD OAK FLATS 2529	LOT:27 DP:1279696	30 Bingham Street	Yass	Dwelling	Under Assessment
6 October 2025	PP250149	\$266.50	Simone Puckett	11 SHANTALLA CRESCENT YASS 2582	LOT:56 DP:227231	11 Shantalla Crescent	Yass	Alterations & Additions	Under Assessment
14 October 2025	PP250152	\$266.50	Yass Valley Council	209 Cornur Street, Yass	LOT 103 DP 1038127	86 Cornur Street	Yass	Alterations & Additions	Under Assessment
16 October 2025	PP250155	\$266.50	McDonald Jones Homes	142 LAKE ENTRANCE ROAD OAK FLATS 2529	LOT 32 DP 1279696	11 Watson Street	Yass	Dwelling	Under Assessment
24 October 2025	PP250158	\$266.50	Natasha Walsh	478 Gooda Creek Road, Murrumbateman	LOT:2 DP:733760	49 Cornur Street	Yass	Other	Under Assessment
31 October 2025	PP250163	\$266.50	Lailu Abraham/Reena Samuel	6/68 Meenah St, Yass, NSW, 2582	LOT:31 DP:1279696	9 Watson Street	Yass	Dwelling	Under Assessment
30 October 2025	PP250162	\$305.70	Hugh McDonald	176 JONES LANE SPRINGRANGE 2618	LOT 1 DP 1300364	176 Jones Lane	Springrange	Dwelling	Under Assessment
Subdivision Certificates (4)									
1 October 2025	DA250570	\$717.50	DPS/ Rodney Cregan	7 ADELE STREET YASS 2582	LOT:11 SEC:7 DP:758133	15 Drummond Street	Bookham	Subdivision - Torrens title - 2 to 5 lots	Approved
6 October 2025	DA250592	\$717.50	DPS/ Barry Walker	ADELE STREET YASS 2582	LOT:113 DP:751834	1577 Mountain Creek Road	Mullion	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
1 October 2025	DA180040	\$717.50	DPS/ Margaret & John Buckmaster	7 ADELE STREET YASS 2582	LOT 2 DP 1172616	186 Manton Road	Manton	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
29 October 2025	DA240223	\$820.00	51 Brooklands Road, Wallaroo	51 Brooklands Road, Wallaroo	Lot 2 DP 1290348	110 Southwell Road	Wallaroo	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment

Applications Lodged November 2025

Total 33

Lodgement Date	Application No.	Fees Payable	Owner / Applicant	Applicant Address	Development Site Description		Locality	Development Description	Status
					Folio Identifier	Street Number and Name			
Development Applications (20)									
6 November 2025	DA250619	\$618	Fernleigh Drafting / Y & C Karunaratne	49 The Northern Road, Narellan	Lot 37 DP 1265259	11 Mannifera Drive	Gundaroo	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
6 November 2025	DA250621	\$716.07	Willo Cameron	386 Wallaroo Road, Wallaroo	Lot 58 DP 1263292	1531 Barton Highway	Wallaroo	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
6 November 2025	DA250622	\$2,025.83	Kate Cartwright / LM Anderson	10 Beppo Street, Goulburn	Lot 19 DP 264537	384 Old Federal Highway	Bywong	Depot	Distributed to Assessing Officer - Awaiting Assessment
6 November 2025	DA250623	\$686.07	Josh Meils	c/- 7 Adele Street, Yass	Lot 20 DP 867519	76 Rochford Road	Wallaroo	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
12 November 2025		\$360.52	Damian and Brooke Hanks	15 Reddall Street, Yass	Lot 9 Sect 39 DP 759136	15 Reddall Street	Yass	Storage Shed	Under Assessment
19 November 2025	DA250638	\$2,242.76	MIH Group	142 LAKE ENTRANCE ROAD OAK FLATS 2529	Lot 45 DP 1265259	100 Lute Street	Gundaroo	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
19 November 2025	DA250362	\$300.52	Shukurru Sophia Ruth Mbeya	350 PRESIDENT AVENUE GYMCA 2227	LOT 1 SEC 34 DP 758109	43 Camden Street	Binalong	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
21 November 2025	DA250639	\$4,808.31	Elizabeth Slapp	PO Box 261 Merimbula NSW 2548	Lot 8 DP 271494	6 Blakeys Close	Sutton	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
21 November 2025	DA250641	\$6,084.81	Liz Densley	3482 Barton Highway, Murrumbateman	Lot 27 DP 1301590	34 Isabel Drive	Murrumbatema	Commercial	Distributed to Assessing Officer - Awaiting Assessment
24 November 2025	DA250642	\$3,277.95	CBN Building	122 Danabilla Drive, Young	Lot 7 Sec 22 DP 758488	52 Morning Street	Gundaroo	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
26 November 2025	DA250643	\$436.27	Stuart Brown	370 Wargella Road, Yass	Lot 103 DP 1183710	370 Wargella Road	Yass	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
26 November 2025	DA250648	\$833.20	Sophia Notaras	c/- DP5, PO Box 5, Yass	Lot 7 DP 754914	244 Southwell Road	Wallaroo	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
26 November 2025	DA250649	\$3,862.56	Elizabeth Slapp	PO Box 261 Merimbula NSW 2548	Lot 38 DP 271494	187 Woodbury Drive	Sutton	Dwelling	Distributed to Assessing Officer - Awaiting Assessment

6.3 DEVELOPMENT APPLICATION UPDATE - OCTOBER AND NOVEMBER 2025
Attachment A Applications Update - October and November 2025

26 November 2025	DA250651	\$833.20	John Whiteley	c/- DP5, PO Box 5, Yass	Lot 3 DP 1154352	99 Rossi Street	Yass	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA250660	\$2,724.04	MH Group/ Lara Easdale	142 Lake Entrance Road, Oak Flats	Lot 3 DP 271477	4 Bellevue Drive	Murrumbatema	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA250657	\$2,215.37	Doug Tonge/ Anne Collins	4 Judd Place, Lyons ACT	Lot 1 DP 1281171	233 Brooks Creek Lane	Gundaroo	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA250650	\$833.20	David Gargett	7 Adele Street, Yass	Lot 1036140	142 Bowring Road	Bowring	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA250647	\$783.18	Richard Scuthorp/ Steven Hengen	42 Darce Street, Mitchell ACT	Lot 1 DP 1253570	840 Marked Tree Road	Gundaroo	Storage Shed	Distributed to Assessing Officer - Awaiting Assessment
28 November 2025	DA250645	\$533.04	Trevor Fitzpatrick/ Nicholas & David Gruen	21 Cuthbert Circuit Wannassa	Lot 30 and 31 DP 837132	155 Rolfe Road	Wallaroo	Change of Use	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA250644	\$2,355.08	DP5/ Rosemary Catton and Peter Johnson	C/- RD Planning & Development P/L PO Box 495 YASS NSW 2582	Lot 237 DP 754130	619 Elms Road	Yass	Alterations & Additions	Distributed to Assessing Officer - Awaiting Assessment
Modifications of Development Consent (3)									
6 November 2025	DA2402658	\$561.75	Jonathan Ferguson	c/- 7 Adele Street, Yass	Lot 1 DP 133497	712 Sheldricks Lane	Manton	Subdivision - Torrens title - 2 to 5 lots	Approved
27 November 2025	DA2401488	\$858.80	Erin Rogers/ Michael Iemhuis and Anita Sander	55 Callister Crescent	Lot 117 DP 1268670	16 Cabernet Way	Murrumbatema	Modification	Distributed to Assessing Officer - Awaiting Assessment
28 November 2025	DA2101508	\$858.80	Jeffrey Davies	140 Good Hope Road 2582	Lot 14 DP 1132530	140 Good Hope Road	Good Hope	Modification	Distributed to Assessing Officer - Awaiting Assessment
Occupation Certificates (1)									
19 November 2025	BP121187	\$358.75	Brad Smith	4 Linden Close, Murrumbatema	LOT 2 DP 1013044	4 Linden Close	Murrumbatema	Dwelling	Distributed to Assessing Officer - Awaiting Assessment
s.68 - Plumbing Works (3)									
6 November 2025	PP250166	\$266.50	James Walker	PO Box 96 Yass NSW 2582	LOT 40 DP 1269136	13 Woods Street	Yass	Dwelling	Approved
12 November 2025	PP250167	\$266.50	Yass Valley Council/ Melinda Cooke	209 Cornur Street, Yass NSW	LOT 7 SEC:5 DP:758736	10 Hercules Street	Murrumbatema	Other	Approved
19 November 2025	PP250175	\$266.50	Sumandeep Dhillon	62 Pratie Menzies Way, Jacka	Lot 15 DP 1279696	26 Bingham Street	Yass	Dwelling	Under Assessment
Review of Determination (2)									

21 November 2025	DA2503208	\$1,837.00	Brendan Price	7 Hanley Place, Yass	Lot 1 DP 1193382	7 Hanley Place	Yass	Multi-Dwelling Housing	Distributed to Assessing Officer - Awaiting Assessment
26 November 2025	DA2503988	\$234.32	Nigel Barton	c/- DPS, PO Box 5, Yass	Multiple lots	736 Childowla Road	Bookham	Other	Distributed to Assessing Officer - Awaiting Assessment
Subdivision Certificates (4)									
6 November 2025	DA240265	\$820	Jonathan Ferguson	c/- 7 Adele Street, Yass	Lot 1 DP 133497	712 Sheldricks Lane	Manton	Subdivision - Torrens title - 2 to 5 lots	Approved
12 November 2025	DA250631	\$717.50	DPS/ Col Medway	7 ADELE STREET YASS 2582	LOT:203 DP:753596	1597 Black Range Road	Springrange	Subdivision - Torrens title - 2 to 5 lots	Under Assessment
19 November 2025	DA210272C	\$3,075.00	Jack Walker – WMD Group Holdings Pty Ltd	7 ADELE STREET YASS 2582	Lot 76 DP 1273537	Nelson Street	Yass	Subdivision - Torrens title - 5 to 10 lots	Distributed to Assessing Officer - Awaiting Assessment
27 November 2025	DA984100	\$820.00	Julie Gruber	7 Adele Street, Yass	Lot 2 DP 1250610	32 Lucernvale Road	Manton	Subdivision - Torrens title - 2 to 5 lots	Distributed to Assessing Officer - Awaiting Assessment

SUBMISSION 1

Submission on the proposed Gundaroo Cemetery Masterplan



1.04 Install new bin near entry

1.08 Water tank

1.12 Install seating

I support and appreciate the proposals to:

- move the bin from next to the columbarium to near the entry.
- install a water tank and to make this water available to visitors, both for drinking and to provide water for fresh flower arrangements; and
- install seating in several locations for visitors, thank you.

1.03 Improve visual appearance of entry

I support the proposal to improve the visual appearance of the entry and suggest adding a sheltered lychgate (a roofed covered pedestrian gate) in addition to the existing vehicle gate access. The lychgate could be similar in style to the existing entry to the old Gundaroo Catholic cemetery, which is opposite the junction between Sutton Road and Back Creek Road. There is potential for this structure to incorporate a seat.

‘Catholic section’ and ‘Anglican section’

I suggest that these labels be removed from the masterplan. It is no longer accurate to identify these two sections by denomination, although this may have been accurate at some past time.

Other sections not marked on masterplan

South-west corner

Another Anglican section is still in use. This is a small area in the south-west corner of the cemetery. I suggest that this area could possibly be marked ‘Anglican section’ on the masterplan, but only after consultation with local members of the Anglican church. However, I submit that it may no longer be necessary to identify any sections of the cemetery by denomination, given the mixed denominational use across the main part of the cemetery in later decades.

North-east corner

The large area in the north-eastern corner of the cemetery, which includes some very mature trees, is the oldest section of the cemetery. I suggest that this area could be marked ‘Old Presbyterian section’ on the masterplan with a notation that it is no longer an active area of the cemetery.

I further submit there should also be new signage to identify this area as the ‘Old Presbyterian section’. A sign could also include the information that, along with the graves of a number of other Affleck family members, this area includes the grave of William Affleck, one of the founders and benefactors of Gundaroo and a member of the NSW parliament. He also secured the original grant of land for the cemetery and planted many trees there, and at the former Presbyterian church and the Gundaroo Park, many of which are still growing.

‘Existing Vehicular Access’ (on map legend)

The existing access is not correctly represented on the masterplan, where it appears as a single linear section of road. In fact the current access is a loop road that encircles the main area of the cemetery. This allows for easy physical access for all ages and types of visitors and purposes – for example, those with limited or no mobility, those who are otherwise unwell, and monumental masons and the materials and equipment needed in the course of their work. Compared with the single straight section of road indicated in the masterplan, the current loop road also more easily accommodates multiple vehicles, improves traffic flow, and provides better safety for vehicles and pedestrians, in part because there is no need to reverse or manoeuvre vehicles to exit the cemetery. This circular layout also allows for later vehicles to enter without obstructing vehicles that arrived earlier and may wish to leave first.

Given the many benefits of the loop road access, I’d like to suggest that the masterplan be corrected to retain a similar layout for vehicular access. A teardrop shaped access road (suggested position is marked by blue arrows in the image below) would ensure we do not lose the current all-abilities physical access to gravesites, including for many older visitors who are only able to walk short distances. This suggestion would still allow for an expansion of the cemetery more or less along the lines suggested in the masterplan and would not mean any new encroachment on the proposed ‘environmental protection zone’ (not sure what that means). This would benefit all those who visit this cemetery, now and into the future.



██████████, 15 November 2025

I'd like to suggest a specific location for seating, which is to the east of the northern half of row A. This spot offers views across the whole cemetery and has shade for a good part of the day. This suggested location is marked with a green rectangle on the map below.

I submit that relocating the stockpile to the new location marked on the draft masterplan will be unsightly for visitors. This location is directly in the line of sight at the arrival point for visitors, as well as being positioned in front of the main views of the Gundaroo Common and beyond, to the north. I suggest that choosing a different location would not only improve the visual amenity but also, more importantly, be sensitive to visitors who may prefer not to see piles of excavated dirt in their immediate field of vision. I suggest some more appropriate possible sites on the map below, each represented by an orange circle.

This proposed zone seems to cover most of the cemetery. It's not clear from the masterplan if this means a rezoning under the LEP. Also unclear is when this would happen and what that would mean for the future use of the land. I submit that this proposed zone should not compromise the amenity of the cemetery for the families and friends of the loved ones who now rest there, for example, by reducing accessibility for people with limited mobility; by overly constraining the area within which plots are made available; or by reducing Council's ability to operate and maintain the cemetery site.



SUBMISSION 3



Yass Council

Re. Cemeteries Management Plan and Masterplan

Friends of Grasslands (**FOG**) and the Conservation Council ACT Region (**CCACT**) (together, '**we**') appreciate the opportunity to comment on Yass Council's Cemeteries Management Plan and Masterplan.

FOG is a community group dedicated to the conservation of grassy ecosystems in south-eastern Australia - natural temperate grasslands and grassy woodlands. FOG advocates, educates and advises on matters to do with the conservation of these ecosystems, and carries out surveys and on-ground work. FOG is based in Canberra and its members include professional scientists, landowners, land managers and interested members of the public.

The CCACT is the peak non-government environment organisation for the Canberra region. Since 1981, we have spoken up for a healthy environment and a sustainable future. We campaign for a safe climate, to protect biodiversity in urban and natural areas, to protect and enhance waterways, reduce waste, and promote sustainable transport and planning for our region.

Yass Valley Council is the custodian of a number of cemeteries that contain extremely high conservation values. The cemeteries that we have a special interest in are Bookham, Bowning, Gundaroo and Murrumbateman Bush. We have a particular interest in these for several reasons:

1. The cemeteries are known to have extremely high-value examples of critically endangered ecological communities, with all but one of the cemeteries occupied by the Commonwealth-listed White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland, and with Gundaroo Cemetery occupied by Natural Temperate Grassland of the South Eastern Highlands.
2. These ecological communities host a number of threatened species, including Superb Parrot (*Polytelus swainsonii*), Golden Sun Moth (*Synemon plana*), Yass Daisy (*Ammobium craspedioides*) and declining species including orchids and the culturally significant Murrnong or Yam Daisy (*Microseris walteri*).
3. FOG has visited these cemeteries on our regular series of field outings and, with this experience, is of the opinion that they have a potential to considerably add to the tourism potential of Yass Valley Council.

Ecologists in FOG have extensive survey experience with the cemeteries, along with other important remnants of the endangered ecological communities in the broader region. Data from these surveys are available in NSW BioNet and the Atlas of Living Australia.

We are concerned that the Draft Plan does not contain clear, cemetery-specific objectives or detailed management prescriptions to protect and manage the legislatively protected areas of high conservation value inside the cemeteries' boundaries.

An interim management plan for Murrumbateman Bush Cemetery has been drafted (NSW Dept of Environment and Conservation, August 2006). This could act as a model for the kinds of considerations that should be adopted for the other high-quality cemeteries.

It is recommended that a qualified ecological consultant be engaged to review, update and finalise the 2006 Interim Management Plan, and develop this model for the other cemeteries.

The updated plan must deliver the following:

- review and finalise environmental protection zone (EPZ) boundaries for each cemetery;
- provide clear, zone-specific management guidelines (for example: Zone 1 for burials and access paths, Zone 2 for buffers, Zone 3 for conservation areas);
- specify operational requirements for mowing, weed control, chemical usage, grave maintenance and access in each zone, as appropriate;
- design appropriate interpretive signage;
- prepare action tables identifying operators with responsibilities for implementation of actions;
- provide adequate training to operators to ensure that there is an understanding of the sites' conservation values;
- ensure that any plans include site-specific provisions and maintenance standards.

Further issues of concern include:

- Will further community consultation occur for any proposed changes to cemetery masterplans?
- What is the long-term future of burials in the cemeteries as they may affect high quality vegetation and habitats?
- Does Yass Valley Council have provision or plans to acquire additional land for extensions to the cemeteries, or alternatively, develop new cemeteries to avoid pressure on the high-quality vegetation and habitats as human population increases?
- Will the revised plans recognise high value trees (i.e., those with habitat value for fauna – especially those with hollows), though the trees may not actually belong to the endangered ecological community?
- The plan must outline safe use of herbicides in the high-quality areas to avoid off-target spraying.

In conclusion, the Draft Yass Valley Cemeteries Management Plan must explicitly protect and manage the cemeteries' remnant woodlands and grasslands, members of critically endangered ecological communities, and the threatened and declining species that they support.

This would be facilitated by finalising and adapting the 2006 Murrumbateman Interim Management Plan and adapting it for the other cemeteries. Updated mapping and the works undertaken by a professional ecological consultant go some way to ensure that Council meets its legislative obligations in undertaking cemetery operations.

Yours sincerely,



Prof Jamie Pittock
President, Friends of Grasslands
30 October 2025



Dr Simon Copland
Chief Executive, Conservation Council ACT Region
30 October 2025

SUBMISSION 4

Submission to the Yass Valley Council

Re: Proposed Cemetery Management Plan

[REDACTED]

Researcher in Social History
University of Limerick, Ireland
Resident of Liscannor, County Clare, Ireland
Email: [REDACTED]

Date: 29th October 2025

Introduction

I am writing in response to the Yass Valley Council's invitation for public comment on its Proposed Cemetery Management Plan. I am a researcher of social history at the University of Limerick, Ireland, and my work focuses on nineteenth-century Irish social and migration history.

My Masters dissertation, "The Conditions of Children in the Ennistymon Workhouse, 1842–1850," explored the experiences of children during the Great Irish Famine and the subsequent emigration schemes that sent Irish workhouse girls to the Australian colonies.

Historical Context and Significance

One of the subjects of my research, Ann Boyle, was among approximately 4,100 orphan girls sent from Irish workhouses to the New South Wales Colony between 1848 and 1850 under the Earl Grey Scheme.

Ann's family lived in the Liscannor Parish in Co. Clare. Both of her parents died in the famine, she was selected for the Early Grey Scheme and eventually settled in the Yass district, where she married and lived out her life. She is buried in the Old Yass Cemetery (Plot B88) under her married name, Ann Shannon.

The Old Yass Cemetery, as my research and others' findings suggest, is of international historical importance. It serves as a final resting place for numerous Irish migrants, convicts, and assisted immigrants who arrived in Australia during the mid-nineteenth century—a period of immense significance in both Irish and Australian history. The cemetery represents a tangible link between our nations and forms part of the shared cultural and social heritage that connects Ireland and Australia.

Recommendations

In view of the above, I respectfully recommend that the Yass Valley Council:

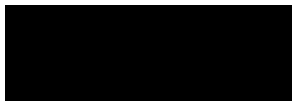
1. Recognise and protect the international historical significance of the Old Yass Cemetery within the final Cemetery Management Plan.
2. Implement conservation measures to preserve the graves, headstones, and associated records of Irish and other early migrant settlers.
3. Consider interpretive signage or heritage documentation to highlight the cemetery's role in Australia's migration history and its connection to the Irish Famine Orphan Girls and other early settlers.
4. Engage with relevant academic and heritage institutions, including Irish historical societies and Australian-Irish heritage networks, to ensure accurate historical representation and ongoing collaboration.

Conclusion

The Old Yass Cemetery stands as an enduring testament to the early migrants whose lives shaped the Yass region and to the transnational story that binds Ireland and Australia. Its protection and sensitive management are of both local and international heritage value.

Thank you for the opportunity to contribute to this important process. I would be pleased to provide further historical context, references, or academic support should the Council find it useful in developing the final management plan.

Yours faithfully,



Researcher in Social History
University of Limerick, Ireland

Resident

Liscannor, County Clare, Ireland

Submission on the Yass Valley Cemeteries Draft Management Plan (September 2024)

Submitted by: [REDACTED] MBA, Master of History Student, University of Limerick, Ireland

Date: 30 October 2025

Cemetery of Focus: Old Yass Cemetery

1. Introduction

I wish to thank Yass Valley Council for the opportunity to comment on the Yass Valley Cemeteries Draft Management Plan (September 2024). This submission is made in my capacity as:

- a postgraduate history researcher at the University of Limerick, Ireland, with a focus on the social history of early colonial New South Wales,
- as a member of the Yass District Historical Society,
- as a supporter of the preservation of the Yass district's historic and faith-based heritage,
- and as a direct descendant of my Irish ancestors buried in the old Yass cemetery.

My research has a focus on the link between Ireland and Yass.

The purpose of this submission is to highlight the historical, Irish-Australian, and Catholic religious significance of Old Yass Cemetery and to recommend that the Management Plan be expanded to include specific provisions for heritage conservation, consistent with the legislative framework governing cemeteries in New South Wales.

2. Historical and Religious Significance

Old Yass Cemetery is one of the earliest burial grounds in the inland districts of New South Wales, with interments dating from 1845. The cemetery bears exceptional historical and religious significance as a resting place for early European settlers, clergy, nuns and parishioners who were central to the establishment of the Catholic faith and community life in Yass.

Beyond its local importance, the cemetery has deep connections to the Irish diaspora and convict history of colonial NSW. A number of those interred at Old Yass Cemetery are directly linked to the aftermath of the 1798 Rebellion in Ireland and to the wave of agrarian-violence prosecutions and convict transportation that followed. Among them are transported convicts and emancipated settlers from counties affected by the Whiteboy and Ribbonmen disturbances, whose arrival and settlement in the Southern Tablelands brought Irish Catholic traditions and community organisation to the early colony.

The cemetery also contains the graves of several of the Irish orphan girls who arrived aboard the *Thomas Arbuthnot* in 1850 under the Earl Grey scheme. Their presence connects Yass directly to the humanitarian and migration history of the Great Irish Famine. Many of these young women married within the district, raised families, and became central figures in the formation of local Catholic and civic institutions.

Convicts and families (Agrarian disturbances)

Barry family (Plot L40) – Co. Tipperary, John Barry *Eliza* 1832

Bath family (Plot L70) – Co. Limerick, John Bath *Prince Regent* 1824

Delany family (Plot D3) – Co. Queens, James Delaney *Elphinstone* 1838

Orphan Girls

Ann Cusak, née Bohen, in (Plot J69) – Co. Galway

Ann Shannon, née Boyle, in (Plot B88) – Co. Clare

Mercy Sisters

Fifteen sisters who came to Yass to establish the convent from Co. Meath, who are buried in the section for Nuns in the Catholic cemetery.

Catholic Priest

Father John Francis Leonard in (Plot R 01) – born Co. Cavan, parish priest at Yass from 1906 until his death in 1948.

Community leaders

Henry and Cornelius O'Brien (Plot F 80) & (Plot F 105), Co. Mayo – graziers/pastoralists, magistrates and members of the District Council. Henry member for Yass Plains in the Legislative Assembly.

Michael Coen, (Plot K1), Co. Galway, assisted immigrant, businessman, alderman and mayor, Holy Catholic Guild, grand father of artist Margaret Coen.

James Duffy, (O 33b), Co. Fermanagh, assisted immigrant, businessman, alderman and mayor.

These layers of history make Old Yass Cemetery a uniquely important site of colonial, Catholic, and Irish-Australian heritage, encapsulating the intertwined narratives of the politics of eighteenth and nineteenth century Ireland and England, faith, transportation, migration, and resilience that were instrumental in shaping the development of New South Wales.

3. Legislative and Regulatory Context

The Cemeteries and Crematoria Regulation 2022 and the Cemeteries and Crematoria Act 2013 establish clear obligations to recognise and manage heritage significance within cemetery operations. Key provisions include:

- Act, Section 55 – restricts the removal of memorials that are heritage-listed or of war graves status.
- Act, Section 69 – requires operators offering renewable interment rights to establish a Heritage Advisory Committee.
- Act, Section 4(4)(d) – confirms that the Heritage Act 1977 continues to apply to cemeteries.
- Regulation 41(d) – the heritage value of the cemetery or any structure must be considered when setting licence conditions.

The Draft Management Plan currently acknowledges heritage value only in passing but does not provide any structured approach to heritage assessment, conservation, or interpretation. Considering this, a dedicated heritage management framework should be included to meet both the intent and obligations of the legislation.

4. Recommendations

To ensure that Old Yass Cemetery and other historic burial sites are appropriately recognised and conserved, the following actions are recommended:

1. Establish a Heritage and Conservation Section in the Management Plan, identifying cemeteries of historical or religious significance, noting Old Yass Cemetery.
2. Undertake a Heritage Significance Assessment for Old Yass Cemetery under NSW Heritage Office criteria.
3. Establish a Heritage Advisory Committee under Section 69 of the Cemeteries and Crematoria Act 2013.
4. Adopt Conservation and Maintenance Protocols to guide sensitive works by heritage-qualified professionals.
5. Enhance Interpretation and Community Engagement through signage, partnerships with local parishes, Yass Valley History Centre and look to develop heritage walks.

5. Conclusion

Old Yass Cemetery stands as one of the most tangible connections to the earliest phase of European and European Catholic settlement in inland New South Wales. Its careful management is both a heritage obligation and a moral duty, ensuring that the resting places of the district's founders are treated with reverence and protection. By embedding heritage recognition and conservation measures within the final Management Plan, Yass Valley Council will honour its legislative obligations and strengthen community connection to its faith and history for generations to come.

Yours sincerely

[Redacted Signature]
[Redacted Name]

Submitted by: [Redacted] MBA
Master of History Student
University of Limerick, Ireland
Email: [Redacted]
Date: 30 October 2025



Submission by Yass Area Network of Landcare Groups (Yass, Murrumbateman and Gundaroo area, Bowning-Bookham and Sutton) on the Draft Yass Valley Cemeteries Management Plan and Masterplan October 2025

The draft Management Plan deals with the new regulations for the seven (7) cemeteries & the plan aims to provide policies and procedures to assist Council in meeting those regulations.

- A. Consumer Contracts
- B. Cemetery Maintenance
- C. Pricing Transparency
- D. Customer Service
- E. Religious, Cultural and Spiritual Principles
- F. Reporting Obligations

Much of the Yass Valley Council local area and its cemeteries are located on a vegetation type consisting of the Critically Endangered White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland, designated as Critically Endangered under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) and the Biodiversity Conservation Act 2016 (NSW).

This is reflected in the current draft Masterplan maps Environmental Protection Zones (EPZ) present in 5 of the 7 cemeteries

- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Old Cemetery

There appears to be a critical gap in cemetery management planning as none of these new categories of regulations appear to have a specific targeted detailed objective to address the management of these legislatively protected high conservation areas designated in the EPZ's and likely to be present within other areas of each of the cemeteries.

The following recommendations are designed to close that gap:-

- *That the Yass Valley Council use as a model template for all cemeteries the 'Yass Valley Council - Murrumbateman Bush Cemetery Interim Management Plan' (endorsed by the NSW Department of Environment and Conservation August 2006) which provides guidelines for the operational management of the Murrumbateman Bush cemetery taking into account the protection of the high conservation values of the undisturbed areas, which represent one of the best examples of the remnant Box-Gum Woodland communities in the Southern Tablelands region.*

This interim plan is attached as Appendix 1.

- *We recommend as the primary priority that this 2006 Interim Management Plan be reviewed, updated and finalised by appropriate qualified ecological consultant to provide a final version of the interim cemetery management plan and for it to be incorporated into the new Yass Valley Cemeteries Management Plan.*

In summary this plan would

- review and finalise the EPZ conservation zones in each cemetery
- provide management guidelines for the defined EPZ conservation zones
- identify requirements for mowing, weed control and grave maintenance in the respective zones
- undertake a range of other actions as defined in the 2006 interim management plan such as appropriate signage and defined responsibilities for management actions
- this includes the scope, purpose, objectives, management actions, mapping of EPZ's, implementation of management plans and an action table that is suitable to the cemeteries as a whole (i.e. management actions such as 5.1 Zone 1 Burial and buffers; 5.2 Zone 2 - Conservation areas) but that also is designed and aligned to the specific requirements to each cemetery where required.

This would then be aligned with the draft YVC 2025 plan in Section B statement of intent and also the B.5.1 note from YVC that says "Masterplans are currently being undertaken and will include 'this provision' "

"B. Cemetery Maintenance – Cemetery-by-Cemetery Basis,

B.6 – Operators must comply with additional site maintenance standards

The plan requires "In this document operators should outline how they propose to maintain their cemeteries, allowing for flexibility in how different areas are maintained depending on their active/inactive status or other significant land use factors (eg. use as a natural burial site)."

Further recommendations (including questions and comments needing to be clarified)

- It is not clear whether the masterplan proposed grave areas are final masterplans or not i.e. are the areas currently zoned the final zoned areas into the future or are there other areas potentially to be developed? Please clarify.
- Will there be community input into any proposed changes to cemetery masterplans?
- We understand there is provision in Murrumbateman for the purchase of land for a new cemetery due to the current cemetery small size and increasing population to avoid impacts to conservation area - is that correct?

This type of land purchase action and planning is also another important key recommendation for management of grave sites into the future to manage the legislatively protected high conservation areas designated in the Environmental Management Zones.


- Murrumbateman Bush Cemetery environmental protection zones (green shading) cover the known High Conservation Value zones that are legislatively protected but do not appear include woodland treed areas on eastern side that did not fulfill the required condition criteria for Box Gum Grassy Woodland at the time of survey – we recommend their inclusion


- The YVC draft 2025 Murrumbateman Bush Cemetery masterplan does not align with the current EPZs. The two EPZ's on the west side have been the same since 2006 but maintenance activity in practice has not followed the specific zones. The masterplan does take into account moving the soil pile and unformed road to it that bisects the northern EPZ (this was advised at the workshop in July 2024)
- The EPZ on the east side of Murrumbateman Bush Cemetery is not consistent with the ecological survey arranged under a YVC community grant (with MCA matched the funds). The survey done by Umwelt ecological consultants was sent to YVC on 12 October 2021. The EPZs are mapped on the existing sign (see attached) at the entrance of the cemetery but the masterplan has not used this map and appears to have used old information. The sign was funded under the grant and agreed with YVC prior to installation in December 2021
- YVC advised at a workshop in July 2024 they had all existing documents to share with the consultants but this does not appear to have been used. The resultant documents placed on public exhibition are therefore too generic i.e. pages 79-80 which is the operational management manual for Murrumbateman which doesn't reflect the actual detailed mowing timing and cut levels as per the existing 2006 plan
- Similar issues of EPZ's not aligned or finalised and so will also require validation for all cemeteries in the Draft YVC Plan and results in no clear management recommendations to retain High Conservation Value remnant grassland, woodland trees on those sites – this needs to be addressed.
- *We recommend that natural grave sites are included as part of cemetery planning* A natural burial consists of returning human remains as directly as possible to the earth, while adhering to all legal, cultural and practical requirements. Non-embalmed remains are contained within a minimal-resource, bio-degradable coffin or shroud, and buried at the minimum legal depth to promote natural decomposition,' Australian Natural Burial Project, ACT Govt website for Gungahlin Cemetery.
- Please further include in Section 8.5.2 Pg 10 reference to especially in EPZ areas, to restrict the use of inappropriate herbicides e.g. glyphosphate in conservation areas, to avoid killing the native plant groundlayer
- Currently the Bookham Environmental Protection Zone (EPZ) is TBC (to be confirmed) and there is no designated EPZ – this needs to be finalised under the new updated plan for cemeteries

We hope that these recommendations and comments are useful for your considerations especially to highlight for your information the YVC legislative obligations.

Yours sincerely

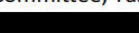


 on behalf of Yass Area Network of Landcare Groups

 Chair, Murrumbateman Landcare Group

<https://landcare.nsw.gov.au/groups/murrumbateman-landcare-group/>

Executive Committee, Yass Area Network of Landcare Groups <http://yan.org.au/>

Ph. mobile 

email: mlg_pres@yan.org.au

INTERIM MANAGEMENT PLAN



MURRUMBATEMAN CEMETERY



Endorsed by NSW Department of Environment & Conservation

August 2006

Appendix 1. Dr Sandy Jones' plant list for Murrumbateman Cemetery

APIACEAE	Eryngium ovatum (<i>Eryngium rostratum</i>)
APIACEAE	Hydrocotyle laxiflora DC.
ASTERACEAE	Asperula conferta
ASTERACEAE	Chrysocephalum apiculatum (Labill.) Steetz
ASTERACEAE	Craspedia variabilis
ASTERACEAE	Cymbonotus lawsonianus Gaudich.
ASTERACEAE	Hypochaeris radicata L.
ASTERACEAE	Leptorhynchus squamatus (Labill.) Less.
ASTERACEAE	Microseris lanceolata (Walp.) Schultz-Bip.
Brachychiton	
CARYOPHYLLACEAE	Cerastium glomeratum
DROSERACEAE	Drosera peltata
GERANIACEAE	Geranium solanderi
HALORAGACEAE	Gonocarpus tetragynus
JUNCACEAE	Luzula densiflora
LILIACEAE	Anguillaria dioica (<i>Wurmbea dioica</i>)
LILIACEAE	Hypoxis sp.
MIMOSACEAE	Acacia dealbata
MYRTACEAE	Eucalyptus albens
MYRTACEAE	Eucalyptus sp.
MYRTACEAE	Eucalyptus sp.1
MYRTACEAE	Eucalyptus sp2
ONOGRACEAE	Epilobium billardierianum
ORCHIDACEAE	Diuris behrii (2 plants)
PLANTAGINACEAE	Plantago varia R. Br.
POACEAE	Agropyron scabrum (<i>Elymus scaber</i>)
POACEAE	Panicum effusum
POACEAE	Poa sieberana
POACEAE	Themeda triandra R. Br. (<i>Themeda australis</i>)
POLYGONACEAE	Acetosella vulgaris Fourr.
RANUNCULACEAE	Ranunculus lappaceus
RHAMNACEAE	Cryptandra amara
ROSACEAE	Acaena ovina
RUBIACEAE	Asperula conferta
Sedge sp	
Sedge sp.	
Sedge sp2	
STACKHOUSIACEAE	Stackhousia monogyna Labill.
XANTHORRHOEACEAE	Lomandra filiformis

Appendix 2. Rainer Rehwinkel's plant list for Murrumbateman Cemetery

Native species

<i>Acacia dealbata</i>	Silver Wattle	rp/c
<i>Acaena ovina</i>	Sheep's Burr	r
<i>Asperula conferta</i>	Common Woodruff	r
<i>Austrodanthonia</i> spp.	wallaby grasses	o
<i>Brachychiton populneus</i>	Kurrajong	r
<i>Bulbine bulbosa</i>	Bulbine Lily	o
<i>Burchardia umbellata</i>	Milkmaids	rp/c
<i>Carex</i> sp.	a sedge	r
<i>Chrysocephalum apiculatum</i>	Yellow Buttons	o
<i>Cryptandra amara</i>	Bitter Cryptandra	rp/c
<i>Cymbonotus lawsonianus</i>	Austral Bear's-ears	o
<i>Daucus glochidiatus</i>	Native Carrot	r
<i>Dianella longifolia</i>	Smooth Flax-lily	r
<i>Dianella revoluta</i>	Black-anthered Flax-lily	r
<i>Diuris behrii</i>	Golden Cowslips	rp/c (12)
<i>Drosera peltata</i>	Sundew	o
<i>Elymus scaber</i>	Common Wheatgrass	r
<i>Epilobium billardierianum</i>	La Billardiere's Willowherb	r
<i>Eryngium rostratum</i>	Blue Devil	r
<i>Eucalyptus bridgesiana</i>	Apple Box	r
<i>Eucalyptus melliodora</i>	Yellow Box	r
<i>Euchiton</i> sp.	a cudweed	o
<i>Geranium solanderi</i>	Native Geranium	r
<i>Gonocarpus tetragynus</i>	Common Raspwort	o
<i>Goodenia pinnatifida</i>	Scrambled Eggs	r
<i>Hydrocotyle laxiflora</i>	Stinking Pennywort	o
<i>Hypericum gramineum</i>	Small St John's Wort	o
<i>Leptorhynchus squamatus</i>	Scaly Buttons	o
<i>Luzula densiflora</i>	a woodrush	o
<i>Microseris lanceolata</i>	Murnong (Yam Daisy)	o
<i>Oreomyrrhis eriopoda</i>	Native Carraway	rp/c
<i>Plantago varia</i>	Variable Plantain	o
<i>Poa sieberiana</i>	Poa Tussock	o
<i>Pultenaea</i> sp.	a bush-pea	r
<i>Ranunculus lappaceus</i>	Common Buttercup	op/c
<i>Rumex brownii</i>	Swamp Dock	o
<i>Schoenus apogon</i>	Common Bog-sedge	o
<i>Stackhousia monogyna</i>	Creamy Candles	op/c
<i>Themeda australis</i>	Kangaroo Grass	f
<i>Tricoryne elatior</i>	Yellow Rush-lily	r
<i>Triptilodiscus pygmaeus</i>	Austral Sunray	o
<i>Wahlenbergia</i> spp.	bluebells	r
<i>Wurmbea dioica</i>	Early Nancy	o

Introduced species

<i>Acetosella vulgaris</i>	Sorrel	r	
<i>Avena</i> sp.	Wild Oat	rp/c	
<i>Briza maxima</i>	Quaking Grass	r	
<i>Briza minor</i>	Shivery Grass	r	
<i>Centaureum erythrea</i>	Common Centaury	o	
<i>Cerastium glomeratum</i>	Mouse-eared Chickweed	r	
<i>Cirsium vulgare</i>	Black Thistle	r	
<i>Conyza</i> sp.	a fleabane	r	
<i>Dactylis glomeratum</i>	Cocksfoot	r	
<i>Holcus lanatus</i>	Yorkshire Fog		o
<i>Hypochaeris radicata</i>	Cat's-ears	o	
<i>Parentucellia latifolia</i>	Common Bartsia	r	
<i>Plantago lanceolata</i>	Ribwort Plantain	o	
<i>Prunus</i> sp.	Plum	r	
<i>Romulea rosea</i>	Onion-grass	rp/c	
<i>Sherardia arvense</i>	Field Madder	r	
<i>Trifolium</i> spp.	trefoils and medics	o	
<i>Verbascum virgatum</i>	Twiggy Mullein	r	
<i>Watsonia</i> sp.	Watsonia	o	

Frequency codes:

f=frequent or dominant;
op/c=occasional patches and clumps;
o=occasional (less than 5% cover)
rp/c=rare patches and clumps
r=rare at site (3 plants or less recorded)

**Appendix 3. Combined native species list (Jones and Rehwinkel surveys)
showing regionally declining species (D)**

<i>Acacia dealbata</i>		<i>Rumex brownii</i>	
<i>Acaena ovina</i>		<i>Schoenus apogon</i>	
<i>Asperula conferta</i>		<i>Stackhousia monogyna</i>	D
<i>Austrodanthonia</i> spp.		<i>Themeda australis</i>	
<i>Brachychiton populneus</i>		<i>Tricoryne elatior</i>	
<i>Bulbine bulbosa</i>	D	<i>Triptilodiscus pygmaeus</i>	D
<i>Burchardia umbellata</i>	D	<i>Wahlenbergia</i> spp.	
<i>Carex</i> sp.		<i>Wurmbea dioica</i>	D
<i>Chrysocephalum apiculatum</i>			
<i>Craspedia variabilis</i>	D		
<i>Cryptandra amara</i>	D		
<i>Cymbonotus lawsonianus</i>			
<i>Daucus glochidiatus</i>			
<i>Dianella longifolia</i>	D		
<i>Dianella revoluta</i>	D		
<i>Diuris behrii</i>	D		
<i>Drosera peltata</i>			
<i>Elymus scaber</i>			
<i>Epilobium billardierianum</i>			
<i>Eryngium rostratum</i>	D		
<i>Eucalyptus albens</i>			
<i>Eucalyptus bridgesiana</i>			
<i>Eucalyptus melliodora</i>			
<i>Euchiton</i> sp.			
<i>Geranium solanderi</i>			
<i>Gonocarpus tetragynus</i>			
<i>Goodenia pinnatifida</i>	D		
<i>Hydrocotyle laxiflora</i>			
<i>Hypericum gramineum</i>			
<i>Hypoxis</i> sp.	D		
<i>Leptorhynchus squamatus</i>			
<i>Lomandra filiformis</i>			
<i>Luzula densiflora</i>			
<i>Microseris lanceolata</i>	D		
<i>Oreomyrrhis eriopoda</i>	D		
<i>Panicum effusum</i>			
<i>Plantago varia</i>			
<i>Poa sieberiana</i>			
<i>Pultenaea</i> sp.			
<i>Ranunculus lappaceus</i>	D		



Briefing Note

To: Murrumbateman Landcare Group
cc: [REDACTED]
From: Umwelt (Australia) Pty Ltd
Author: David Moore
Date: 22 September 2021
Subject: Murrumbateman Cemetery Woodland Assessment

Purpose

Umwelt (Australia) Pty Ltd was engaged to undertake an assessment of the quality and extent of box-gum woodland in Zone 2a, and assess the condition of Zones 2b and 2c in the Murrumbateman Cemetery, NSW (**Figure 2.1**). The objective of the assessment of Zone 2a was to determine whether vegetation present at this location meets listing criteria and condition thresholds for the critically endangered ecological community *White Box - Yellow Box - Blakely's Red Gum Woodland* listed under the *NSW Biodiversity Conservation Act* (BC Act 2016) and/or this community's listing under the *Commonwealth Environmental Protection and Biodiversity Act 1999* (EPBC Act). In addition, boundaries of Zone 2a were also reviewed. The objective of the assessment of Zones 2b and 2c was to identify and map areas of degradation.

Outcomes/Key messages

This briefing note summarises the findings of the assessment conducted in Zone 2a on 6 November 2020 and in Zones 2b and 2c on 29 June 2021.

Box-gum woodland in Zone 2a meets the classification and condition criteria for the critically endangered ecological community *White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland* listed under the BC Act. Box-gum woodland in Zone 2a does not meet the classification and condition criteria for the critically endangered ecological community *White Box - Yellow Box - Blakely's Red Gum Grassy Woodlands and Derived Native Grasslands* listed under the EPBC Act.

Degraded areas in the northern and eastern portion of Zone 2c were identified and mapped. An area that has been heavily mown in the northern portion of Zone 2c was also identified and mapped.

1.0 Methods

Assessment of Zone 2a consisted of an ecologist conducting one floristic vegetation plot and a step-point transect on 6 November 2020 in accordance with the Biodiversity Assessment Method (BAM) (DPIE, 2020). The plot comprised an assessment of groundcover, structure and functional attributes throughout a 20 x 50 m area. Floristic diversity, structure and composition was assessed within a 20 x 20 m subsection of the plot. Parallel transects were undertaken to identify all flora species in the 20 x 20 m plot. Flora species recorded within the plot and their estimated abundance and extent is provided in **Appendix A**. The floristic data was entered into the BAM calculator and compared against benchmark values for its respective PCT to calculate a VI score that can be used for future monitoring.

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Umwelt (Australia) Pty Limited
ABN 18 059 519 041



Dominant and characteristic flora species recorded in the plot were considered in the identification of the most appropriate PCT in Zone 2a. Soil, landform and distributional information were also assessed during the process of determining the best matching PCT. The distribution of box-gum woodland in the Murrumbateman Cemetery was mapped using rapid assessment of native vegetation present at the site.

Patches were considered against diagnostic criteria for critically endangered ecological community *White Box – Yellow Box – Blakely’s Red Gum Grassy Woodland and Derived Native Grassland* listed under the NSW *Biodiversity Conservation Act 2016* (BC Act) and the critically endangered ecological community *White Box – Yellow Box – Blakely’s Red Gum Grassy Woodlands and Derived Native Grasslands* listed under the Commonwealth *Environmental Protection and Biodiversity Act 1999* (EPBC Act). In addition, floristic data and patch values were considered against condition thresholds for the EPBC Act listed critically endangered ecological community (*White box-yellow box-Blakely’s red gum grassy woodlands and derived native grasslands*, Department of Agriculture, Water and the Environment, 2006).

Assessment of Zones 2b and 2c consisted of a site walkover by an ecologist on 29 June 2021. The condition of vegetation was examined, and the boundaries of degraded areas within these zones identified were delineated on the basis of recent management and native groundcover condition.

2.0 Results

2.1 Vegetation and Plant Community Types in Zone 2a

Zone 2a was classified as Plant Community Type (PCT) 1330 - Yellow Box - Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion due to its geographic and topographic location, the occurrence of Yellow Box (*Eucalyptus melliodora*) and Blakely’s Red Gum (*Eucalyptus blakelyi*) and the presence of diagnostic native grasses and forbs including Yanganbil (*Austrostipa bigeniculata*), wattle matt-rush (*Lomandra filiformis*), weeping grass (*Microlaena stipoides*), kangaroo grass (*Themeda triandra*) and variable glycine (*Glycine tabacina*). Whilst native species were present in the groundcover, it was largely dominated by exotic grasses and forbs. This may have occurred due to a recent disturbance. A full description of PCCT 1330 is provided below in **Table 2.1**.



Table 2.1 PCT: 1330 Yellow Box - Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion

PCT Name	PCT 1330– Yellow Box - Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion
Vegetation formation	Grassy Woodlands
Vegetation Class	Southern Tableland Grassy Woodlands
PCT Percent Cleared	94%
Vegetation Description	Woodland with a sparse shrub layer and dense grassy groundcover. Occurs on loamy soils on undulating terrain between 500 and 900 m on the tablelands.
PCT1330 in Zone 2a	
General Description	Zone 2a comprises open grassy woodland lacking a shrub layer and supporting a predominantly exotic understorey. The patch of woodland in Zone 2a contains several native grasses and forbs.
Condition Class	<i>Low. This condition class was assigned due to the lack of a midstorey and the dominance of exotic species in the ground stratum.</i>
Extent in Zone 2a	0.18 hectares (ha)
Canopy	The canopy is dominated by Yellow Box and Blakely's Red Gum.
Midstorey	The midstorey lacks any shrubs.
Ground Stratum	The ground stratum is dominated by exotic grasses and forbs. While not dominant, diagnostic native grasses and forbs including Yanganbil (<i>Austrostipa bigeniculata</i>), wattle matt-rush (<i>Lomandra filiformis</i>), weeping grass (<i>Microlaena stipoides</i>), kangaroo grass (<i>Themeda triandra</i>) and variable glycine (<i>Glycine tabacina</i>) are present.
Average native groundcover (%)	38.2
Average exotic groundcover (%)	55
Composition condition score	52.9
Structure condition score	84.3
Function condition score	49
Vegetation Integrity Score	60.2





5.0 References

Department of Environment and Climate Change (DECC) 2007. *White Box-Yellow Box - Blakely's Red Gum Woodland*. NSW Government.

<https://www.environment.nsw.gov.au/resources/threatenedspecies/EECWhiteboxLowRes.pdf>

Department of the Environment and Heritage (DEH) 2006. *White Box-Yellow Box- Blakely's Red Gum grassy woodlands and derived native grasslands*.

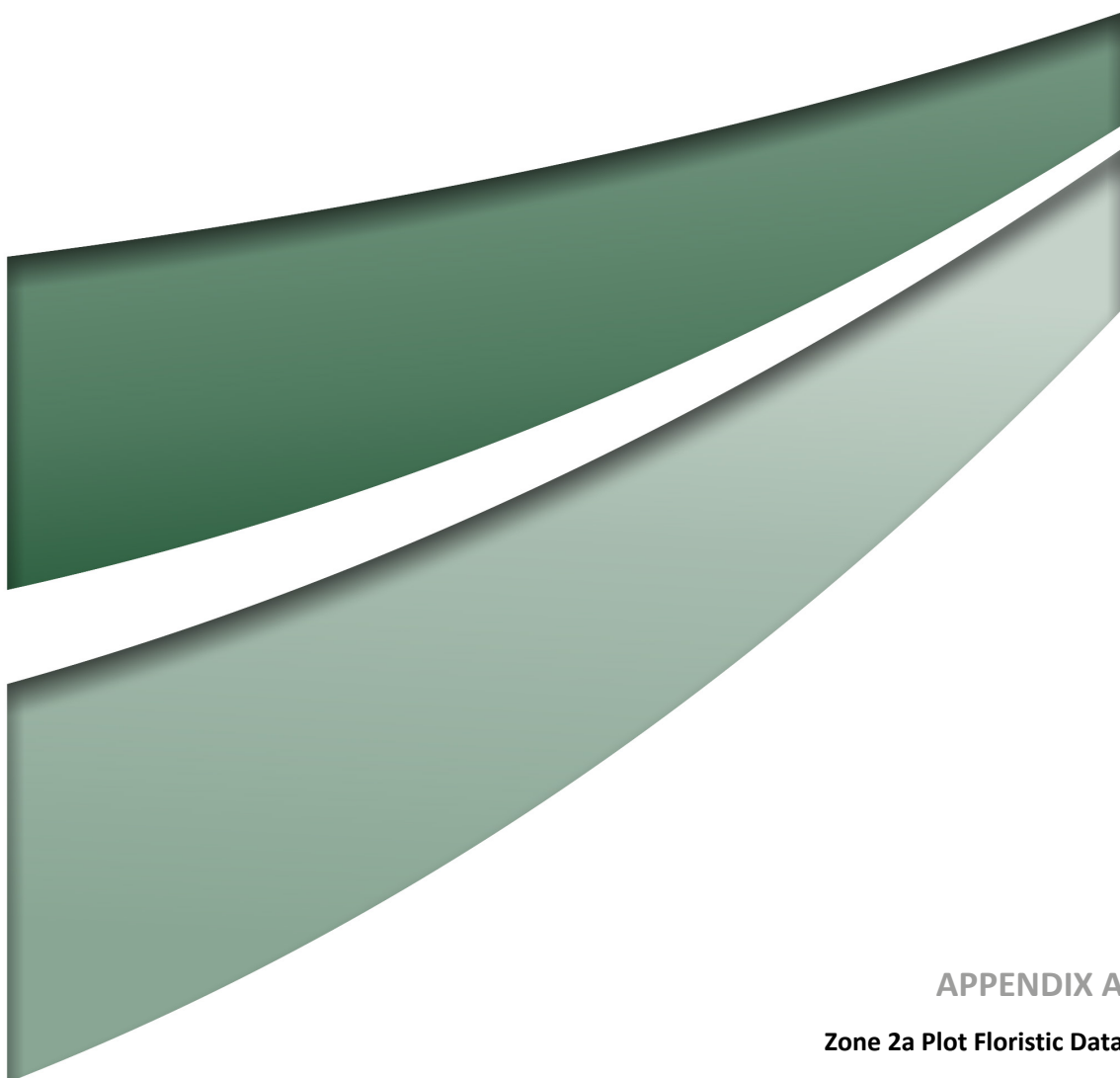
<https://www.environment.nsw.gov.au/resources/threatenedspecies/EECWhiteboxLowRes.pdf>

Department of Planning, Industry and the Environment (DPIE) 2020. *Biodiversity Assessment Method*. NSW Government. [https://www.environment.nsw.gov.au/-/media/OEH/Corporate-](https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf)

[Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf](https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf)

Office of Environment and Heritage (OEH) 2019. *Vegetation Information System (VIS)*. NSW Government.

Threatened Species Scientific Committee (TSSC) 2020. *White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highlands, NSW South Western Slopes, South East Corner and Riverina Bioregions – Critically Endangered Ecological Community listing*. NSW Government. <https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/nsw-threatened-species-scientific-committee/determinations/final-determinations/2020/white-box-yellow-box-critically-endangered-ecological-community-listing>






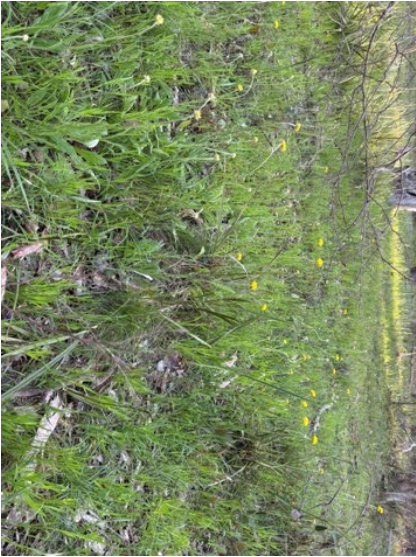
APPENDIX A

Zone 2a Plot Floristic Data



Bowling Bookham Landcare Biodiversity Survey | Bookham Cemetery | 16 October 2025






Below is a list of species found at the Bookham Cemetery in a recent volunteer survey.
Images: Sarah McGrath


Species	Common Name	Abundance	Notes
			
Ammobium craspedioides	Yass Daisy	>30 plants	Wide spread long along the water wash line


Species	Common Name	Abundance	Notes
 Hardenbergia violacea	 Native Sarsaparilla	>20 plants	

Species	Common Name	Abundance	Notes
Davisia sp.		<10 plants	




Species	Common Name	Abundance	Notes
		>30	



Species	Common Name	Abundance	Notes
	Bulbine Lily	>20 plants	 



Species	Common Name	Abundance	Notes
Diuris sp.	Moth Orchid	>5	
			

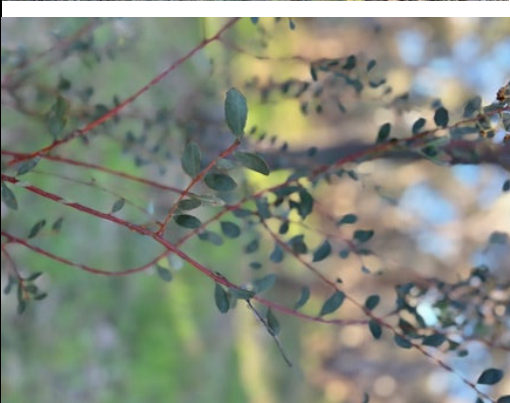
Species	Common Name	Abundance	Notes
 Drosera hookeri	Sundew	>30	

Species	Common Name	Abundance	Notes
	Dusky Fingers		



Species	Common Name	Abundance	Notes
 <i>Caladenia carnea</i>	 Pink Fingers		

Species	Common Name	Abundance	Notes
 <i>Hibbertia riparia</i>	Guineaflower	<10	

Species	Common Name	Abundance	Notes
	Guineaflower	<10	
			

Species	Common Name	Abundance	Notes
 Indigofera australis	 Australian Indigo	<5	

Species	Common Name	Abundance	Notes
Lomandra sp	Lomandra		
Burchardia umbellata	Milkmaids	>10 plants	Along the creek
Eucalyptus polyanthemus	Red Box	>5	
Eucalyptus meliiodora	Yellow Box	>10	
Eucalyptus macrorhyncha	Red Stringy Bark		
Eucalyptus blakelyi	Blakeys Red Gum	>10	
Poa labillardierei		>50	

Species	Common Name	Abundance	Notes
Other Unidentified Species			
<div>Arthropodium sp.</div> <div></div>			





Aboriginal Cultural Heritage

Shirree Garland

From: [REDACTED]
Sent: Thursday, 30 October 2025 3:50 PM
To: YVC Customer Service Team
Subject: Cemeteries Management Plan and Masterplan

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

The society welcomes appropriate and much needed improvements to the cemeteries within the Yass Valley Council. Committee members have raised the following issues in relation to the proposed Cemeteries Management Plan and Masterplan.

Generally:

- Bowning Cemetery does not appear on the Local Environmental Plan. Why has it been omitted?
- There are no apparent heritage and environmental considerations to be implemented in the plan.
- Murrumbateman Bush Cemetery contains endangered flora. Are there plans to ensure that it is protected?

Issues related specifically to the Old Yass Cemetery:

- The cemetery is historically extremely important as the earliest 'official' burial there dates back to c1843.
- Signage must be easily understood and historically correct.
- An overall plan of the cemetery needs to be prominently displayed to allow visitors to easily locate burials.
- Graves of historical importance needed to be signposted.
- Care to be taken when pathways are regraded, filled and compacted to avoid damage to memorials.
- The entire perimeter needs to be fenced to ensure livestock and possibly vehicles are prevented from damaging existing memorials.
- The cemetery needs to have toilet facilities. It is unreasonable to expect visitors to walk or drive to the Lawn cemetery to use a toilet.
- Additional seating to what is shown on the plan is needed— preferably in shaded areas.
- Removal of 'dilapidated' seating and replacement in the Indigenous' section of the cemetery should be done in consultation with the local Indigenous community.
 - The new proposed site for seating is outside rather than within that section.
- For many graves the original timber markers or stone memorials have been lost through vandalism, indiscriminate clearing of grass by fire and the ravages of time. It is not always possible to locate correct grave sites once a memorial or marker has been removed. Relatives wishing to place a marker of some description for a known burial have no place to do so. This could be remedied by the inclusion of a wall in each portion of the cemetery so that a small commemorative plaque (uniform size and material) could be added.

Heritage considerations:

- . The cemetery is frequented by visitors and locals with family ties to burials in the cemetery and interest is growing as public awareness of the history of the area is being made more accessible through local historical activities.
- Cultural tourism is a growing sector and every opportunity to ensure Yass Valley benefits from that market should be explored, by making the cemetery surrounds and other places of historic interest more attractive. There is an economic benefit to local businesses and the wider community by embracing our history.
- The recent recognition of the collections of the Yass and District Historical Society as having national significance and its potential for research raises the profile of Yass Valley in national institutions and elsewhere.
- Partnerships with other organisations should be encouraged. Typical is the study of Yass Catholic Cemetery as part of a Masters degree being undertaken in conjunction with the University of Limerick, Ireland.
- To effectively identify and manage places of historical interest a consultative committee should be formed to advise Council on heritage issues that affect them.

Yours sincerely,



Vice-president
Yass & District Historical Society Inc

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SUBMISSION 8

29/10/2025

Submission on Cemeteries Management Plan and Masterplans

Thank you for the opportunity to make this submission.

The development of a management plan and standardisation of licencing conditions for cemeteries in YVC consistent with the NSW Cemeteries and Crematoria Regulation 2022 is supported.

While there is a need for standardisation, each cemetery in Yass Valley has specific detailed needs to be addressed in their maintenance treatment and masterplan. The draft maintenance document and masterplan for Murrumbateman Bush Cemetery require more specific detail and amendment.

COMMENT: The Murrumbateman Bush Cemetery is a very special open space area with historical and future values for our community. The location of the Murrumbateman Bush Cemetery is unique as it is not isolated and has multiuse functionally. It needs careful management to cater for various needs and continue to be a pleasant open space for our community.

Many people use the cemetery for various reasons including:

- burials/internments of loved ones, family and friends
- historical research
- pathways (pedestrians/cyclists) to get to other places, and the school bus stop
- viewing the magnificent artwork
- walking within the open space
- contemplation in a quiet space
- viewing flowering native flora
- viewing the fauna living within
- dog walking
- water reservoir infrastructure.

From 2002 onwards, the Murrumbateman community has worked with YVC to upgrade and maintain the cemetery. In 2004 a section 355 Committee was formed. This Committee developed an interim management plan in 2006 which formed the basis for Yass Valley Council YVC operational management of Murrumbateman Bush Cemetery. This plan included several identified action items to be undertaken to inform development of a final management plan.

Predominately, the Murrumbateman Lions Club has undertaken considerable volunteer works to improve the cemetery. This has included: removal of old fencing that segregated various denominational/nondenominational areas; built new fencing; undertaken landscaping; installed seating, built the columbarium etc. Church groups were involved and engaged in the works. Murrumbateman Landcare Group has also contributed works and advice on the conservation values of the cemetery.

The cemetery contains high conservation values for critically endangered ecological community of Box Gum Woodland and Derived Native Grassland (referred to as 'Box Gum Grassy Woodland' BGGW). Numerous native orchids, wildflowers and grasses are present along with mature eucalyptus trees (white box, yellow box, Blakely's red gum). This BGGW provides habitat and

connects to other habitats for threatened fauna species including the Golden Sun Moth (*Synemon plana*) and the Superb Parrot (*Polytelis swainsonii*).

In 2020 a Yass Valley Council community grant was awarded to Murrumbateman Landcare with the grant matched financially by the Murrumbateman Progress Association. The project delivered conservation actions identified in the 2006 interim management plan. An ecological survey reviewed the existing and proposed conservation areas and works were done to restore and enhance areas of degradation. New interpretative signage was installed to show the multiple uses of the cemetery with information and images on significant flora and fauna species present in the cemetery.

The interim plan also includes a mowing regime for the conservation areas. Unfortunately, some mowing contractors have not followed this regime, and there has been some damage caused. Also chemical treatment of weeds in the cemetery has not been sensitive to protect native species.

ACTION: Include detailed information in the draft maintenance document and masterplan to include a specific mowing regime for the conservation areas of the cemetery. Updated procedures for mowing and chemical weed treatment is necessary. Correct the extent of the conservation area on the east side of the cemetery to accord with the most recent ecological survey.

Other submissions are expected to be made during public consultation, and we support the review of documentation to incorporate any suggested specific detailed approaches to ensure the preservation and enhancement of this community asset.

COMMENT: Toilet facility

There is still no provision for a toilet at the cemetery. Note that sewer infrastructure is now closer to the cemetery due to the new adjacent subdivision and further investigation of a suitable location for installation of a toilet should be undertaken. Alternately, there are innovative toilets that do not need to be connected to sewer infrastructure and may be more appropriate.

ACTION: YVC reinvestigate installation of a toilet at the cemetery

COMMENT: Future alternative burials/internments

In 2015 there was a proposal for a green burial site on land purchased by Council in 2010, being the old Hawthorn property.

ACTION: Consider an alternative site for a cemetery and green burials in the development of the Murrumbateman Masterplan to address the future of the existing cemetery and provide an alternative service.

SUBMISSION 9

Submission to the Yass Valley Cemeteries Draft Management Plan and Masterplans
29 October 2025

This spring, the native grassland on Gundaroo cemetery is looking stunning after what must have been very well timed and executed mowing. As far as I know there was no mowing of the grassland over summer or early autumn, and that all seems to have worked out very well for the flora. There are currently large numbers of *Bulbine bulbosa* and *Stackhousia monogyna*, and it is an especially good spring for the rare orchid *Diuris amabilis*, with some plants seen even in the northern sections. A big thank you to whoever planned this so well.

To maintain this high-quality ecosystem, I welcome the drafting of the Cemeteries Management Plan but note that the compliant format does not include ecosystem management as a category. I therefore support the recommendation made in the submission by Yass Area Network of Landcare Groups that more specific management plans for the Environmental Protection Zones (EPZ) on bush cemeteries get developed along the lines of the one in existence (interim) for Murrumbateman. These would provide more guidance for the “unused natural areas” (page 77) noting that the suggested landscape maintenance cycle of fortnightly activities between September and April is not appropriate for the native grassland.

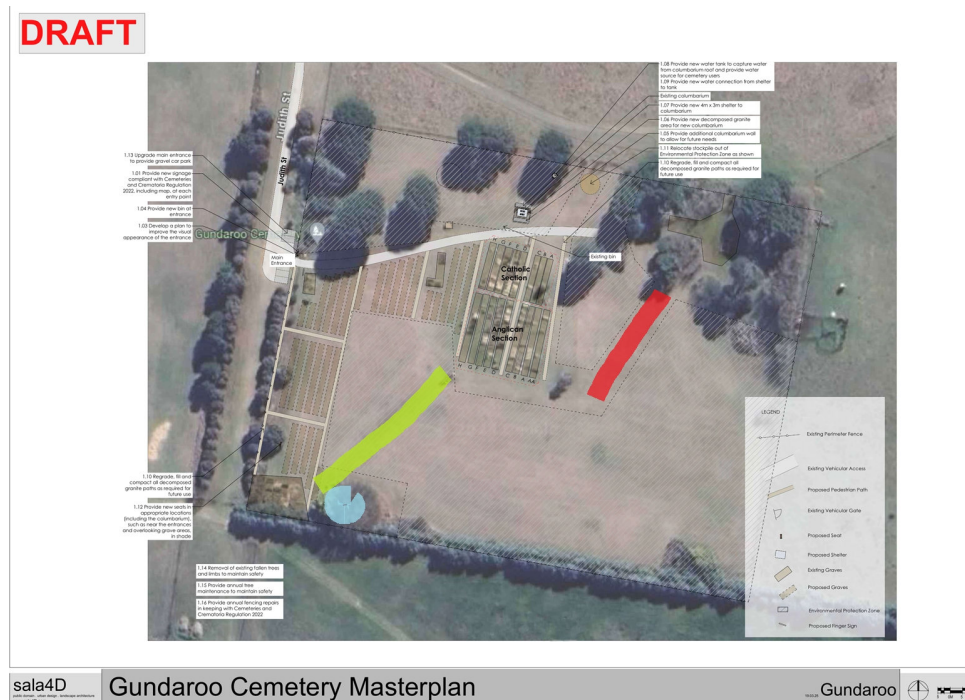
I and a number of locals with expert knowledge of native flora and ecology (with links to Landcare) would be happy to provide input to such a plan for Gundaroo cemetery as well as be local eyes on the ground in an ongoing capacity to alert to weed problems or update on status of flowering or seeding native flora, understanding that council (contractors) don't have the resources to monitor closely. We are keen to support management of the native vegetation that makes these final resting places so special!

I would also like to make the following specific observations and suggestions:

- The proposed zones for expansion of graves seems very sensible but it would be preferable that the pedestrian paths are not filled and graded. The experience with such paths is that they require a lot of maintenance and, in the absence of that, don't make e.g. wheel chair access any easier. The same layout, but with paths (strips) mowed and maybe rolled occasionally, would provide good access and not cause as much damage to the surrounding grassland plus avoid the risk of introducing weeds with the gravel and other materials.
- The sign at the entry to the cemetery could have a reference to the high quality native grassland and also reinforce the fact that plantings and pot plants are not allowed on the

memorials. This is currently not adhered to by everyone.

- It would be great if the use of artificial flowers as mementos could be banned, but in the absence of that the entry sign could have a sentence discouraging people from using them. They are a major source of littering across the cemetery and probably beyond.
- A section of the grassland is marked on the Gundaroo masterplan map as not part of the EPZ (see marked red on map below) but it is not clear what this is going to mean for management. I would urge that this strip be incorporated into the EPZ as otherwise it will be a further barrier between sections of the EPZ and the strip currently functions as such; *Diuris amabilis* and other orchids have been found in that area.
- In previous years, a diagonal strip between the existing grave sites (green line on the map) was sometimes mown in the middle of the growing season. As this is clearly within the marked EPZ I assume this will no longer happen.
- It would be great if more could be done to reduce the number of hawthorns, briar roses and other invasive (i.e. self-seeding) non-native trees, that are quite prolific in the northern section, including around the entrance, and along the southern boundary. Winter is a good time to do that. In addition, if work is going to be happening around the columbarium I would like to suggest to replace the two exotic trees with e.g. (box) gum trees. The current trees are Chinese pistachios which are considered an environmental weed in NSW.
- The area around the grave sites is very weedy, so some more management of those weeds would be great. Spraying close to the graves is not an option but the weeds spread to several meters away from the nearest memorials.
- There seem to be graves under the big oak tree in the south west corner (blue on the map below) but those are not noted on the map. This area is a considerable source of weeds, not in the least the oak itself but also a lot of periwinkle that is slowly spreading.
- The suggested improvement of parking options at the entrance is necessary and may help prevent people from driving in and parking on the grassland. However, I am aware of potential plans for the Strathallan development to include vehicle access via Judith street. I would strongly urge council to retain the green, unsealed and ungraded form of Judith street beyond the cemetery entrance. Sealing this as a regular village road would greatly diminish the amenity of the cemetery and greatly increase the risk of bigger weed loads. Judith Street is of greater value to the community in its current form as a walking path that could link the (potential future) development with the village via a pedestrian green zone as originally envisaged in the Gundaroo Masterplan of 2016.



- The description of the Gundaroo cemetery states no biodiversity value is noted on SEED. While this is strictly true, it may lead to misunderstandings and it has no meaning because of the huge limitations of the SEED biodiversity maps. The cemetery and the adjacent Gundaroo common have high biodiversity value and many rare to even threatened species. Some words to that effect on page 77 would be helpful.

With best wishes,

SUBMISSION 10

Shirree Garland

From: [REDACTED]
Sent: Wednesday, 29 October 2025 10:48 PM
To: YVC Customer Service Team
Subject: Public Consultation Submission on Draft Cemeteries Management Plan and Masterplans - Confidential

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

Confidential submission from [REDACTED] Please block out my name and contact details. Thanks

Please find below my submission on draft Cemeteries Management Plan and Masterplans

In July 2024, I attended a workshop to inform the development of the Cemeteries Management Plan and Masterplans. Not all the information provided has been reflected in the drafts. I have knowledge of the Murrumbateman Bush Cemetery and wish to make the following comments.

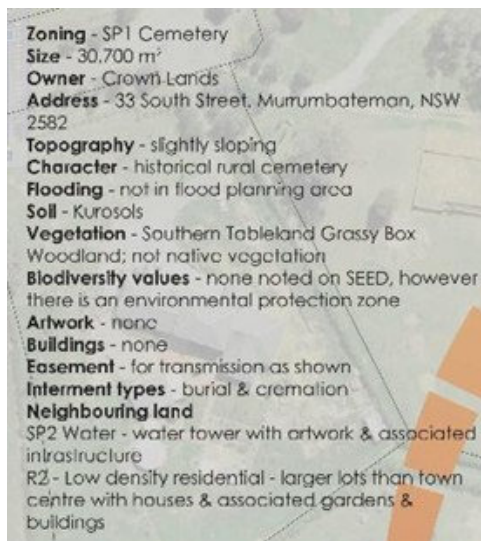
The absolute beauty of the Murrumbateman Bush Cemetery is that it is a **BUSH** cemetery.

Management Plan – I cannot establish if the plan considers green burial sites – as this is a viable solution to save space.

Management Plan: Appendix 3 Operational Maintenance Document (pages 79-80)

The proposed document is too generalised for Murrumbateman Bush Cemetery. There are some corrections that need to be made on the image:

EXTRACTED IMAGE 1



The Murrumbateman Bush Cemetery contains critically endangered box gum grassy woodland and derived native grassland. Places like cemeteries are known for containing rare species as they are generally undisturbed spaces.

Suggested changes:

Vegetation- the correct vegetation type is White Box - Yellow Box – Blakely’s Red Gum Woodland and Derived Native Grassland (listed as critically endangered under the NSW Biodiversity Conservation Act (BC Act 2016) and under the Commonwealth Environmental Protection and Biodiversity Act 1999 (EPBC Act)).

Biodiversity values- While there may not be anything noted on SEED, there are **three environmental protection zones** on the cemetery defined by ecological surveys. The Yass Valley Local Environment biodiversity map shows area of biodiversity within the cemetery but it has not been updated since 2013. Note also that critically endangered fauna is found within the cemetery including the Golden Sun Moth and the Superb Parrot.

Sadly, some rare fauna species have been pushed out of the Murrumbateman cemetery by development activities including populations of flightless grasshoppers *Perunga ochracea* and *Keyacris scurra* and the striped legless lizard *Delma impar*. Even so, many plant species are still found in this vegetative habitat with its extensive grassland, everlasting daisies *Chrysocephalum*, sheep’s burr *Acaena*, old trees containing hollows support many other birds and animals to the delight of residents and visitors.

Neighbouring land- correct the zoning to RU5 village zone adjacent to the east being small town lots with houses on town water and sewer infrastructure. R2 zone is to the north and west, larger lots with houses.

EXTRACTED IMAGE 2

Landscape Maintenance Cycle

September to April: Weekly

April to August: Monthly

Response time for unplanned maintenance: 1 week

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management), noting proposed Environmental Protection Zone.
Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.

Graves - Do not agree that weed removal is done with a glyphosate -based product as it indiscriminately kills native vegetation as well as weeds. Weed management to date has seen wide spraying around the bases of large eucalyptus trees and considerable native species have been impacted. With three environmental protection zones within the cemetery, it is too risky to use such a potent chemical. It is preferable that a selective weed control product is used for spot spraying identified weeds.

Unused natural areas refer to the established **three environmental protection zones**. Include this text and delete 'noting proposed Environmental Protection Zone'.

Specific information for the EPZ's needs to be outlined here. Some text that describes the native vegetation as high conservation value and requirement to not be mowed from August to April due to flowering and setting of seed. Needs text to describe mowing height is set at a higher level than other areas within the cemetery that have no/less environmental conservation values. The 2006 interim management plan details the requirements but these will need to be discussed, revised and updated in consultation with environmental experts and Landcare to ensure enhancement and protection into the future.

Murrumbateman Bush Cemetery Masterplan

From 2002 the Lions Club of Murrumbateman proposed a beautification project for the cemetery and sought permission from YVC and the local churches. A section 355 Committee formed in 2004 developed an interim management plan for the cemetery in 2006. Consultation occurred between YVC, NSW Dept Environment and Conservation Murrumbateman Landcare and Lions. Flora and fauna surveys were done and a Landscape plan drawn up.

Lions did major works on the area outside of burials section to removing old fencing, replacing the perimeter with wooden fencing, installing memorial paths using sleepers, natural paths winding through the woodland to encourage exploration in the woodland area, native gardens were planted, landscaping, seating installed, a columbarium built, and also regular mowing and maintenance done. It is understood that Lions are no longer enabled to continue this service.

Murrumbateman Landcare Group also contributed volunteer works and arranged for ecological surveys of the native vegetation

Within the graves areas YVC and their contractors were guided by a mowing and weed maintenance regime as set out in the 2006 interim management plan being sensitive to the native vegetation of the cemetery. Unfortunately, there have been times where this regime was not followed resulting in damage to the grounds.

It is important that the conservation values and the future of the bush cemetery has a clear maintenance plan to ensure that appropriate and sensitive treatments are always followed.

The Murrumbateman bush cemetery is a lovely space with exceptional outlooks with a sense of respect and amenity. Its value is enhanced because it is a bush cemetery and hard modern landscaping or infrastructure does not sit well within this scene and should not be applied as long as safety is ensured.

Comments/corrections for the Masterplan:

It would be appreciated if there is more consultation on this masterplan. Several community and church groups should be included.

There is a new seat facing towards the artwork on the water reservoir not noted on the masterplan

1.01 Existing signage should be retained. New signage compliant with Cemeteries and Crematoria Regulation 2022, should complement the existing signage.

1.06 Do not agree that the sleeper path be removed. It only has a minor trip hazard in some areas and would be eliminated by relaying the sleepers to ensure levels are even with the natural ground to reduce any tripping hazard. This is a memorial path installed by Lions – it enhances the aesthetics of the cemetery.

1.09 The existing memorial garden is planted with native flax plants. There are only a few exotics that have been planted by relatives. The garden currently needs maintenance - love and care not a redesign.

1.05 Stone edge along the vegetative mulch pathway is to contain those materials. The stone does not have any connection to the rest of the cemetery. Yes, it is a trip hazard. A new type of edging is needed to reduce the trip hazard. Suggest a concrete strip that is flush with the surrounding ground.

Existing Columbarium wall is not in the correct location

1.14 Provide a new bin – agree

The location of existing bin is incorrect - it is next to the telegraph pole

1.15 Do not agree with installation or location of a new water tank. The majority of visitors and cemetery user carry their own water bottle and it is not far to a shopping centre to obtain more. The expense to lay mains water and install a water tank is not warranted. This location will adversely impact YVC worker to access to the pumps and buildings of the water tower and associated equipment.

1.10 Do not agree with creating gravel parking area for columbarium and Memorial Garden. Less impact can be achieved by widening the existing gravel road to allow for parallel parking. Road should be placed along the grass verge to stop vehicles from going onto the grassland. The dirt carpark closer to the water tank generally allows for enough parking. Vehicles can also park along South St as it is wide enough to do so.

1.11 Do not agree with tree planting near columbarium area with *Fraxinus pennsylvanica* 'Cimmzan'. This is a native **bush** cemetery and an appropriate local native species should be selected if it is necessary to provide shade here.

1.12 Don't understand what this moving of part of the fence is addressing?

1.14 This section of additional fencing should include a pedestrian gate. The gate should be made to match in with the heritage gates that are to be moved to the new road entrance.

EPZ zone on the east side is not the correct size. Note the sign at the entrance shows the EPZ areas. See the ecological survey completed by Landcare project (Umwelt)

1.13 Why is the Catholic section being expanded into the general access part of the cemetery. There is some space within the general graves area that is more suitable. Expansion outside of the graves area means that the memorial pathway will be removed.

1.21 A new hedge to screen relocated stockpile must be a local native species.

1.18 agree

1.20 agree

Not listed on the masterplan

Artwork is on the reservoir - while not specific to the cemetery it is located within the site and attracts visitors/tourist therefore road access and parking is important.

A new seat is near the artwork - it is a nice place to look at the artwork and views across the cemetery.

Vehicle parking

In general, do not allow visitors to park next to grave sites. Not applicable for active funeral proceedings.

The parking near the water reservoir could be better aligned without being too formal See 1.10 comments above.

Toilet

There is still no provision for a toilet on the site. As there is sewer infrastructure now close by, further investigation of a suitable site for installation of a toilet should be undertaken.

Outer Fencing:

1. Wire fencing

Perimeter fencing on east side has been damaged or removed during subdivision work on adjacent blocks. Ensure developer replaces. Fences along western side that are not secure should be replaced/repared with costs shared between Council and adjacent owners. Adjacent residences with South St and Hercules St access have good fencing and dogs are restrained. Residence with Shiraz Pl entry in the top north/west has substandard fencing and dogs are regularly entering the cemetery.

2. Wooden fencing

Installed by Lions. The wooden fencing provides an attractive sense of place for the cemetery.

Future cemetery

A proposal for a green burial site on land purchased by Council being the old Hawthorn property was submitted in 2015. Such types of burials needs to be considered for the current cemetery and also in the development of the Murrumbateman Masterplan for a future new cemetery.

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SUBMISSION 11

Shirree Garland

From: [REDACTED]
Sent: Tuesday, 28 October 2025 4:56 PM
To: YVC Customer Service Team
Subject: Submission: Cemeteries Management Plan and Masterplan

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

I wish to make the following submission

Yass Cemeteries Plan

Binalong Cemetery: I see 'Oleander' as a suggested species for screening. Please consider replacing this poisonous introduced species with a suitable native, perhaps Callistemons. They will benefit wildlife and be better suited to the area.

I note all cemeteries suggest "removal of existing fallen trees and limbs to maintain safety". I question what safety threat a fallen tree poses.

Fallen timber is good habitat; I suggest that fallen timber be left in place if it does not pose a direct safety risk or hinder movement around the cemetery.

Although I would prefer all native plantings, I reluctantly accept the planting of non-native species in the Yass cemeteries as there is already plantings of the species proposed and it would maintain and enhance the current visual appeal.

Otherwise the plans look good, well done.

Kind regards,

[REDACTED]

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SUBMISSION 12

Shirree Garland

From: [REDACTED]
Sent: Tuesday, 21 October 2025 10:19 AM
To: YVC Customer Service Team
Subject: Cemeteries Management/Master Plan.

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

From [REDACTED] Bowning.

My property adjoins the Bowning Cemetery on the northern boundary and I would like to make comment in regard to present conditions and future maintenance programs.

Whilst it is true that the cemetery is fully fenced I would like to say that the three fences adjoining the rural holdings to the north (mine) and east and south (estate of Richard Walker) are barely stock proof resulting in frequent incursions by domestic stock and kangaroos.

Could I suggest that the council consider the normal "good neighbour" policy of sharing the cost of fence renewal on a 50/50 basis.

On the statement of fallen trees and limbs, could I draw your attention to a significant number of fallen trees, limbs, dead, dying and dangerous Radiarter Pines at Bowning.

Again in the interest of the "good neighbour" policy could the council please consider spraying and controlling the spread of Blackberry and Saint John's Wort. My neighbour and myself have been spraying over the fence for many years to try and hold back the ingress to our properties.

Kind regards [REDACTED]

[Sent from Yahoo Mail for iPhone](#)

SUBMISSION 13

Shirree Garland

From: [REDACTED]
Sent: Thursday, 23 October 2025 10:01 PM
To: YVC Customer Service Team
Subject: Fw: On Exhibition - Yass Valley Cemeteries Management Plan and Masterplan

[EXTERNAL] Please exercise caution when clicking on links or attachments from external sources.

To whom it may concern,

I have read the Yass Valley Cemeteries Management Plan and have the following comments and more importantly questions.

Why is Bookham Cemetery the only Cemetery within Yass Valley Council that does not have regular maintenance?

As a Bookham home owner and resident since February 2017 I have wondered why our Cemetery is in such disgraceful condition and not maintained and why Yass Valley Council do not maintain their local council cemeteries.

I now find out every other cemetery within Yass Valley Council is in fact on a regular maintenance schedule.

I would be pleased to meet with the Yass Valley Council Cemetery representative to discuss why Bookham Cemetery is not included and why there is no maintenance unless requested? This is surely extremely unfair and very disrespectful not only to those buried in Bookham Cemetery but to their family and friends.

My number is [REDACTED]

Kindest regards
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
To: [REDACTED]
Sent: Tuesday 30 September 2025 at 11:39:04 am AEST
Subject: On Exhibition - Yass Valley Cemeteries Management Plan and Masterplan

From: Shirree Garland [REDACTED]
Date: 29 September 2025 at 8:41:12 am AEST

Yass Valley Cemeteries Draft Management Plan



sala4D

Acknowledgement of Country

Yass Valley Council recognises the traditional custodians of the land, the Ngunnawal people, and acknowledges the Elders of the community and their descendants.

DRAFT

This Management Plan was prepared by:
sala4D – landscape architecture and urban design
www.sala4d.com

Revision	Date	Drafted by
1	05-09-24	SM
2	29-10-24	SM
3	20-11-24	SM

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Executive Summary

The Cemeteries and Crematoria Regulation 2022 introduced a scheme of licensing conditions for all providers of burials and interments. As part of the introduction of this scheme, Yass Valley Council (YVC) is developing a new Management Plan for the seven cemeteries it is licensed to operate to comply with the new regulations which covers:

- A. Consumer Contracts
- B. Cemetery Maintenance
- C. Pricing Transparency
- D. Customer Service
- E. Religious, Cultural and Spiritual Principles
- F. Reporting Obligations

This Management Plan deals with the above regulations for the seven (7) cemeteries YVC operates under its Category 2 Cemetery Operator Licence which was issued on 15 March 2024 (see **Appendix 1**):

- Binalong Cemetery
- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Lawn Cemetery
- Yass Old Cemetery

The Management Plan aims to provide policies and procedures to assist Council in meeting these regulations. Some of the policies and procedures will be uniform across all seven (7) cemeteries, while others will be customised to the individual cemetery. Which cemeteries a section applies to, will be noted at the commencement of each section.

A. Consumer Contracts – All Cemeteries

Licence Conditions for Consumer Contracts

There are three (3) conditions relating to consumer contracts, commencing on 1 October 2024. These are known as Conditions A:

- A.1 – Operators must comply with pre-contract requirements and ensure consumer contracts are transparent and clear.
- A.2 – Operators must not enter a consumer contract unless the consumer contract includes key details relating to the interment right.
- A.3 – Operators must address certain matters in all consumer contracts.

All three (3) conditions apply to a Category 2 Licence.

In determining the category of licence an operator holds, Cemeteries and Crematoria NSW (CCNSW) consider the following factors:-

- a. The volume of interments (bodily and/or ash) likely to be carried out during the term of the licence;
- b. The total number of existing interments and likely future interments across all the operator's cemeteries;
- c. The compliance history of the operator;
- d. The heritage value of any of the Operator's site(s), or parts of sites;
- e. Whether the operator intends to operate a cemetery and/or a crematorium; and
- f. Any other relevant information.

Generally, the standard criteria for determining a Category 2 Operator will be that the Operator conducted 50 to 99 interments over the past three (3) financial years or are cremation only Operators. CCNSW has determined that a Category 2 Licence applies.

Note: To assist operators comply with these conditions, Cemeteries and Crematoria have created a model consumer contract, which YVC has chosen to use and is included at **Appendix 2**.

B. Cemetery Maintenance – Cemetery-by-Cemetery Basis, as noted

Licence Conditions for Cemetery Maintenance

There are six (6) conditions relating to cemetery maintenance, commencing on 1 October 2024. These are known as Conditions B:

- B.1 – Operators must ensure site maintenance is carried out and public access to the Site is maintained.
- B.2 – Operators must prepare a document which outlines the operational maintenance of their sites
- B.3 – Operators must keep records of their operational maintenance activities.
- B.4 – Operators must provide Crematoria and Cemeteries NSW (CCNSW) with a completed self-assessment checklist.
- B.5 – Operators must comply with site maintenance standards
- B.6 – Operators must comply with additional site maintenance standards.

Only conditions 1-5 apply to a Category 2 licence.

B.1 Operators must ensure site maintenance is carried out and public access to the Site is maintained – All cemeteries

This includes ensuring:

- public access during daylight hours

Note: YVC allows public access to all its cemeteries during daylight hours.

- removal of fallen trees or branches with consideration of risk to public and monumentation

Note: YVC regularly inspects its cemeteries and removes fallen trees or branches as required.

- basic grounds maintenance to allow the cemetery to remain accessible

Note: YVC regularly conducts basic grounds maintenance, including mowing, as required.

B.2 Operators must prepare a document which outlines the operational maintenance needs of their sites – Cemetery-By-Cemetery Basis

Operators with a Category 1 or 2 Licence, must prepare this document, which must include:

- the current status of the site(s), or areas of the site(s), including whether they are active or inactive
- a list of assets which require ongoing maintenance
- how often the assets will be inspected
- a maintenance schedule which includes response times for unplanned maintenance (such as repairs).

In this document operators should outline how they propose to maintain their cemeteries, allowing for flexibility in how different areas are maintained depending on their active/inactive status or other significant land use factors (eg. use as a natural burial site). If an operator has a combination of active and inactive cemeteries, this enables those cemeteries to be maintained at different standards as appropriate.

For operators with a Category 1 Licence the maintenance schedule must be updated annually. For operators with a Category 2 Licence the maintenance schedule must be updated every two (2) years. The operator must tell CCNSW when it has been updated.

Note: Please refer to Appendix 3 for the Operational Maintenance Manual for each cemetery.

B.3 Operators must keep records of their operational maintenance activities

This condition requires operators to record and keep information about their maintenance activities to support the operational maintenance document required by condition B.2. It includes keeping records of maintenance activities, including a summary of the activity, when it was undertaken and any associated costs.

Condition B.3 applies to Category 1 and 2 operators.

Note: Please refer to **Appendix 4** for an example for record keeping. YVC will further develop policies and procedures to add to this.

B.4 Operators must provide CCNSW with a completed self-assessment checklist for Site maintenance

This condition requires operators to complete a self-assessment checklist for site maintenance, where such a self-assessment checklist has been prescribed and provided by the Cemeteries Agency.

Condition B.4 applies to Category 1 and 2 operators.

There is an initial self-assessment checklist in this Guide at **Attachment B**. This is not a regulatory checklist which must be completed and returned to CCNSW at regular intervals. This is an initial checklist intended to support operators to assess themselves against the requirements of Conditions B.

Guide to Licence Conditions B | 17.

The checklist lists all required maintenance conditions and includes space for comments. Relevant comments could for example be noting that you are compliant, and how/why, or noting that you are not yet compliant but have a plan to become compliant by doing certain things over a certain timeframe.

Once the conditions have commenced, this checklist will be adopted and published as the mandatory checklist required by B.4.

At that point, operators will be notified and the **Appendix B** checklist will be updated, along with instructions for its completion.

Until a checklist is formally published, the requirement to provide CCNSW with a completed checklist does not apply. Once checklists are required to be provided to CCNSW, these will be used to assess compliance with the maintenance conditions (as a desktop audit exercise to determine how to prioritise site visits).

Complete the checklist (once a mandatory checklist is available)

Yass Valley Council must complete the self-assessment checklist and provide it to NSW Cemeteries and Crematoria either annually (if you hold a Category 1 Licence) or every two (2) years (if you hold a Category 2 Licence).

Once the self-assessment checklists are required, operators should retain records of these submitted checklists, including identifying any resulting actions to ensure compliance.

Frequency of completing self-assessment checklist

- for operators with a Category 2 licence – biennially, to be provided to CCNSW no later than the second anniversary of the date on which the licence was granted.

Note: Please see **Appendix 5** for the provisional checklist. Plan to be updated with final checklist once available.

B.5 Operators must comply with site maintenance standards

This condition requires operators to take all reasonable steps to comply with site maintenance standards and sets out what those site maintenance standards are.

Condition B.5 applies to Category 1 and 2 operators.

B.5.1 Site entry and access

- Install clear, legible signage at each entry point to the site to set out the cemetery name, contact details of the operator and the site opening hours. This should be prominent and easily identify the entry points.

Note: This needs to be undertaken at all YVC cemeteries. Council are currently engaging a sign designer/ fabricator to ensure Council is compliant with licence condition B.5.1. Masterplans are currently being undertaken and will include this provision.

- The requirement is for well-defined boundaries and/or fencing. You should have fencing in place where any of the following applies:
 - o there is a high risk of vandalism or safety concern, including where access is restricted
 - o there is a high risk of monument damage from animals (e.g. livestock, feral animals etc)
 - o it is the most appropriate and practical way to define a boundary
 - o there are other aesthetic or heritage reasons for fencing to define the cemetery.

Note: All YVC cemeteries have well-defined boundaries and are fenced.

- Where fencing may not be required, you should have identifiable boundaries, such as roads, hedges, or bollards.

Note: All YVC cemeteries have well-defined boundaries and are fenced.

- Design site entry points for shared zones between pedestrians and vehicles and appropriately sign and landscape those entry points.

Note: This needs to be undertaken at all YVC cemeteries. Council are currently engaging a sign designer/ fabricator to ensure Council is compliant with licence condition B.5.1. Masterplans are currently being undertaken and will include this provision.

B.5.2 Cemetery grounds

Memento Policy

- Council must prepare, publish and make available to the public (e.g. on your website or onsite) a policy which outlines mementos and offerings that can be left by visitors.
- Include in the policy what mementos and offerings are allowed, or specifically prohibited, with consideration of religious and cultural needs. The policy should generally include details and requirements associated with:
 - o containers, vases or jars for the holding of flowers or similar
 - o plants, trees or potted plants
 - o flags, clothing, soft toys and material-based decorations
 - o letters, coins, books, photographs and photo frames
 - o gravesite markers such as rocks, pebbles, pavers, fencing, timber or brick edging and other markers that outline the interment plot
 - o ornaments such as flowers, candles and solar powered lights
 - o grave filling through use of bark chips, stones or gravel
- Specify any materials or items for a memorial or monument that may constitute a public safety hazard, are not permitted and may be removed by the operator without notice
- If relevant to your service offering, you may determine that a set number of items of commemoration are allowed to be placed on, or affixed to, monuments, lawn beams or memorialisation areas. Where you permit this, the policy should outline:
 - o the permitted number and maximum size of such items
 - o where they may be placed (e.g. within the space of the interment right holder area and not overhanging neighbouring sites)
 - o what materials may be permitted (e.g. not of glass or other fragile material), and
 - o under what circumstance these may be removed (e.g. when worn out, limiting maintenance activities, present an environmental impact, or of an offensive nature).

Note: Please see **Appendix 6** for considerations to be given in the creation of a Memento Policy.

Access, Trees and Branches

- Building on B.1, B.5.2 requires that you maintain safe access for visitors and work personnel and that access paths should not become overgrown or concealed by vegetation.
- To ensure this, you must identify fallen trees or branches through regular inspections and remove as soon as practicable.

Note: YVC regularly inspects its cemeteries and removes fallen trees or branches as required.

Herbicides

- You must avoid using dyed herbicides that are reasonably likely to stain memorials. Manual removal of weeds in close proximity to a memorial is preferred, particularly where it is made of a marble or light stone that is easily stained.

- You should outline in your maintenance document the herbicides and/or other chemicals that may be used within your cemetery and the circumstances of their proposed use.

Note: See **Appendix 3** – Operational Maintenance Document.

Signage

- You must erect and maintain signage to clearly display any applicable speed limits where public vehicle access is permitted within the cemetery.
- You may wish to conduct a risk assessment to determine whether on-site speed limit signage is required.

Note: As new signage is required under the regulations, include speed limits as part of the new signage.

Religious and Cultural Obligations

- Where reasonable, or where specified in a particular contract, you must ensure that applicable religious or cultural requirements for site maintenance are adhered to.
- Work any religious or cultural requirements into your B.2 maintenance document.

Note: Amend each cemetery's maintenance document to include this requirement, as religious and cultural requirements are declared and become known.

B.5.3 Memorials

Safety Standards

- You must comply with the applicable provisions of AS 4204:2019 Headstones and cemetery monuments and AS 4425:2020 Above-ground burial structures (for new and restored memorials)
- You should keep records demonstrating:
 - applications/permits for monument installation contracts with agents and customers regarding purchase, construction and installation of monuments
 - monument policies and procedures
 - criteria for being on an approved supplier list (masons, monuments)
 - the facilitating and recording of permissions, such as works only being permitted in writing using a suitable form (e.g. "Monumental works request" form or similar)
 - all monumental works are being installed by a licenced monumental mason.

We are aware that there can be a lack of availability of qualified stonemasons, particularly in regional areas, that are able to meet these standards. CCNSW will work with MMANSW to provide further information on criteria that operators should consider when considering monument construction and safety (such as appropriate qualifications or demonstrated work examples), and consider options to support compliance particularly in regional areas.

Note: Please see **Appendix 7** for considerations to be given in the creation of a Memorial Policy

Safety Inspections

- Assess memorials at least once every five (5) years and determine the need for safety maintenance

- Identify risks and proportionate actions taken to rectify those risks
- Implement an inspection cycle as provided for in B.2

We are aware that there is no training or Australian Standard available specific to monument inspection, training is only available for monument construction and repair. CCNSW will work with CCANSW and MMANSW to consider options for monument inspection training, or other ways to identify and share best practice guidelines for industry to understand the required processes. These materials will be guidelines only, rather than detailed instructions relating to all types of memorials and monuments.

B.5.5 Public information

- use signs (in accordance with standard B.5.1) to inform the public about the cemetery (including site maps and maintenance works)
- design your signs so they can be regularly reviewed and updated as needed to ensure accuracy.

Note This needs to be undertaken at all YVC cemeteries. Council are currently engaging a sign designer/ fabricator to ensure Council is compliant with licence condition B.5.1 and B.5.5.

C. Pricing Transparency – All Cemeteries

Licence Conditions for Pricing Transparency

There are three (3) licensing conditions relating to pricing transparency.

- C.1 - Operator must make a price breakdown of the Basic Adult Burial, Basic Ash Interment and/or Basic Cremation publicly available
- C.2 - Operator must publish prices for all of their available interment services on their website or at their place of business if they do not maintain a website
- C.3 - Operator must not enter a Consumer Contract unless the Customer has been provided details of a Basic Adult Burial, Basic Ash Interment or Basic Cremation

C.1 Operator must make a price breakdown of the Basic Adult Burial, Basic Ash Interment and/or Basic Cremation publicly available.

This condition means that you must identify your basic interment services, and explain the price breakdown of those services to customers in the approved format (the relevant Operator Price Breakdown Template). This will build customer awareness about the component costs that contribute to the price of an interment, and make it easier for customers to compare prices between operators.

'Basic services' are the lowest price option an operator provides within the 'basic service' definitions below.

The pricing transparency licence conditions refer to three basic services:

1. Basic Adult Burial (at need) - this is a service where there is a bodily interment or placement in a grave or built structure
2. Basic Ash Interment - this is a service where there is an interment or placement of ashes in a grave or built structure
3. Basic Cremation - this refers to a service where only cremation is provided and there is no interment component.

Note See Appendix 8.

C.2 Operator must publish prices for all their available interment services on their website or at their place of business if they do not maintain a website.

Condition C.2 complements condition C.1, by expanding transparency from the basic interment services to all available interment services.

These prices are **not** required to be published in the itemised price breakdown format (though for Category 1 operators the price must be broken down in a similar way in each individual contract as per Condition A.3).

This condition relates to interment services - burials, ash interments and cremations. This condition does not apply to other services such as flowers, catering and function centre use.

Note: Basic adult burial and basic ash interment prices are on our website and can be found here:- <https://www.yassvalley.nsw.gov.au/Our-Services/Cemeteries>

C.3 Operator must not enter a Customer Contract unless the Customer has been provided details of a Basic Adult Burial, Basic Ash Interment or Basic Cremation.

This licence condition is about informing customers of the basic services available to them, at the time when they are making a purchase decision. Making a customer aware of the least expensive (basic) option before they sign a contract will allow them to understand the price and components of the least expensive option offered at that cemetery, and how it differs from the package they have chosen to purchase (if different). This supports an informed decision.

Note: YVC will provide the two (2) price templates with the contract.

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D. Customer Service – All Cemeteries

There are five (5) licensing conditions relating to customer service.

- D.1 - Operator must take all reasonable steps to ensure compliance with the Customer Service Principles.
- D.2 - Operator must ensure that each person employed or engaged in connection with interment services is trained appropriately.
- D.3 - Operator must have suitable practices to ensure proper disclosure of information
- D.4 - Operator must establish a process of resolving disputes between the operator and consumers of their interment services.
- D.5 - Operator must establish and maintain a register of complaints received.

Condition D.2 does not apply to a category 2 license.

D.1 Operator must take all reasonable steps to ensure compliance with the Customer Service Principles.

Customers must be treated with dignity and respect when making informed choices about the services available to them. The Customer Service Principles support customer choices and ensure that their preferences are respected and met to the extent that is reasonably possible.

The Principles work in conjunction with the religious and cultural principles set out in Condition E.1 so that, where reasonably practicable, any religious and cultural requirements specified by the customer are met.

D.1.1 Personal choices of customers must be respected

- Ensure respect for customer choices is a part of your ways of working to support good customer service. This could be reflected in your Customer Service Charter, Code of Conduct or Ethics, staff training, and operating policies.
- Adopt the model Customer Service Charter ('Charter') (at **Appendix A** and available on the CCNSW website) or tailor it to suit your specific circumstances and use it to guide the way you work.
- Provide information on relevant and suitable service and product options to customers.
- Incorporate asking customers about their preferences into your standard procedures and record the answers.
- Communicate early and clearly about any issues that may impact on your ability to meet a customer preference, such as supply delays.
- Promote awareness of the Customer Service Principles to customers, such as publication on your website, or a printed copy available at your place of business. This could be publication as part of a customer service related charter or policy.
- Avoid pressuring consumers to purchase specific services or products.

Note: Respecting personal choices does not mean that every personal choice or preference must be agreed to and delivered. It does mean that those choices must be discussed respectfully, with clear explanations where a choice is not possible to fulfil (for example, it does not meet WHS or public health requirements).

Note: See **Appendix 9 – Customer Service Charter** to be given with all contracts.

D.1.2 When requested by a customer, the operator must provide full and accurate information about the products and services that the operator is able to provide.

- Make all possible efforts to assist prospective customers to fully understand the inclusions and exclusions of any service, plan or package. Having this information in writing helps you keep a record of what was provided and is a handy reference for the customer.
- Give customers adequate time to consider the information you have provided and to make decisions.
- When presenting information about products and services to customers, be sure to:
 - o Give current and correct information;
 - o Use simple language;
 - o Check the overall impression is accurate;
 - o Back up claims with facts and documented evidence where appropriate;
 - o Note important limitations or exemptions;
 - o Correct any misunderstandings; and
 - o Be prepared to substantiate.
- Provision of information can be verbally or in writing, and should be full and accurate to the extent that you have information available.
- Provide information upfront about issues that customers commonly raise. For example, CCNSW receives many complaints about graves appearing as though they are sinking, concerns about remains being disrupted, and water puddling on newer graves. These situations are often due to soil compacting as part of the grave settling.
- Providing information proactively helps customers better understand the services and what to expect. Informing customers that grave settling is quicker in wet weather and that additional soil can be added as needed would also provide peace of mind
- Allow clients sufficient time and privacy to consider a quote or written statement, prior to the client accepting the provider's service or purchase of a product. For pre-paid interment rights, a cooling off period of at least ten (10) business days must be provided [Note that Clause 11 of the C&C Regulation requires a cooling off period of ten (10) days to be provided for agreements to grant or renew renewable interment rights]

Note: YVC to provide staff training accordingly.

D.1.3 The business of the operator is to be carried out with competency and integrity.

This principle means Operators must run their business ethically and act professionally. Your ethical and professional behaviour may be reflected in your:

- Communication: this should be clear, professional and honest.
- Timeliness in responding to customer queries and keeping customers up-to-date on what's happening with their matter

Note: YVC to provide staff training accordingly.

D.1.4 The conduct of the operator must not bring the interment industry into disrepute.

This principle means that Operators should act in accordance with ethical values and objectives and not lessen the standing of the NSW interment industry or bring the industry into disrepute. Operators must not deceive, defraud, or otherwise harm customers, peers or the community.

Acting in accordance with ethical values may be reflected in your:

- Compliance with relevant local, state and federal laws in conducting your activities; and
- Respectful, dignified and compassionate interactions with customers, the deceased, peers and the community.

The reference to Operator conduct relates to the operation of the cemetery (and the central operator), not the conduct of individual staff members, contractors or volunteers outside of the cemetery (eg. if they committed an offence unrelated to the cemetery operations).

Note: Duly noted and agreed by YVC.

D.3 Operator must have suitable practices to ensure proper disclosure of information.

Condition D.3 relates to information disclosure. Interment services are provided at a time of distress that may create communication challenges. It is important that practices are in place to ensure information is transparent, accessible, and understood by customers.

D.3.1 Where necessary, reasonable efforts are made to assist customers who do not speak English or have specific communication needs.

- A specific communication need may be language-related or something else, such as hearing or visual needs.
- Provide key information in community languages if you often have customers from non-English speaking backgrounds. *Multicultural NSW offer interpreting and translation services to all private and commercial organisations, community groups and individuals. You can refer customers to Multicultural NSW or find out more about the services they offer here: <https://multicultural.nsw.gov.au/services>.*
- It may not always be feasible to provide translation services for customers. You could encourage customers to have an English-speaking support person present, such as a family member or friend, who is able to translate.
- Where possible, make information available in a variety of formats. This could include providing customers with options to obtain the information they need over the phone, face to face, via a support person or in writing. Information should be provided in clear and concise language wherever possible.

Note: YVC to provide staff training accordingly.

D.3.2 A customer is not to be referred to an ancillary provider without disclosing any financial, personal or other relationship or arrangement that exists between the Operator and the ancillary provider.

- Tell your customers about any financial or personal relationship or arrangement you have with another provider, for example, a florist, caterer, funeral director or memorial mason before you refer the customer to that provider.

- If you have lists or other documents of approved providers that you share with your customers, be sure the information is clear about any financial, personal, or other relationship or arrangement that exists between you and the ancillary provider.

Note: YVC to provide staff training accordingly.

D.3.3 Reasonable efforts should be made to ensure that customers fully understand the inclusions and exclusions in any service, plan, or package that they are purchasing by providing information in a standardised format.

- Provide information about services, plans, or packages you are selling in clear and concise language.
- Ask your customers if they understand the inclusions and exclusions of the packages prior to purchase.
- Use a contract that clearly states what each service costs, consistent with the Consumer Contract Licence Conditions A.1 to A.3.
- Explain to clients which services or products are required by law and which are optional, for example Basic Adult Burial or Basic Ash Interment.

Note: YVC to provide staff training accordingly.

D.3.4 Reviews are undertaken at regular intervals to identify and correct inappropriate or out-of-date information.

- Regularly review the public information you provide to customers, such as your website, fact sheets and brochures to ensure that the information is accurate and up-to-date.

Note: YVC to review on an annual basis.

D.3.5 Customers are made aware of their consumer rights under applicable laws of NSW or the Commonwealth.

- Under the Australian Consumer Law, most products and services bought in New South Wales come with an automatic consumer guarantee that the product or service purchased will be fit for purpose and do what it says it will. If the product or service does not meet the consumer guarantee, customers have a right to a repair, replacement or refund and, in some cases, to claim reimbursement for damages or loss suffered. The role of the cemetery or crematoria operator here relates only to the product or service which the customer has purchased directly from the operator. It is not the responsibility of the operator to intervene or assist in commercial disputes between customers and third parties such as stonemasons.
- Use your existing methods of communicating with customers to make them aware of their consumer rights, such as your website, contracts, conversations, and information displayed at your place of business.
- Share the CCNSW General Consumer Guide to Interment Rights in NSW with your customers.

Note: See **Appendix 10** Cemeteries & Crematoria NSW's General consumer guide to interment rights in NSW, to be made available to all customers.

D.3.6 The privacy and confidentiality of customers and the deceased are to be maintained under applicable legislation of NSW or the Commonwealth relating to privacy and the protection of personal information.

- Inform yourself of the privacy laws that apply to you, including what information you are permitted to collect and use, and restrictions on disclosure.
- Where privacy laws may not technically apply, consideration should be given to following the privacy principles as best practice.
- Protect customer information from theft, misuse, interference, loss, unauthorised access, modification, and disclosure, such as by:
 - Ensuring a secure location for storing both electronic and paper documents;
 - Closing doors and speaking quietly when discussing customers' personal information;
 - Making sure computer screens are not accessible or visible to members of the public; and
 - Securing financial information such as with encryption.

Note: YVC and its employees to comply with privacy legislation.

D.4 Operator must establish a process of resolving disputes between the operator and consumers of their interment services

A dispute occurs when two or more people disagree about something and it requires resolution. Often disputes can be settled quickly and informally in the course of everyday work. However, if people can't agree on a way forward or if the dispute is about a serious matter, a more formal approach is required. Unresolved disputes are likely to result in complaints, which must then be managed appropriately.

A fair, confidential, and transparent dispute resolution procedure allows for issues to be addressed quickly so they don't escalate.

Employees and others engaged by the Operator need to be aware of the Operator's dispute resolution process and have a responsibility to handle disputes and any resulting complaints in a constructive manner.

D.4.1 Ensure disputes and any resulting complaints are dealt with in a respectful and compassionate way.

- Encourage customers to provide feedback and foster an open and receptive culture to feedback and complaints.
- Support customers to make a complaint, such as by making information about how to make a complaint and how disputes are resolved easily accessible to everyone or providing the information in writing to prospective customers before entering a consumer contract.
- Listen and appropriately respond to customers, such as by investigating concerns in a fair and impartial manner, and trying to resolve the issue wherever possible.
- Clarify with the complainant any specific communication needs they may have or if they need any help understanding or accessing the complaints service when a complaint is first made.
- Investigate the complaint including obtaining sufficient information to resolve the complaint
- Keep records of your dispute resolution or complaint handling practices, such as policies and procedures or a customer service charter.

- Keep records of how you handle each complaint and the outcome.

Note: YVC to provide staff training accordingly.

D.4.2 Provide written acknowledgement of receipt of a complaint to the complainant within 7 days (where practicable) after receiving the complaint.

- Make best efforts to respond to a complainant within 7 days, to acknowledge that you have received their complaint.
- For some smaller operators in some circumstances this may not be practicable, however we would expect larger operators to adhere to these timeframes.
- Keep a record of how you contacted the complainant to acknowledge the complaint, such as an e-mail or copy of a letter.
- Confirm the complainant's contact details and preferred method of communication. If the complainant does not want to communicate via e-mail or letter, keep records of how and when you contacted the complainant via their preferred method, for example, a note of a phone conversation.
- When acknowledging a complaint, it is good practice to include information about your complaint handling and dispute resolution practices, such as key timeframes for investigating and responding to the complaint, and the likely next steps.

Note: YVC to provide staff training accordingly.

D.4.3 Give a written response to the complaint to the complainant within 30 days (where practicable) of the date on which the Operator received the complaint

- Make best efforts to provide your written response to the complainant within 30 days, whether or not the complaint is resolved or still being investigated. A written response can be via e-mail or physical letter depending on the customer's preference.
- For some smaller operators in some circumstances this may not be practicable, however we would expect larger operators to adhere to these timeframes.
- Provide information in your response about action taken to date, next steps or any outcomes. When responding in writing, it's good practice to:
 - use clear and courteous language;
 - describe your understanding of the complaint;
 - list and address all of the relevant issues (even if you are unable to assist directly);
 - give reasons for decisions;
 - include the name and contact details of the person responsible for the matter; and
 - be up front and apologise where a mistake has been made.
 - If the complaint cannot be resolved by the Operator, provide information on how to refer the complaint to CCNSW and/or other appropriate organisation.

Note: YVC to provide staff training accordingly.

D.4.4 Publish information (in the Operator's place of business and on the Operator's website if they maintain a website) about the following:

- the way in which a complaint may be made to the Operator,
 - the time frames in which responses to complaints will be given,
 - the actions the Operator may take in investigating a complaint,
 - the way a final determination will be made and notified to the complainant,
 - alternative ways a person may have a complaint heard if the person is not satisfied with the Operator's handling of the complaint or response to the complaint, including the ability to refer complaints to the Cemeteries Agency.
 - the role of the Cemeteries Agency (the Cemeteries Agency will provide the relevant content required to satisfy this condition)
- Make your dispute resolution and complaint handling practices publicly available, such as on your website or at your place of business.
 - When publishing your practices, consider:
 - a. **the way in which a complaint may be made to the Operator**, how a complaint can be made, for example, face-to-face, by phone, via e-mail or written correspondence,
 - b. **the time frames in which responses to complaints will be given**, e.g., that the complainant will be provided with an acknowledgement of their complaint within 7 days and a written response provided within 30 days.
 - c. **the actions the licence holder may take in investigating a complaint**, this may include considering the involvement of any other persons or organisations or gathering more information where it is required,
 - d. **the way a final determination will be made and notified to the complainant**, that complaints will be assessed to determine what action is required, investigated where needed and that the complainant will be advised of the outcome, reasons for decision, remedies, and options (where available) in writing.
 - e. **alternative ways a person may have a complaint heard if the person is not satisfied with the Operator's handling of the complaint or response to the complaint**, including information about alternative ways the complainant may pursue their complaint if they are not satisfied. This would include their ability to refer their complaint to CCNSW (including contact details).
 - b. **The role of the Cemeteries Agency** (the Cemeteries Agency will provide the relevant content required to satisfy this condition). CCNSW intends to publish information (such as a poster or a leaflet) about our role including our role in complaint resolution. When we do so, Operators will be required under this condition to publish this information so that their customers can access it.

Note: See Appendix 11 - YVC Complaints Handling Procedure to be made available to customers.

D.5 Operator must establish and maintain a register of complaints received

This condition requires an Operator to establish and maintain a register of all complaints that they receive and sets out the information that must be included on the register. Keeping a complaints register allows for Operators to incorporate the lessons from those complaints into better service delivery.

If a complaint is formally investigated, the records taken at an early stage will greatly assist the investigation. A complaints register also makes it possible to document minor complaints and identify issues.

CCNSW has developed a complaints register template that may be adopted by any Operator to ensure that their complaints register meets the compliance conditions below. The template is at Appendix B and available on the CCNSW website. A register can be digital or hardcopy.

Records of complaints must be maintained for a period of at least 7 years, and the register must be provided to the Cemeteries Agency on request.

D.5.1 The identification number allocated to the complaint

- Provide a unique Identification number at the time of entering the complaint into the complaints register. Instructions on how to allocate an identification number are provided in the CCNSW complaints register template.

D.5.2 The date the complaint was received

- Record the date you received the complaint. If the complaint was made face-to-face or over the phone, that is the date the complaint was received. If the complaint was received via letter or e-mail, the date of the complaint is the date the letter or e-mail was received by the Operator.

D.5.3 The matters raised by the complainant

- It is best practice to make a written record of the complaint as soon as possible after it is received to help you capture all the information accurately.
- Include a description of the complainant's issue/s and their desired outcome.

D.5.4 Any interactions with the complainant in connection with the complaint

- Record information about the staff member that spoke to the complainant or received the complaint, and any other staff members involved in responding to the complaint.
- Outline what action was agreed on and include any further communication or correspondence in relation to the complaint.

Deal with client complaints in a respectful and compassionate manner.

D.5.6 Whether the complaint was resolved

- Be clear whether the complaint was resolved and if the complainant was satisfied with the outcome proposed.
- If the complainant was dissatisfied with the outcome and the Operator decided to close the complaint, then this should be recorded.

D.5.7 Details of the outcome of the complaint

- Include details about the outcome of the complaint such as the decision or action taken and the reason for the decision or action.

- Include information about how the outcome was communicated to the customer.

D.5.8 Any other relevant information

Other relevant information could include:

- References to relevant documentation, such as copies of written correspondence, investigation notes, or information provided to the Operator by the complainant.
- Details of any other organisation that the complainant was referred to.

Note: See **Appendix 12** – Complaints Register

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E. Religious and Cultural Principles

Condition E.1 introduces five (5) religious and cultural principles.

E.1 - Operator must take all reasonable steps to ensure compliance with the Religious and Cultural Principles

- Principle 1 - Understanding the religious and cultural demographics and requirements of your communities
- Principle 2 - Informing yourself of and recording specific requirements
- Principle 3 - Satisfy religious or cultural requests where practicable
- Principle 4 - Explain charges to meet religious or cultural requirements
- Principle 5 - Engage with the communities you service in good faith

E.2 - Operator must take all reasonable steps to ensure compliance with the Aboriginal Cultural and Spiritual Principles

- Principle 1 - Understanding the Aboriginal cultural and spiritual requirements and Traditional Owners of your region
- Principle 2 - Informing yourself of and recording specific requirements
- Principle 3 - Satisfy Aboriginal cultural or spiritual requests where practicable
- Principle 4 - Explain charges to meet Aboriginal cultural and spiritual requirements
- Principle 5a - Engage with relevant Aboriginal communities about their burial and cremation requirements
- Principle 5b - Negotiate in good faith relating to community needs and grievances

E.1 Principle 1 - Understanding the religious and cultural demographics and requirements of your communities

CCNSW recognises that many operators have existing knowledge of the specific religious and cultural requirements of communities that they engage with in their day-to-day operations. Principle 1 requires that Operators take steps to ensure they understand the region-specific demographics, which may highlight additional communities that they are not familiar with.

Operators are not expected to inform themselves about all community groups. Operators should inform themselves of the key communities they service and those represented in the demographics of the region in which they operate.

CCNSW recognises that many operators, such as some Church operators, only service a small community group made up of parishioners of a single denomination. The expectation is that in this case you would still have some knowledge of your local communities and that you are able to demonstrate this on request.

Religious demographics for Yass Valley Council in the 2021 census are as follows:-

	Males	Females	Persons
Buddhism	29	63	92
Christianity:			
Anglican	1,288	1,551	2,834
Assyrian Apostolic	0	0	0
Baptist	86	96	190
Brethren	0	0	0
Catholic	1,974	2,113	4,092
Churches of Christ	0	0	0
Eastern Orthodox	39	49	92
Jehovah's Witnesses	18	20	38
Latter-day Saints	0	5	6
Lutheran	49	50	91
Oriental Orthodox	0	4	12
Other Protestant	26	30	51
Pentecostal	62	52	115
Presbyterian and Reformed	138	145	284
Salvation Army	22	18	38
Seventh-day Adventist	18	18	35
Uniting Church	258	304	565
Christianity, nfd	154	183	338
Other Christian	5	8	13
Total	4,126	4,647	8,774
Hinduism	25	25	51
Islam	33	26	59
Judaism	5	11	18
Other Religions:			
Australian Aboriginal Traditional Religions	3	0	3
Sikhism	7	7	18
Other Religious Groups(a)	29	31	58
Total	41	37	78
Secular Beliefs and Other Spiritual Beliefs and No Religious Affiliation:			
No Religion, so described	3,588	3,405	6,984
Secular Beliefs(b)	35	20	57
Other Spiritual Beliefs(c)	9	13	19
Total	3,628	3,435	7,063
Religious affiliation not stated(d)	611	532	1,151
Total	8,500	8,781	17,281

This table is based on place of usual residence.

(a) Comprises 'Baha'i', 'Chinese Religions', 'Druse', 'Japanese Religions', 'Nature Religions', 'Spiritualism' and 'Miscellaneous Religions'.

(b) 'Secular Beliefs' includes 'Secular Beliefs, nfd', 'Agnosticism', 'Atheism', 'Humanism', 'Rationalism' and 'Secular Beliefs, nec'.

(c) Comprises 'Other Spiritual Beliefs', 'Secular Beliefs' and 'No Religious Affiliation, nfd'.

(d) Comprises 'Not stated' and 'Inadequately described'.

Source: <https://www.abs.gov.au/census/find-census-data/community-profiles/2021/LGA18710>

Note Overwhelmingly, Yass Valley Council's population is Christian or no religion, both of which are catered for in Council's cemeteries. Demographics to be reviewed after each census to determine if other offerings need to be made.

E.1 Principle 2 - Informing yourself of and recording specific requirements

Principle 2 expands on Principle 1 and requires operators to engage with each individual customer and ask them if they have any specific religious or cultural requirements for their burial or cremation.

Principle 2 also requires operators to retain records for each burial or cremation and any specific religious or cultural requests associated with them.

If a customer is meeting with a funeral director or other authorised agent to discuss their requirements, then you must obtain this information from the agent and document it in your own records.

If the religious or cultural needs relate to the funeral itself rather than the burial or cremation, the operator may not need to be aware of or record this request (if it does not require involvement of the operator).

As required by Principle 1, operators should be aware of common religious and cultural requirements and can indicate this to facilitate conversations about requirements when liaising with the family, funeral director or other representative. However, every individual is likely to have different needs, therefore it is always important to ask the question of each customer as to what they require and to record this specifically.

Note: YVC uses Cemeteries and Crematoria NSW's Model Contract for Sale of a Perpetual Interment Right which asks about religious or cultural needs.

E.1 Principle 3 - Satisfy religious or cultural requests where practicable

Principle 3 requires you to take action to address requests for religious and cultural requirements in relation to each burial or cremation. Principle 3 strengthens the protections that already exist under section 46 of the Act.

To facilitate considering the practicability of a request, you should be aware of what may be asked of you from your key religious and cultural communities (through the information gathered under Principle 1, and from any specific religious and cultural guidelines). You can then prepare for common requests ahead of time, if appropriate, as well as advise and educate your staff about how they can meet specific religious and cultural requirements.

Note: YVC to provide staff training accordingly. Also, document any issues in the complaints register so that patterns can be identified.

E.1 Principle 4 - Explain charges to meet religious or cultural requirements

Principle 4 expands on Principle 3 and requires operators to disclose and justify the basis for charges incurred in meeting religious or cultural requirements relating to burial or cremation.

Principle 4 ensures the principles of pricing transparency (as per Licence Conditions B) are applied specifically here for religious and cultural communities.

CCNSW acknowledges that operators need to cover the costs incurred of meeting religious or cultural requirements. If charging a customer for these services, these charges need to be documented in contracts (as required by Licence Conditions A) and itemised on customer invoices, so it is clear what is being charged for and why.

If a fee relates to a religious or cultural requirement relating to the funeral or other service element, rather than the burial or cremation, and costs are charged by another party, the operator is not expected to outline this service or cost in their contract.

Note: In the model contract at “13. Price”, in the “Other fees and discounts” section include the reason for the additional fee and clearly document what additional costs have been applied for which types of additional services and how these have been communicated to customers and reflected in invoicing. Records should be clear about why those costs are incurred.

E.1 Principle 5 - Engage with the communities you service in good faith

This Principle relates to identified community needs or grievances, relating to the interactions of a community with an operator rather than to an individual interment. For example, a religious group may request additional seating in an area of the cemetery to cater for an elderly population, or access to washing facilities.

Principle 5 places an expectation on operators to consider such religious and cultural requests meaningfully and engage in consultation to address community needs or resolve grievances. When negotiating with a community, operators should ensure that they understand their requirements by asking questions and allowing for community representatives to express their needs. Operators should consider whether the request can be accommodated in part or in full and clearly communicate reasons for their decision, as well as any steps to be taken by the community.

Note: As part of the development of this Management Plan, community consultation was undertaken via an evening session, drop-in day sessions, an online session as well as an online survey.

YVC to maintain a key religious and cultural contacts list and make contact as required.

E.2 Aboriginal Cultural and Spiritual Principles

E.2 Principle 1 - Understanding the Aboriginal cultural and spiritual requirements and Traditional Owners of your region

This Principle requires you to find out about the Aboriginal land and Aboriginal culture of the areas you service and work in and understand common Aboriginal cultural and spiritual practices and requirements for burial and cremation. You are not expected to have a complete understanding of all Aboriginal cultures outside of your region.

CCNSW recognises that there is diversity in Aboriginal cultures and practices and that burial and cremation requirements will vary. Many operators are already aware of the Aboriginal communities in their area and may already undertake activities to develop their understanding and knowledge of Aboriginal burial and cremation requirements.

Note: There is an Aboriginal section in Yass Old Cemetery. Yass Valley Council to develop signage in conjunction with the local Aboriginal Community to explain the significance of the section.

E.2 Principle 2 - Informing yourself of and recording specific requirements

This Principle requires you to inform yourself of the individual cultural and spiritual requirements of an Aboriginal person at the time of burial or cremation, and at the time of entering into a Consumer Contract (in addition to any religious requirements that Aboriginal person may have in accordance with Condition E.1).

Developing an understanding of Aboriginal cultural and spiritual practices and requirements, as per Principle 1, will assist you in meeting the needs of Aboriginal people. However, the ultimate decision around how a burial or cremation is carried out belongs to an individual or their family. Personal requirements or preferences will vary.

Principle 2 also requires operators to retain records for each burial or cremation and any specific Aboriginal cultural or spiritual requests associated with them.

Note: YVC uses Cemeteries and Crematoria NSW's Model Contract for Sale of a Perpetual Interment Right which asks about Aboriginal cultural or spiritual requirements.

E.2 Principle 3 - Satisfy Aboriginal cultural or spiritual requests where practicable

Principle 3 requires you to take action to address requests to meet Aboriginal cultural or spiritual requirements.

To facilitate considering the practicability of a request, you should be aware of what may be asked of you from the Aboriginal communities represented in your region through the information gathered under Principle 1. You can then prepare for such requests ahead of time, if appropriate, as well as advise and educate your staff about how they can meet specific Aboriginal cultural and spiritual requirements. Principle 3 explicitly references alignment with relevant laws, this includes Public Health Regulations applicable to the request.

Note: YVC to provide staff training accordingly. Also, document any issues in the complaints register so that patterns can be identified.

E.2 Principle 4 - Explain charges to meet Aboriginal cultural and spiritual requirements

Principle 4 expands on Principle 3 and requires operators to disclose and justify the basis for charges incurred in meeting Aboriginal cultural and spiritual requirements relating to burial or cremation. Principle 4 ensures the principles of pricing transparency (as per Licence Conditions B) are applied specifically here for Aboriginal communities.

CCNSW acknowledges that operators need to cover the costs incurred of meeting Aboriginal cultural or spiritual requirements. If charging a customer for these services, these charges need to be documented in contracts (as required by Licence Conditions A) and itemised on customer invoices, so it is clear what is being charged for and why.

If a fee relates to an Aboriginal cultural or spiritual requirement relating to the funeral or other service element, rather than the burial or cremation, and costs are charged by another party, the operator is not expected to outline this service or cost in their contract.

Note: In the model contract at “13. Price”, in the “Other fees and discounts” section include the reason for the additional fee and clearly document what additional costs have been applied for which types of additional services and how these have been communicated to customers and reflected in invoicing. Records should be clear about why those costs are incurred.

E.2 Principle 5a - Engage with relevant Aboriginal communities about their burial and cremation requirements

This Principle expands upon the requirement under Principle 1 for operators to inform themselves of the Aboriginal communities in the region they service and operate. If you commonly provide Aboriginal burials, this Principle requires you to actively engage with local Aboriginal communities about their specific cultural and spiritual requirements.

Note: As part of the development of this Management Plan, community consultation was undertaken via an evening session, drop-in day sessions, an online session as well as an online survey. YVC to maintain an Aboriginal elders and community groups contacts list and make contact as required.

E.2 Principle 5b – Negotiate in good faith relating to community needs and grievances

This Principle relates to identified community needs or grievances, relating to the interactions of a community with an operator rather than to an individual interment. For example, an Aboriginal community may request for a dedicated area of the cemetery to be set aside for smoking ceremonies, or for additional seating to be provided for Aboriginal services as a lot of Aboriginal elders often attend.

Principle 5b places an expectation on operators to consider such Aboriginal cultural and spiritual requests meaningfully and engage in consultation to address community needs or resolve grievances. When negotiating with a community, operators should ensure that they understand their requirements by asking questions and allowing for community representatives to express their needs. Operators should consider whether the request can be accommodated in part or in full and clearly communicate reasons for their decision, as well as any steps to be taken by the community.

Note: As part of the development of this Management Plan, community consultation was undertaken via an evening session, drop-in day sessions, an online session as well as an online survey.

YVC to maintain an Aboriginal elders and community groups contacts list and make contact as required.

Also, document any issues in the complaints register including whether it has been addressed and the reasoning.

DRAFT

F. Reporting Obligations

F.1 Operator must provide updated information to the Cemeteries Agency in certain circumstances

The Operator must notify the Cemeteries Agency, in writing, of any changes affecting the information provided to the Agency by the licence holder.

The Operator must inform the Cemeteries Agency, in writing, of changes in relation to:

1. contact details of the Operator,
2. changes relevant to the licence held by the Operator, including substantial changes affecting information provided to the Cemeteries Agency in connection with the grant or renewal of the licence. For example, a change to the directors or majority shareholder of an Operator that is a corporation.

Notice must be given not more than 14 days after the date of the change.

Note: YVC to note and act accordingly.


References

- Licence Conditions for Operators of Cemeteries and Crematoria, Cemeteries & Crematoria NSW, Department of Planning and Environment, June, 2024
- Floral and Memento Guidelines, Southern Metropolitan Cemeteries Trust, November, 2021
- Corryong Cemeteries Trust, Floral and Memento Displays Policy, August 2022
- Shellharbour City Council Cemetery Operations Policy, September, 2018

DRAFT

Appendix 1 – Operator Licence

Cemeteries & Crematoria NSW



Cemetery Operator Licence

This licence is issued by the Cemeteries Agency, being Cemeteries & Crematoria NSW (‘CCNSW’) under Part 2A of the Cemeteries and Crematoria Regulation 2022 (NSW). As per section 4 of the *Cemeteries and Crematoria Act 2013* (NSW) a reference to a *cemetery* includes reference to a crematorium. It is structured as follows:

- 1. Licence Details
- 2. Special Licence Conditions (where applicable)
- 3. General Licence Conditions

Licence Details

Operator name (‘Operator’)	Yass Valley Council
ABN	50 119 744 650
Operator address	209 Comur Street, Yass NSW 2582
Licence number	L20112
Licence issue date	15 March 2024
Licence expiry date	14 March 2029
Licence category	Category 2

Executed by the Cemeteries Agency by delegation administering the *Cemeteries and Crematoria Act 2013* (NSW):

Signature	
Date	15 March 2024
Signatory Name	Susan Hatherly
Signatory Position	Acting Director, Regulatory Policy and Reform

Cemeteries & Crematoria NSW



This licence authorises the Operator to operate the following facilities (cemeteries and/or crematoria):

Facility Name	CCNSW Register Number	Type	Active/Inactive*	Address	Lot/DP
Binalong Cemetery	872	Cemetery	Active	4 Cemetery Road, Binalong NSW 2582	Lot 7304 DP 1149691 Lot 1 DP 668229
Bookham Cemetery	873	Cemetery	Active	81 Childowla Road, Bookham NSW 2582	Lot 7008 DP 1025933 Lot 1 DP 668456 Lot 1 DP 668455 Lot 7005 DP 1025931
Bowning Cemetery	874	Cemetery	Active	31 Cemetery Road, Bowning NSW 2582	Lot 7012 DP 1026264
Gundaroo Cemetery	875	Cemetery	Active	Judith Street, Gundaroo NSW 2620	Lot 7003 DP 96200
Kangiarra Cemetery	879	Cemetery	Inactive	Yass Valley Way, Kangiarra NSW 2582	Lot 7012 DP 1116214 Lot 7005 DP 1116219
Murrumbateman Bush Cemetery	876	Cemetery	Active	33 South Street, Murrumbateman NSW 2582	Lot 2 DP 733606

Cemetery Operator Licence

Cemeteries & Crematoria NSW



Facility Name	CCNSW Register Number	Type	Active/Inactive*	Address	Lot/DP
Yass Lawn Cemetery	877	Cemetery	Active	38 Irvine Drive, Yass NSW 2582	Lot 4 DP 578352
Yass Old Cemetery	878	Cemetery	Inactive	26 Irvine Drive, Yass NSW 2582	Lot 7301 DP 1164098 Lot 7301 & 7302 DP 1166690 Lot 1 DP 34919 Lot 1 & 2 DP 904024 Lot 7001 & 7002 DP 94642 Lot 3 DP 1133861 Lot 7302 DP 1164043 Lot 1 DP 795153 Lot 1171 DP 1135867

*A cemetery is considered 'inactive' where it is at capacity or where no further interments are intended to be carried out. All other cemeteries are considered 'Active' cemeteries.

Cemetery Operator Licence

3

Cemeteries & Crematoria NSW



Special Conditions

The Operator must abide by the Special Licence Conditions set out below in relation to each of their Inactive facilities (as set out in the Licence Details) on and from the respective commencement dates.

B. Cemetery Maintenance - commencing from 1 July 2024

B.1 Operator must ensure Site maintenance is carried out and public access to the cemetery is maintained

The Operator must ensure that Site maintenance is carried out and public access to the Site is maintained, including the following:

- Public access to the Site is available during daylight hours
- Public access may be limited to the Site or part of the Site if the Operator has reasonable grounds to believe it is unsafe to allow access.
- Fallen trees or branches and other safety hazards are removed from the Site as soon as practicable after the Operator becomes aware, with consideration of risk to public and monumentation, and
- The Site remains accessible through the carrying out of basic grounds maintenance.

The Operator must continue to ensure that Site maintenance and public access are maintained whether or not the Operator is providing, or offers, future interments at the Site.

This condition applies to all cemeteries. Heritage requirements may also apply to certain Sites, or parts of Sites, and may invoke additional maintenance requirements under the *Heritage Act 1977*.

Public access to the Site may be limited to access by appointment, but only if:

- a) the Operator advertises at the Site the way in which an appointment may be made, and
- b) appointments are made available within a reasonable time after a request is made.

G. Prohibition of interment services – from issue of licence

G.1 The operator cannot perform interments

The operator cannot offer, or perform, an interment.

However, the operator may perform an interment in respect of an individual if:

Cemeteries & Crematoria NSW

1. the interment is the fulfilment of an interment right (including a right, licence or other entitlement in the nature of an interment right granted before the commencement of section 45 of the Act) that was granted before the operator became the holder of an operator (Caretaker) licence, or
2. the interment is of a nominated person or class of persons (for which no interment right has been granted), the particulars of which were provided by the Operator to the Cemeteries Agency in its application for its operator (Caretaker) licence and approved by the Cemeteries Agency.

The operator must notify the Cemeteries Agency, in writing, within 5 business days of performing an interment.

A request for the Cemeteries Agency to approve the grant of rights of interment under G.1.2 may be refused by the Cemeteries Agency in its absolute discretion.

General Conditions

The Operator must abide by the General Licence Conditions set out below on in relation to each of their Active facilities (as set out in the Licence Details) on and from the respective commencement dates.

A. Consumer Contracts – commencing 1 July 2024

A.1 Operator must comply with pre-contract requirements and ensure Consumer Contracts are transparent and clear

The Operator must ensure that Consumer Contracts are transparent, clear and expressed in reasonably plain language likely to be understood by the average Customer.

Words or phrases used in a Consumer Contract that have a particular meaning when used in connection with the interment industry should be defined in the contract.

Before offering, negotiating, or entering into a Consumer Contract, the Operator must provide the Customer with information about the Basic Adult Burial; Basic Ash Interment; and/or Basic Cremation (as relevant) offered by the Operator, including the price breakdown for that interment service.

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The Operator must not enter a Consumer Contract unless the Customer has been provided reasonable time and privacy (in the circumstances) to consider a quote, written statement or contract.

A Customer must be provided with a signed copy of their Consumer Contract as soon as reasonably practicable after both parties have signed the contract.

If an Operator provides interment services at more than one Site, a Consumer Contract entered by the Operator must specify the Site at which the interment services are proposed to be provided under the Consumer Contract.

If requested by the Cemeteries Agency, the Operator must provide a copy of their Consumer Contract to the Cemeteries Agency.

A.2 Operator must not enter a Consumer Contract unless the Consumer Contract includes key details relating to the interment right

The Operator must not enter a Consumer Contract or offer a Customer a contract in connection with interment services, unless the Consumer Contract includes the following details (*key details*).

1. Agreement statement

A Consumer Contract must include an agreement statement that includes:

- a. A summary of the agreement between the Customer and Operator, including any special conditions,
- b. A declaration by the Operator that the terms and conditions have been explained to the Customer and they have been given time and privacy to consider the Consumer Contract before signing it,
- c. A declaration by the Customer that the terms and conditions have been explained to them and they have been given time and privacy to consider the Consumer Contract before signing it,
- d. A declaration by the Customer that the information provided by the Customer and included in the contract is true and correct, and
- e. Where applicable, a declaration by an Authorised Agent that it has complied with the obligation of the Operator in this condition.

2. Tenure, type and grant of right

The Consumer Contract must provide the following details regarding the interment right:

Cemeteries & Crematoria NSW

- a. Whether the interment right is perpetual or renewable,
- b. Conditions that affect the tenure (if any),
- c. The following information about grant of the interment right:
 - i. the statutory rights of the holder of an interment right,
 - ii. how an Operator determines the future holders of an interment right,
 - iii. the application of rules of intestacy,
 - iv. the identity of persons authorised to exercise the interment right,
 - v. whether the provision of a memorial is included in the interment right contract, and
 - vi. any memorialisation requirements or standards that apply to a memorial erected in connection with the interment.

This condition A.2.2 does not apply to Cremation Only Consumer Contracts.

3. Fees and charges

The Consumer Contract must provide all relevant details regarding fees and charges that are being applied.

4. Payment terms

The Consumer Contract must include the following details regarding the making of payments:

- a. the method of payment,
- b. date which payment is due, and
- c. any interest that may be payable.

If the Cemeteries Agency publishes or otherwise makes available a standard form of Consumer Contract for the use of Operators to comply with this condition, an Operator who uses that form is presumed to have complied with the requirements of this condition.

A.3 Operator must address certain matters in all Consumer Contracts

In addition to the requirements of Condition A.2, the Operator must not offer, or enter, a Consumer Contract in connection with interment services unless it includes or makes provision each of the matters referred to in this Condition.

1. Breakdown of fees and charges

Fees and charges must be broken down in accordance with the approved format for Licence Condition C.1 (the Price Breakdown Template for the relevant service). Where additional goods or

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services are included in the contract (beyond those provided in the Price Breakdown Template), they should be clearly itemised.

2. Responsibility for and costs associated with maintenance

A Consumer Contract must make provision for maintenance, including:

- a. maintenance of the individual interment site and any memorial located on that individual site,
- b. identifying the person responsible for costs associated with maintenance of the site,
- c. acknowledgement that maintenance responsibilities for cemeteries extend beyond the cessation of interment services at the Site,
- d. acknowledgement that maintenance of a grave; or memorial or monument will be undertaken consistent with religious or cultural requirements
- e. where a memorial is or will be erected other than by the Operator, specifying who is responsible for the care and maintenance of the memorial unless:
 - i. there is another contractual obligation in place for maintenance of the memorial,
 - ii. it is a Commonwealth War grave,
 - iii. it is a heritage site of local or state significance,
 - iv. the maintenance relates to a work health or safety risk,
- f. specify materials or items for a memorial or monument that may constitute a public safety hazard are not permitted and may be removed by the Operator without notice

This condition A.3.2 does not apply to Cremation Only Consumer Contracts.

3. Commencement and expiry

The Consumer Contract must make provision for the commencement and expiry of the obligations under the Consumer Contract, including the following:

- a. date for commencement of the Consumer Contract,
- b. the expiration or termination terms (including, if applicable, any circumstance where an interment right under the Consumer Contract ceases to be available to the Customer), and
- c. relevant notice periods (if any) to the exercise of rights under the Consumer Contract.

4. Information disclosure

The Consumer Contract must contain a provision that sets out the requirement to collect information in accordance with the *Cemeteries and Crematoria Act 2013*.

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5. Privacy statement

The Consumer Contract must contain a statement setting out the privacy rights of the Customer and the Operator's obligations with respect to the Customer's privacy under applicable privacy legislation.

6. Complaints and dispute resolution

The Consumer Contract must make provision for complaints and dispute resolution, including the following:

- a. how to find and access the complaints resolution process,
- b. information about Customer rights for any alleged failure of guarantee for goods and services under the Australian Consumer Law.

B. Cemetery Maintenance - commencing from 1 July 2024

B.1 Operator must ensure Site maintenance is carried out and public access to the cemetery is maintained

The Operator must ensure that Site maintenance is carried out and public access to the Site is maintained, including the following:

- Public access to the Site is available during daylight hours
- Public access may be limited to the Site or part of the Site if the Operator has reasonable grounds to believe it is unsafe to allow access.
- Fallen trees or branches and other safety hazards are removed from the Site as soon as practicable after the Operator becomes aware, with consideration of risk to public and monumentation, and
- The Site remains accessible through the carrying out of basic grounds maintenance.

The Operator must continue to ensure that Site maintenance and public access are maintained whether or not the Operator is providing, or offers, future interments at the Site.

This condition applies to all cemeteries. Heritage requirements may also apply to certain Sites, or parts of Sites, and may invoke additional maintenance requirements under the *Heritage Act 1977*.

Public access to the Site may be limited to access by appointment, but only if:

- a) the Operator advertises at the Site the way in which an appointment may be made, and
- b) appointments are made available within a reasonable time after a request is made.

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B.2 Operator must prepare a document which outlines the maintenance needs of the Site

The Operator must prepare a document which outlines the maintenance requirements for each Site at which the Operator provides interment services. The document must address the following:

1. The current status of the Site, as either operating or Inactive,
2. Factors that may impact the appropriate maintenance of different parts of the Site including the current status (as either operating or Inactive),
3. A list of the assets at the Site which require ongoing maintenance
4. An inspection cycle for assets at the Site, indicating how often assets will be inspected
5. If there are memorials on the Site, outlines a monument safety inspection cycle that provides for an inspection of memorials at least once in every 5-year period
6. A maintenance schedule identifying planned maintenance commitments and anticipated responses for unplanned maintenance required to be undertaken (such as repair or restoration of memorials)

If the Operator has a Category 1 licence, the maintenance schedule must be updated annually.

If the Operator has a Category 2 licence, the maintenance schedule must be updated every second year.

The Operator is to notify the Cemeteries Agency as soon as practicable after the document required by this Condition has been prepared/updated.

If requested by the Cemeteries Agency, the Operator must provide a copy of the document to the Cemeteries Agency.

B.3 Operator must keep records in relation to the activities carried out under the maintenance document

The Operator must maintain a record of all activities and inspections carried out in accordance with the maintenance document prepared under Condition B.2.

The record must include the following in relation to each activity or inspection:

1. summary of the activity or inspection,
2. the date on which the activity or inspection occurred,
3. the costs incurred in carrying out the activity or inspection.

If requested to do so, the Operator must provide a copy of these records to the Cemeteries Agency.

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B.4 Operator must provide the Cemeteries Agency with a completed self-assessment checklist for Site maintenance

If the Cemeteries Agency publishes a self-assessment checklist for Site maintenance in the NSW Gazette, the Operator must complete the self-assessment checklist in accordance with this Condition.

If the Operator has a Category 1 licence, the self-assessment checklist must be completed each year. A copy of the completed check list must be provided to the Cemeteries Agency no later than the anniversary of the date on which the licence was granted.

If the Operator has a Category 2 licence, the self-assessment checklist must be completed every second year. A copy of the completed self-assessment checklist must be provided to the Cemeteries Agency provided no later than every second anniversary of the date on which the licence was first granted.

B.5 Operator must comply with Site maintenance standards

In addition to the requirements under Condition B.1, the Operator must take all reasonable steps to comply with the Site maintenance standards at each Site at which the Operator provides interment services. The standards imposed by this condition apply without limiting any other condition applicable to the licence. The Site maintenance standards are:

1. Site Entry and Access

- a. Clear, legible signage at each entry point to the Site to set out the cemetery name, contact details of the Operator and the Site opening hours.
- b. Well defined boundaries and/or fencing around the Site.
- c. Entry points to be designed and maintained to avoid conflict between pedestrians and vehicles.
- d. Spaces shared by vehicles and foot traffic to be suitably identified.
- e. Maintenance and landscaping be carried out in high visitation areas.

2. Cemetery Grounds

- a. Prepare, publish and make available to the public a policy which outlines mementos and offerings that can be left by visitors.
- b. Safe access for visitors and work personnel must be maintained and not become overgrown or concealed by vegetation.

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- c. Use of dyed herbicides that are reasonably likely to stain memorials are to be avoided.
- d. Signage must be erected and maintained to clearly display any applicable speed limits.
- e. Where reasonable, ensure that applicable religious or cultural requirements for Site maintenance are adhered to.

3. Memorials

- a. New or restored Memorials must comply with the applicable provisions of AS 4204:2019 *Headstones and cemetery monuments* and AS 4425:2020 *Above-ground burial structures*
- b. Memorials must be regularly assessed (at least once in every 5 year period) to determine the need for safety maintenance, and proportionate action taken to rectify any risks identified.

4. Heritage Values

- a. For Sites, memorials or structures which are listed on the State Heritage Register, establish, and update as required, a conservation management plan for those Sites, memorials or structures or adopt nationally accepted guidelines (e.g. Burra Charter) as applicable.
- b. Ensure that information in relation to the heritage value of the Site, if any, is made publicly available.

5. Public Information

- a. Ensure signage on the Site is clearly visible, and does not create a physical obstruction or hazard.
- b. Display signage to identify and warn the public of maintenance works being undertaken both in advance and during works.
- c. Provide on-site information to the public (e.g. Site map and opening hours)
- d. Provide basic information to enable people to locate individual plots at the Site.

C. Pricing Transparency – commencing 1 July 2024

C.1 Operator must make a price breakdown of the Basic Adult Burial, Basic Ash Interment and/or Basic Cremation publicly available

The Operator must publish a price breakdown of the Basic Adult Burial, Basic Ash Interment; or Basic Cremation provided by the Operator.

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The information must be provided in the approved format for the relevant service (referred to as the Price Breakdown Template) and made available at each place of business of the Operator or in another manner approved in writing by the Cemeteries Agency. The approved format can be found on the Cemeteries Agency's website.

Operators must provide a price breakdown for each type of interment service offered:

- If burial is offered, publish a price for a Basic Adult Burial
- If ash interment is offered, publish a price for a Basic Ash Interment
- If cremation is offered, publish a price for a Basic Cremation.

For the avoidance of doubt, Cremation Only Operators must only publish a price breakdown for the Basic Cremation.

If the Operator charges different amounts at different Sites at which the Operator operates, the Operator must publish the price for each Site at which the Operator provides its services (unless otherwise approved, in writing, by the Cemeteries Agency).

If the Operator maintains a website, the information must also be published on the website.

If requested, the Operator must provide a copy of the price breakdown to the Cemeteries Agency.

C.2 Operator must publish prices for all of their available interment services on their website or at their place of business if they do not maintain a website

C.3 Operator must not enter a Consumer Contract unless the Customer has been provided details of a Basic Adult Burial, Basic Ash Interment or Basic Cremation

The Operator must not enter a Consumer Contract with a Customer unless the Operator has provided the Customer details of the Basic Adult Burial, Basic Ash Interment or Basic Cremation. If the Operator provides both burials and ash interments, the Operator must provide the details of both the Basic Adult Burial and Basic Ash Interment provided by the Operator.

Operators providing Burial and/or Ash Interment are not required to provide a Cremation Only option. However, if Cremation Only is a service offered by an Operator, they must also provide details of that service provided by the Operator.

For the avoidance of doubt, Cremation Only Operators must only provide details for Basic Cremation.

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The details are to be provided in the same format as the details published by the Operator under condition C.1.

D. Customer Service – commencing 1 October 2023

D.1 Operator must take all reasonable steps to ensure compliance with the Customer Service Principles

The Operator must take all reasonable steps to comply with the Customer Service Principles. The Customer Service Principles are:

1. Personal choices of Customers must be respected
2. When requested by a Customer, the operator must provide full and accurate information about the products and services that the operator is able to provide
3. The business of the operator is to be carried out with competency and integrity
4. The conduct of the operator must not bring the interment industry into disrepute.

Note: Discrimination against Customers, visitors, invitees or the public is not permitted on any grounds referred to in the *Anti-Discrimination Act 1977*, or any applicable Commonwealth discrimination legislation

The Operator must have systems and processes in place to ensure compliance with the Customer Service Principles referred to in this Condition D.1. Operators must promote the importance of Customer Service to their organisation, including by making any customer service related charters or policies (incorporating these Customer Service Principles) available to all Customers and prospective Customers.

If requested, evidence of the Operator's systems and processes that are in place to support the Customer Service Principles must be provided to the Cemeteries Agency.

D.3 Operator must have suitable practices to ensure proper disclosure of information

The operator must have suitable practices to ensure that there is a proper disclosure of information to Customers. The operator must establish practices to ensure staff employed or engaged by the operator comply with the following:

1. Where necessary, reasonable efforts are made to assist Customers who do not speak English or have specific communication needs.

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2. A Customer is not to be referred to an Ancillary Provider without disclosing any financial, personal or other relationship or arrangement that exists between the operator and the Ancillary Provider.
3. Reasonable efforts should be made to ensure that Customers fully understand the inclusions and exclusions in any service, plan or package that they are purchasing by providing information in a standardised format.
4. Reviews are undertaken at regular intervals to identify and correct inappropriate or out-of-date information.
5. Customers are made aware of their consumer rights under applicable laws of NSW or the Commonwealth.
6. The privacy and confidentiality of Customers and the deceased are to be maintained under applicable legislation of NSW or the Commonwealth relating to privacy and the protection of personal information.

D.4 Operator must establish a process of resolving disputes between the operator and consumers of their interment services

The operator must establish a process of resolving disputes that may arise between the operator and consumers of their interment services. As part of this process, the operator must:

1. Ensure disputes and any resulting complaints are dealt with in a respectful and compassionate way,
2. Provide written acknowledgement of receipt of a complaint to the complainant within 7 days (where practicable) after receiving the complaint,
3. Give a written response to the complaint to the complainant within 30 days (where practicable) of the date on which the operator received the complaint, and
4. Publish information (in the Operator's place of business and on the Operator's website if they maintain a website) about the following:
 - a. the way in which a complaint may be made to the Operator
 - b. the time frames in which responses to complaints will be given
 - c. the actions the Operator may take in investigating a complaint
 - d. the way a final determination will be made and notified to the complainant

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- e. alternative ways a person may have a complaint heard if the person is not satisfied with the Operator's handling of the complaint or response to the complaint, including the ability to make complaints directly to the Cemeteries Agency
- f. the role of the Cemeteries Agency (the Cemeteries Agency will provide the relevant content required to satisfy this condition.

If requested, evidence of the Operator's systems and processes that are in place to support the dispute resolution process must be provided to the Cemeteries Agency.

D.5 Operator must establish and maintain a register of complaints received

The Operator must establish and maintain a register of all complaints that they receive. The register must include the following information in relation to each complaint:

1. the identification number allocated to the complaint
2. the date the complaint was received
3. the matters raised by the complainant
4. any interactions with the complainant in connection with the complaint
5. the date the operator gave the complainant a written response to the complaint
6. whether the complaint was resolved
7. details of the outcome of the complaint, and
8. any other relevant information.

The information and records relating to the complaints listed in the register must be kept for a period of at least 7 years from the date that the complaint was made.

If requested, a copy of the complaints register must be provided to the Cemeteries Agency.

Note: These Customer Service conditions are not intended to, and cannot, override or diminish any rights of any individuals under an Act, order, regulation, proclamation or ordinance.

E. Religious, Cultural and Spiritual Principles – commencing 1 February 2024

Cemeteries & Crematoria NSW

E.1 Operator must take all reasonable steps to ensure compliance with the Religious and Cultural Principles.

The operator must take all reasonable steps to ensure compliance with the following Religious and Cultural Principles:

1. Operators must inform themselves of the religious and cultural demographics of the region in which they operate, and about the religious and cultural requirements of the communities that they service.
2. Operators must inform themselves of, and record, any religious or cultural requirements in relation to each burial or cremation.
3. Operators must satisfy requests to meet religious or cultural requirements in relation to burial and cremation, where the request is reasonably practicable and aligns with all relevant laws, and work health and safety obligations. For the avoidance of doubt, this principle does not require the dedication of land or the erection of structures.
4. For services provided to satisfy a request to meet religious or cultural requirements under Principle 3 (above), the Operator must set out the basis for any charge incurred to meet these requirements (and this must be reflected in the fees and charges itemised in the contract as per A.2.3 and A.3.1).
5. Operators must engage with the religious and cultural communities they service, or those seeking to be serviced by the Operator, and undertake good faith negotiations to accommodate identified community needs and resolve any grievances.

If requested, the Operator must provide the Cemeteries Agency with documents or information outlining steps taken by the Operator to comply with Religious and Cultural Principles.

Note: The Religious and Cultural Principles are not intended to, and cannot, override or diminish any rights of any individuals under an Act, order, regulation, proclamation or ordinance.

E.2 Operator must take all reasonable steps to ensure compliance with the Aboriginal Cultural and Spiritual Principles.

The operator must take all reasonable steps to ensure compliance with the following Aboriginal Cultural and Spiritual Principles:

Cemeteries & Crematoria NSW

1. Operators must inform themselves of the Aboriginal communities, including Traditional Owners, in the region in which they operate and of Aboriginal cultural and spiritual practices and requirements for burial and cremation.
2. Operators must inform themselves of, and record (unless expressly asked not to make a record), any Aboriginal cultural and spiritual requirements in relation to each burial or cremation.
3. Operators must satisfy requests to meet Aboriginal cultural or spiritual requirements in relation to burial and cremation, where the request is reasonably practicable and aligns with all relevant laws, and work health and safety obligations. For the avoidance of doubt, this principle does not require the dedication of land or the erection of structures.
4. For services provided to satisfy a request to meet Aboriginal cultural and spiritual requirements under Principle 3 (above), the Operator must set out the basis for any charge incurred to meet these requirements. (and this must be reflected in the fees and charges itemised in the contract as per A.2.3 and A.3.1).
5. An Operator commonly providing Aboriginal burials or cremations for Aboriginal communities must, in respect of each community:
 - a. engage with relevant Aboriginal community about their cultural and spiritual requirements relating to interment, and
 - b. undertake good faith negotiations to accommodate identified community needs and resolve any grievances.

If requested, the Operator must provide the Cemeteries Agency with documents or information outlining steps taken by the Operator to comply with Aboriginal Cultural and Spiritual Principles.

Note: The Aboriginal Cultural and Spiritual Principles are not intended to, and cannot, override or diminish any rights of any individuals under an Act, order, regulation, proclamation or ordinance.

F. Reporting Obligations – commencing from issue of licence

F.1 Operator must provide updated information to the Cemeteries Agency in certain circumstances

The operator must notify the Cemeteries Agency, in writing, of any changes affecting the information provided to the Agency by the licence holder.

The operator must inform the Cemeteries Agency, in writing, of changes in relation to:

1. the Sites at which the operator is providing, or intends to provide, interment services,

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2. contact details of the operator,
3. changes relevant to the licence held by the operator, including substantial changes affecting information provided to the Cemeteries Agency in connection with the grant or renewal of the licence. For example, a change to the directors or majority shareholder of an Operator that is a corporation.

Notice must be given not more than 30 days after the date of the change and, if the change relates to Sites at which the operator intended to provide interment services, before providing interments at a new Site.

Appendix 2 – Model Contract For Sale of a Perpetual Interment Right

Yass Valley Council – Customer Service Charter

Agreement statement

We, Yass Valley Council, grant you (the interment right holder) the perpetual interment right and related services in this contract.

Our agreement includes:

- the Perpetual Interment Right Contract (this contract)
- the Perpetual Interment Right Terms and Conditions (Annexure A)
- the Price breakdown (Annexure B)
- the details of any related services (Annexure C).
- any other annexures to this contract.

Some terms in this agreement are defined or explained in Annexure A. Notes on the right side of this contract highlight useful terms and tell you where to find them in Annexure A.

Part A: Perpetual interment right

Premises

Name	
Address	

Interment site

Type	
Denomination	
Area	
Section	
Row	
Plot	
Other detail	

Type and maximum number of interments included in the interment right

- ☐ Burial Number of bodily interments: _____
- ☐ Ash interment Number of ash interments: _____

The interment right holder – Number 1

Full name	
Home address	
Postal address (if different)	
Phone	
Email	

The interment right holder – Number 2 (if joint holders)

Full name	
Home address	
Postal address (if different)	
Phone	
Email	

The person(s) to be interred – Number 1

Full name	
Date of birth	
Date of death	
Home address	
Postal address (if different)	
Phone	
Email	

The person(s) to be interred – Number 2 (if joint holders)

Full name	
Date of birth	
Date of death	
Home address	
Postal address (if different)	
Phone	
Email	

Further contacts (next of kin or other secondary contact):

Full name	
Home address	
Postal address (if different)	
Phone	
Email	

Part B: Services

Interment service

We will provide you with the interment(s) (the burial or placement of ashes into the interment site specified above).

[include one of the following options as relevant]

[Option 1: for operators that charge the full amount at the time of contract (at-need and prepaid pre-need)]

This service is included in the charges in Part C.

[Option 2: for operators that charge for interment services in the future when selling a pre-need interment right]

This service is not included in the charges in Part C and will be charged later at the price that applies at the time of need.

Related services

We will provide the below services in addition to the perpetual interment right (see full details of these related services at Annexure C):

☐ Cremation

☐ Memorial service

☐ Memorial, monument or plaque

☐ Other: _____

[include one of the following options as relevant]

[Option 1: for operators that charge the full amount at the time of contract (at-need and prepaid pre-need)]

If you include related services here, the cost will be included in this contract.

If you do not include any related services now, you may choose to do so at a later date by notifying us in writing. The cost of those related services will be payable at the time of your request, at the applicable costs at that time.

[Option 2: for operators that charge for interment services in the future when selling a pre-need interment right]

If you select any related services now, these services and their pricing will be reconfirmed with you at the time of need. The costs of these services are not included in this contract.

Religious and cultural requirements

This section reflects those requirements that you have requested, and we have agreed to provide.

[If no requirements write 'None']

Aboriginal cultural or spiritual requirements

This section reflects those requirements that you have requested, and we have agreed to provide.

[If no requirements write 'None']

Other interment right holder requirements

[If no additional requirements write 'N/A']

Maintenance responsibilities

[This indicates default responsibilities – operator can amend this if alternative maintenance arrangements part of contract]

You are responsible for the costs and activity of maintaining any memorial or monument erected on your interment site.

We are responsible for maintaining the premises, including any part of your interment site that does not contain a memorial or monument.

Part C: General details

Price

Part A: perpetual interment right	[\$ <insert>]
Part B: services	<p>[include one of the following options as relevant]</p> <p>[Option 1: For operators that charge the full cost at the time of contract (at-need and pre-need)]</p> <p>[\$ <insert>]</p> <p>[Option 2: for operators that charge for interment services in the future when selling a pre-need interment right]</p> <p>[<To be Determined>]</p>
Other fees and discounts	[\$ <insert>]
Total price*	[\$ <insert>]

[If related services are still to be determined under Part B, insert the note below]

*This total price only reflects the services being paid for now.

An itemised price breakdown is attached at Annexure B, Price breakdown.

Interment service price disclosure: The current price for the interment service in item 0 is \$[insert], however fees may change over time and the applicable price will be determined at the time of interment.

Payment: You must pay the total price by [insert date] by [insert method], unless we otherwise agree and confirm this in writing. If you are buying the perpetual interment right pre-need and some or all of the services later, we will provide you with the price, due date for payment and method for payment of the services when you need them in future. We can charge interest at [X% per year] if you pay us late.

Transfer fee disclosure: If you choose to transfer the perpetual interment right, the current fee for a transfer application is \$[insert] and this price is subject to change.

End of agreement: If you end this agreement early for your convenience, we will [insert information here on any penalties or processes that may apply].

Special conditions

[Any special condition that the operator attaches to the right or the service. Write n/a if this does not apply]

Declarations and signatures

[Optional if signing on paper; required if signing electronically] Both you and we agree that this contract can be signed electronically, in line with the Electronic Transactions Act 2000 (NSW). This will mean using an e-signing platform such as DocuSign or AdobeSign, or another method if we both agree to this in writing.

The agreement starts on the date that all parties sign this contract. We will give you a signed copy once this is done.

Operator declaration and signature [option 1 – use for **representative**, delete option 2]

Our representative (e.g., our employee) confirms the following:

- (a) Before offering, negotiating, or making this agreement, we gave you information about our relevant basic product (basic adult burial, basic ash interment, or basic cremation), our Price breakdown (Annexure B) and the goods and services included in the price.
- (b) We explained the terms and conditions of this contract to you.
- (c) We gave you reasonable time and privacy to read these materials and ask questions about them and about the terms of this agreement.

Representative signature

Name and position

Date

Operator declaration and signature [option 2 – use for **authorised agent**, delete option 1]

Our authorised agent confirms the following:

- a. Before offering, negotiating, or making this agreement, we gave you information about our relevant basic product (basic adult burial, basic ash interment, or basic cremation), our Price breakdown (Annexure B) and the goods and services included in the price.
 - b. We explained the terms and conditions of this contract to you.
 - c. We gave you reasonable time and privacy to read these materials and ask questions about them and about the terms of this agreement.
 - d. They are authorised by us to act for us, and they are doing so with our authority.
-

Authorised agent signature

Name and position

Date

Interment right holder declaration and signature [duplicate section if there is more than 1 interment right holder (joint)]

You confirm and declare that:

- e. The operator, our representative or our authorised agent has explained the terms and conditions of this contract to you.
 - f. Before offering, negotiating, or making this agreement, we gave you information about the operator's least expensive packages (such as basic adult burial, basic ash interment, and basic cremation), our Price breakdown (Annexure B) and the goods services included in the price.
 - g. You have had reasonable time and privacy to read these materials and ask questions about them or about the terms of this agreement.
 - h. All information you have given the operator, in this contract or other documents, is true and correct.
-

Interment right holder signature

Name

Date

Annexures

Annexure A: Perpetual Interment Right Terms and Conditions

Annexure B: Price breakdown [to be prepared by operator]

Annexure C: Related services [as required]

Annexure A : Perpetual Interment Terms and Conditions

These terms and conditions are part of the agreement between Yass Valley Council (we, us) and the interment right holder(s) (you, your).

A.1. Perpetual interment right

- a. This agreement gives you the exclusive right to a specific burial place or place for ashes, permanently. This is called a perpetual interment right. As the person who has this right, you are the interment right holder.
- b. As the interment right holder, you can nominate who is interred into the interment site. This is known as the 'person(s) to be interred'. You may nominate:
 - Yourself or another person, if you are buying the right 'pre-need' - which means you do not immediately need a burial place or a place for ashes, or
 - A person who is deceased, if you are buying the right 'at-need' - which means you need a burial place or a place for ashes now.
- c. We issue certificates confirming perpetual interment rights, and list current interment right holders in our cemetery operator's register. We must keep this register up to date and available to the public for inspection or for copies to be made on payment of a fee, subject to any applicable privacy laws.
- d. A perpetual interment right does not include any rights or title in the land, roads, building or other structures in the interment site or on the premises.
- e. Both parties to this agreement (you and us) agree that changes to the Cemeteries and Crematoria Act 2013 (the CC Act) and other laws can affect perpetual interment rights.
- f. If you buy a perpetual interment right when you are 'at-need' the contract will describe the services that you have chosen.
- g. If you buy a perpetual interment right to use in the future ('pre need'), you are buying the right now but (unless the contract states otherwise) you will need to pay for the interment service (the burial or placement of a body or ashes in the interment site) at the time of need. Whether you have selected related services (for example, a memorial service) within the contract or choose to add them later when needed, the price for these related services will be the price that applies in future when you need those services (if you still need them), unless otherwise specified in the contract.
- h. We must issue an order for interment before a person can be buried or their ashes placed in the interment site. We will contact you if we require any further information in order to do this.

A.2 Memorials, maintenance and goods and services

- a. As the interment right holder, you are the person authorised to place a memorial or monument at the interment site and deal with it in future as long as you comply with the below requirements.
- b. You must have our written approval to place a memorial or monument at the interment site (if it is not purchased as part of this contract). You also must place the memorial or monument in line with this approval.
- c. We will guide you on the type of memorial or monument that we will approve. We can prohibit, change or remove a memorial or monument if it does not have our approval or meet the requirements of the approval we provided.
- d. If you are buying a memorial or monument from us as part of this contract then it is already approved, although some types of memorial/monument are only approved for specific interment sites. You can find out more by visiting our premises or our website.
- e. You are not allowed to place anything at the interment site that we believe is a public safety risk. Anything we believe is hazardous may be removed by the operator without notice.
- f. We must maintain the premises regularly, at least to the minimum standard the law requires us to meet. This includes your interment site, with the exception of any memorial or monument built on your site. We may reduce the maintenance level in the future where we are no longer offering future interments at the premises.
- g. You are responsible for the costs or activity needed to install or maintain a memorial or monument unless otherwise specified in the contract.
- h. If the contract states we are responsible for maintaining the memorial or monument, we will take all reasonable steps to make sure that the maintenance:
 - i. is in line with agreed standards
 - j. respects any religious, spiritual or cultural requirements in the contract.
- k. We will take all reasonable steps to make sure that our goods and services meet any religious or cultural requirements outlined in the contract.
- l. You can buy extra goods and services from us after the agreement has started (which must be agreed in writing and will be a variation to this agreement). These items are not part of the total price. You must pay the rates that apply for them at the time.

A.3 Price and payment

- a. If you are buying the perpetual interment right at the time of need (at need), you agree to pay the total price for the perpetual interment right and any other goods and services selected at the start of our agreement, as listed in item 13 of the contract.
- b. If you are buying the perpetual interment right to use in the future (pre-need), you agree to pay for the perpetual interment right now (as listed in item 13 of the contract) and the interment service now or later at the time of need (in accordance with items 7 and 14 of the contract). You also agree to pay for any other related services selected at item 8 of the contract later, at the time of need (if you still need them).
- c. We update our policies, guides, rules and process documents from time to time in line with our needs and any changes in the law. The updated details will apply to this agreement, except that the updated details will not affect the agreed price or agreed services listed in the contract.

- d. You will pay for the items included in this agreement as set out in item 15 of the contract. We can charge you interest as described in item 15 if you pay us late.
- e. Goods and services tax (GST) applies to certain (not all) goods and services that you buy from us. You must pay GST at the same time as you pay for your goods and services. If the contract does not state that GST applies to what you are buying, then you do not have to pay GST.

A.4 Changes and cancellations

- a. You can ask us to transfer ownership of the perpetual interment right to someone else. We must respond to a transfer request within a reasonable time. We charge a fee for transferring ownership.
- b. Perpetual interment rights can be held by 1 person (solely) or 2 or more people (jointly):
 - When a sole interment right holder dies, we must transfer the perpetual interment right to the person named in their will, or act as the law tells us if the interment right holder did not leave a will.
 - When a joint interment right holder dies, we must transfer the perpetual interment right to the surviving interment right holder.
- c. You must talk to us if you want to transfer your rights or duties under this agreement to someone else. Your changes must be legal, and we must agree to them in writing.
- d. Either party (you or we) can waive their own rights under this agreement by telling the other party in writing.
- e. We can cancel a perpetual interment right when:
 - the interment site has not been used within 50 years of the time when it was granted (as per the CC Act). The 50-year time period may change if the law changes.
 - we follow all other cancellation requirements under the CC Act.

A.5 End of agreement

- a. You or we can end the agreement if the other party breaches the agreement and either:
 - the breach can be fixed, but the party does not fix it within [x] days of being told in writing about the breach, or
 - the breach cannot be fixed.
- b. You can end this agreement by writing to us [x] days before you want it to end, and in line with clause 5(c).
- c. You can only end this agreement if the interment site has not been used for a burial or to place ashes.
- d. The agreement automatically ends when you have paid us all the fees you owe and either:
 - the burial or placement of ashes in the interment site has been completed, or
 - we have cancelled your perpetual interment right, in line with section 52 of the CC Act.
- e. Some rights and duties that you and we have under this agreement continue after the agreement has ended. These include the rights and duties set out in:
 - clauses 1(c), 2(b), 2(d), 2(e), 2(g), 2(h), 2(i), 4(c), 4(d), 5(f), 5(g), 7

- clause 6 (for as long as legally required)
 - any other terms (including Contract details and Definitions) which are intended to continue after the agreement has ended.
- f. Where an exhumation has taken place in line with section 66 of the CC Act, the rights and duties set out in clauses 2(b), 2(d), 2(e), 2(g), 2(h), 2(i), 4(c), 4(d), 7 that you and we have under this agreement will no longer continue.
- g. If any part of the agreement cannot be enforced in court, then that part will be treated separately but the rest of the contract stands.

A.6 Personal information

- a. You agree that we need to collect and store personal information in line with this agreement, the CC Act and privacy legislation. We will use this personal information to provide the rights, goods and services this agreement covers.
- b. We must manage personal information in line with our privacy policy and privacy legislation. We may need to share it with other regulatory authorities, if the law requires us to do so.
- c. You must not give us other people's personal information unless they agree that we can have it and use it.
- d. You must make sure that we have correct and up-to-date details (including contact details) for you and any next of kin or secondary contact which is necessary for us to provide the rights, goods and services this agreement covers. Please contact [insert privacy or equivalent relevant contact details] if you wish to check, update or correct any of the personal information that you give us.
- e. We will write to you when we need to tell you something, and we will use the contact details set out in the contract, or the updated contact details you have given us.

A.7 Consumer protections, disputes and complaints

- a. We will follow all relevant laws when we provide you with the rights, goods and services included in this agreement. This includes complying with Australian Consumer Law, privacy laws, work health and safety law, the CC Act, and public health laws.
- b. Nothing in the contract changes or limits your legal rights as a consumer. Find out more about these rights at <https://www.accc.gov.au/consumers/buying-products-and-services>.
- c. We and you agree to follow our dispute resolution process if there is a disagreement about anything in this agreement. You can find and access our complaints and dispute resolution process at [insert link].
- d. Our dispute resolution process is consistent with the CC Act, and gives us the power to decide who holds the perpetual interment right for a particular site (on application), based on the CC Act.
- e. To give us your feedback or to complain, please contact [insert contact details].
- f. If you are not satisfied with how we deal with your complaint, our dispute resolution process shows you who to contact next. In addition, you can also contact the government authority that regulates us: Cemeteries & Crematoria NSW. Visit <https://www.cemeteries.nsw.gov.au/complaints-and-enquiries/complaints>.
- g. The laws of New South Wales govern this agreement. If you or we are unhappy with the dispute resolution outcome and the complaint is taken to court, you or we will use a New South Wales court.

Definitions

Some terms in this agreement have specific meanings, as shown below.

Term	Definition
at-need	The circumstances when a person needs a burial site or a place for ashes immediately. This usually means that a person has recently died (or where death is imminently expected).
authorised agent	A party that we engage to act on our behalf, such as a funeral director.
CC Act	The Cemeteries and Crematoria Act 2013 (NSW)
cremation	A process for reducing bodily remains by fire, heat, alkaline hydrolysis or another method allowed by the regulations.
crematorium	A building where deceased people are cremated. It does not matter whether or not the building (or part of it) is also used for memorial services.
interment	The process of either: burying human remains in the earth (directly in the earth or in a container) placing human remains in a mausoleum, vault, columbarium or other structure designed to hold human remains.
interment right holder or you or your	The person recorded in the cemetery operator's register as the person that currently has the perpetual interment right.
interment site	The specific location on the premises where a person will be buried or their ashes will be placed.
memorial	A gravestone, plaque, cenotaph or other monument, or any other structure or permanent physical object used to memorialise a person.
operator or we, our or us	[insert operator name]
operator's register	A register kept by a cemetery or crematorium operator, in line with section 63 of the CC Act.
order for interment	A written order that the operator creates to confirm the details of the interment immediately prior to it occurring.
person(s) to be interred	The person(s) whose bodily remains or ashes are to be buried or placed in the interment site.
perpetual interment right	The right to have a person permanently buried or their ashes placed at the interment site, in line with this agreement and section 44 of the CC Act.
premises	The cemetery or crematorium named in item 1 of the Perpetual Interment Contract.

Term	Definition
pre-need	The circumstances when a person needs a burial site or a place for ashes at a future date. This usually means that no-one has recently died.
representative	An officer, employee or volunteer that the operator authorises to act as its representative for the purpose of making this agreement. To be clear, a representative is not the same as an authorised agent.

Cemeteries & Crematoria NSW

Approved format to publish Basic Adult Burial prices
(as per licence conditions C.1)



Annexure B1: Price breakdown – Approved format to Publish Basic Adult Burial Prices

This price breakdown for the Basic Adult Burial is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Right to inter (bury) bodily remains in a particular location in a cemetery				
Administration – Interment right	Preparation of key documentation and associated activities to issue an interment right (the right to be buried in a particular location) including: - Consumer Contract - Interment Right Certificate			
Land value	Relevant proportion of the cost of purchasing land for the cemetery			
Site development	Relevant proportion of the cost of developing land for the cemetery, or the specific area of the cemetery (<i>Applies to new cemetery development only</i>).			
Maintenance	Share of cost of activities required to maintain the site and the cemetery. Operator to specify whether perpetual maintenance (future) is included.			
Sub-Total				
Burial or placement of bodily remains in grave or built structure				
Burial, or Placement	Burial of bodily remains in the ground, including excavation (digging a grave to the appropriate size and depth) and landscaping the site after burial, or Placement of bodily remains elsewhere than in the ground (e.g. crypt, mausoleum).			

Administration - Burial	Administrative costs associated with the burial for example issuing the Order for Interment (required to confirm all details correct before burial occurs)			
Sub-Total				
Memorial (if applicable)				
Plaque, monument, headstone, garden or other item installed on a site to commemorate or identify	Engraving and/or placement of a memorial			
Religious, Cultural or Spiritual (if applicable)				
Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example interment within 24 hours requiring staff overtime, backfill by hand requiring additional labour.			
Additional fees, services or products (if applicable)				
Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.			
Discounts (if applicable)				
Discounts	For example if a discount is offered to local ratepayers by council operators.			
			GST applicable subtotal	GST not applicable subtotal
Total price for Basic Adult Burial (including GST where it is applicable)				

Cemeteries & Crematoria NSW



Approved format to publish Basic Ash Interment prices (as per licence conditions C.1)

Annexure B2: Price breakdown - Approved Format To Publish Basic Ash Interment Prices

This price breakdown for the Basic Ash Interment is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Right to inter (place) ashes in a particular location in a cemetery				
Administration – Interment right	Preparation of key documentation and associated activities to issue an interment right (the right to place (inter) ashes in a particular location) including: - Consumer Contract - Interment Right Certificate			
Land value	Relevant proportion of the cost of purchasing land for the cemetery			
Site development	Relevant proportion of the cost of developing land for the cemetery, or the specific area of the cemetery (<i>Applies to new cemetery development only</i>).			
Maintenance	Share of cost of activities required to maintain the site and the cemetery. Operator to specify whether perpetual maintenance (future) is included.			
Sub-Total				

Placement of ashes				
Placement of ashes	Placement of ashes in the ground or another structure (such as a columbarium or niche wall)			
Administration – Placement	Administrative costs associated with the placement of the ashes for example issuing the Order for Interment (required to confirm all details correct before any placement occurs)			
Sub-Total				
Cremation (if applicable)				
Cremation	Cost of cremation, if included in the Basic Ash Interment			
Administration – Cremation	Administrative costs or fees associated with the cremation, including any mortuary storage costs or transportation costs that apply.			
Memorial (if applicable)				
Memorial plaque, garden or other item installed on a site to commemorate or identify	Engraving and/or placement of a memorial			
Religious, Cultural or Spiritual (if applicable)				
Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example, witness insertion costs.			

Additional fees, services or products (if applicable)				
Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.			
Discounts (if applicable)				
Discounts	For example if a discount is offered to local ratepayers by council operators.			
			GST applicable subtotal	GST not applicable subtotal
Total price for Basic Ash Interment (including GST where it is applicable)				

Cemeteries & Crematoria NSW

Approved format to publish Basic Cremation prices
(as per licence conditions C.1)



Annexure B2: Price breakdown - Approved Format To Publish Basic Cremation Prices

This price breakdown for the Basic Cremation is presented in the format approved by the regulator, as per Condition C.1 of the licence conditions for cemetery operators.

In line with the approved format, all prescribed elements of the price breakdown must be shown in the table, with those that do not apply in our circumstances marked as not applicable. This price breakdown does not include any products or services not provided by the cemetery or crematorium operators, such as the costs of the funeral director.

Price Breakdown Element	Description of this Element	Operator Specific Information (if relevant)	Price (GST applicable element, includes GST)	Price (GST not applicable, excludes GST)
Collection and storage				
Collection and transportation	Collection and transportation of the deceased to the crematorium, if provided by the operator.			
Storage	Storage of the deceased in mortuary or holding room			
Sub-Total				
Administration				
Administrative costs of the cremation	Administrative processes required before a cremation such as validation of the death certificate and other legal requirements.			
Cremation				
Preparation	General activities required to prepare for a cremation			
Cremation	Costs of cremation, including the costs of gas or other fuel Any costs required to prepare the ashes for collection			

Urn or vessel to contain ashes	Any vessel provided to store and return ashes			
Sub-Total				
Religious, Cultural or Spiritual (if applicable)				
Religious, cultural or spiritual requirements	Details of religious, cultural or spiritual requirements included and an explanation of the components of the price. For example, witness insertion costs.			
Additional fees, services or products (if applicable)				
Items or components that are not included in the above sections e.g. flowers, chapel hire, catering	Each component should be clearly itemised, and details provided. Includes any additional fees for example if an 'Out of Area' fee is applied by council operators to customers residing outside of the council area.			
Discounts (if applicable)				
Discounts	For example if a discount is offered to local ratepayers by council operators.			
			GST applicable subtotal	GST not applicable subtotal
Total price for Basic Cremation (including GST where it is applicable)				

Annexure C: Related services [as required]

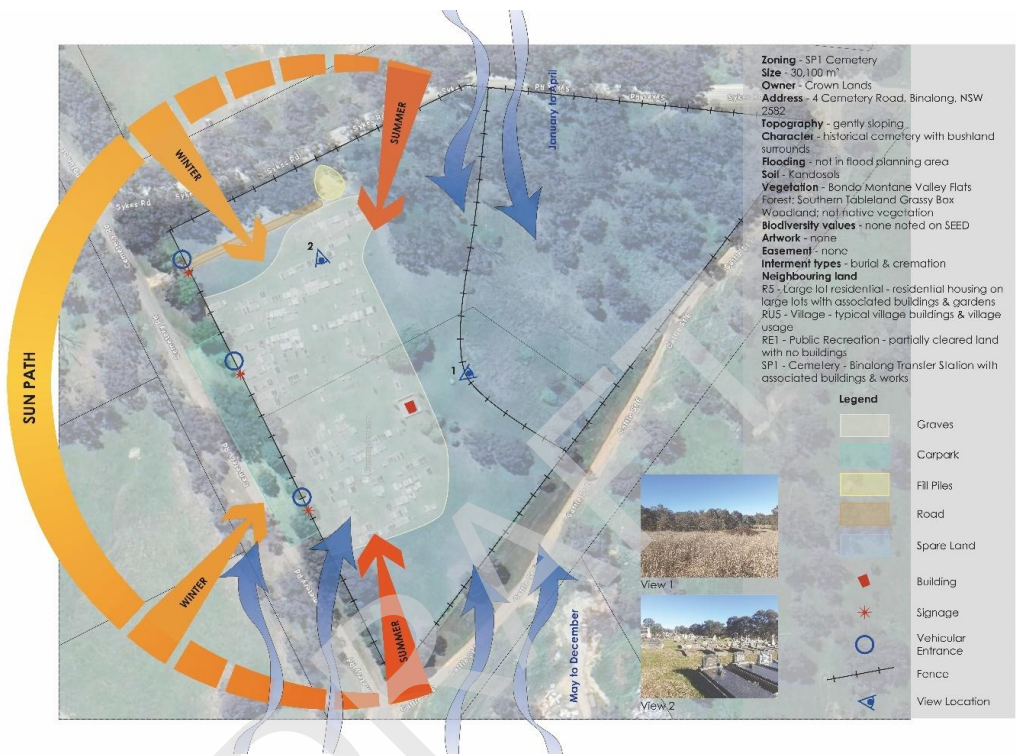
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Appendix 3 – Operational Maintenance Document

Binalong Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Weekly

April to August: Monthly

Response time for unplanned maintenance: 1 week

Cemetery area type	Maintenance activities
Graves	Regular mowing, trimming and other basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)

Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management)
Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.

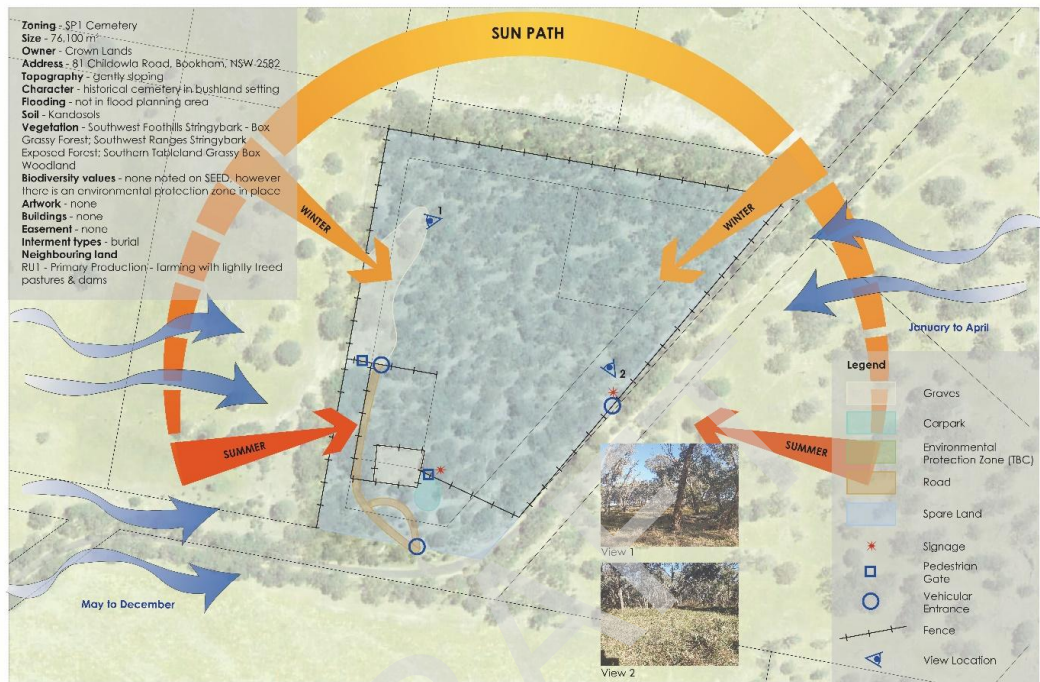
Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	Columbarium Shelter	Annual condition inspection
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	Water, sewer, electrical	Annual condition inspection
Graves	Memorials	Once every 5 years

Bookham Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: As determined by monthly inspections

April to August: As determined by monthly inspections

Response time for unplanned maintenance: 1 month

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management) and natural bushland maintained.

Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.
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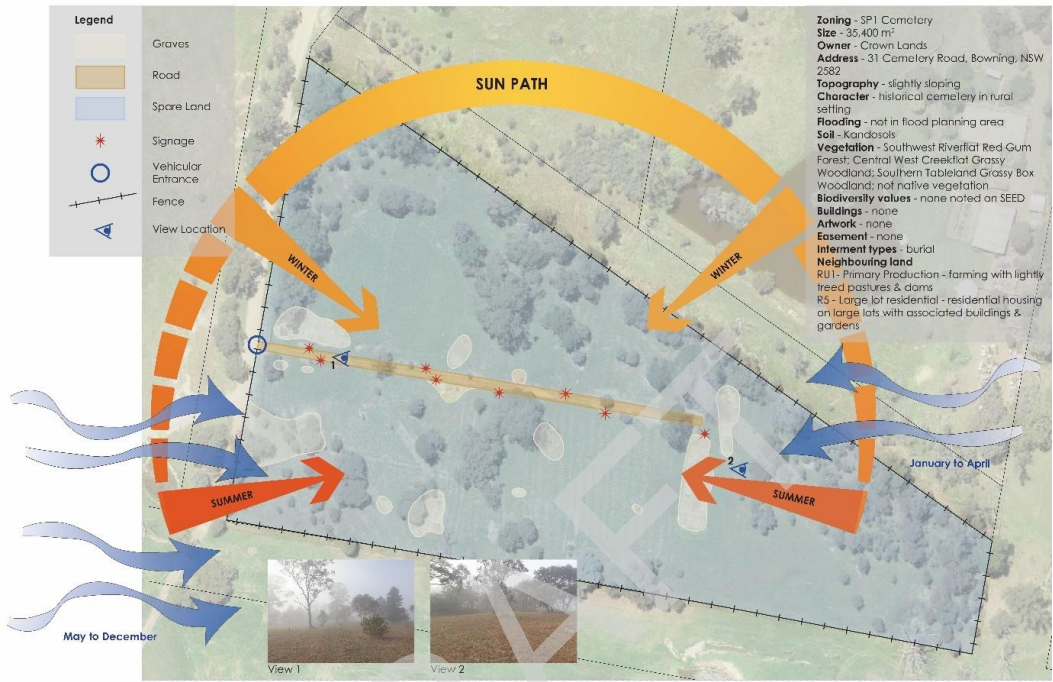
Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	N/A	
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	N/A	
Graves	Memorials	Once every 5 years

Bowing Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Fortnightly

April to August: Monthly

Response time for unplanned maintenance: 2 weeks

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management) and natural bushland maintained.

Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.
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Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	N/A	
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	N/A	
Graves	Memorials	Once every 5 years

Gundaroo Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Fortnightly

April to August: Monthly

Response time for unplanned maintenance: 2 weeks

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management), noting proposed Environmental Protection Zone.

Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.
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Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	Columbarium	Annual condition inspection
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	N/A	
Graves	Memorials	Once every 5 years

Murrumbateman Bush Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Weekly

April to August: Monthly

Response time for unplanned maintenance: 1 week

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management), noting proposed Environmental Protection Zone.
Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.

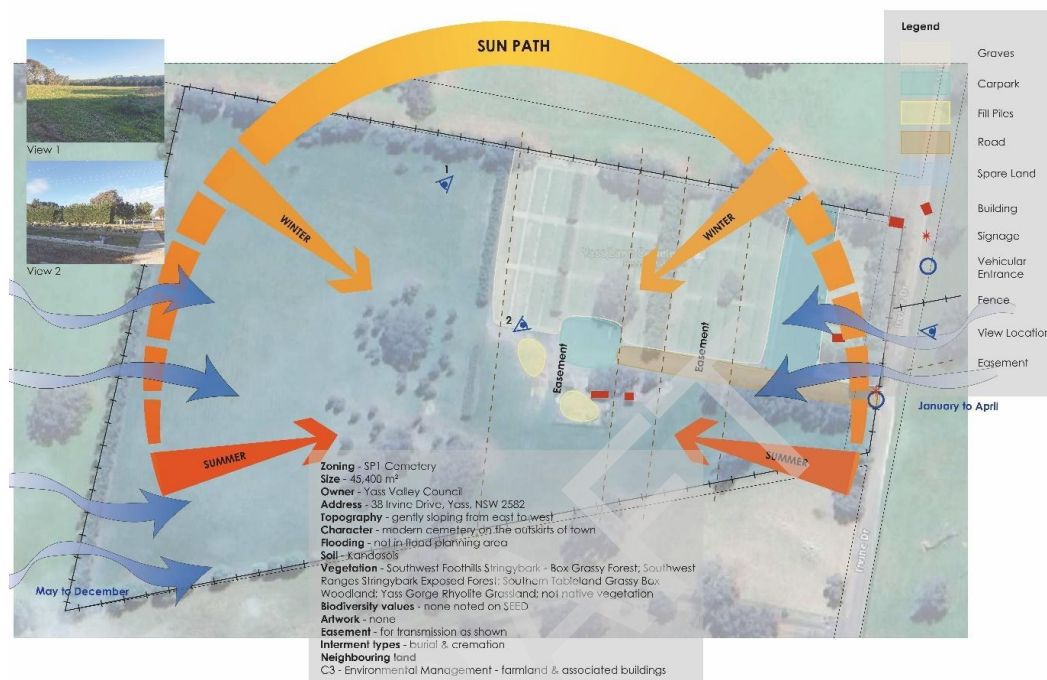
Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	Columbarium	Annual condition inspection
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	Water, sewer, electrical	Annual condition inspection
Graves	Memorials	Once every 5 years

Yass Lawn Cemetery

Status

Active



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Weekly

April to August: Monthly

Response time for unplanned maintenance: 2 days

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management)
Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.

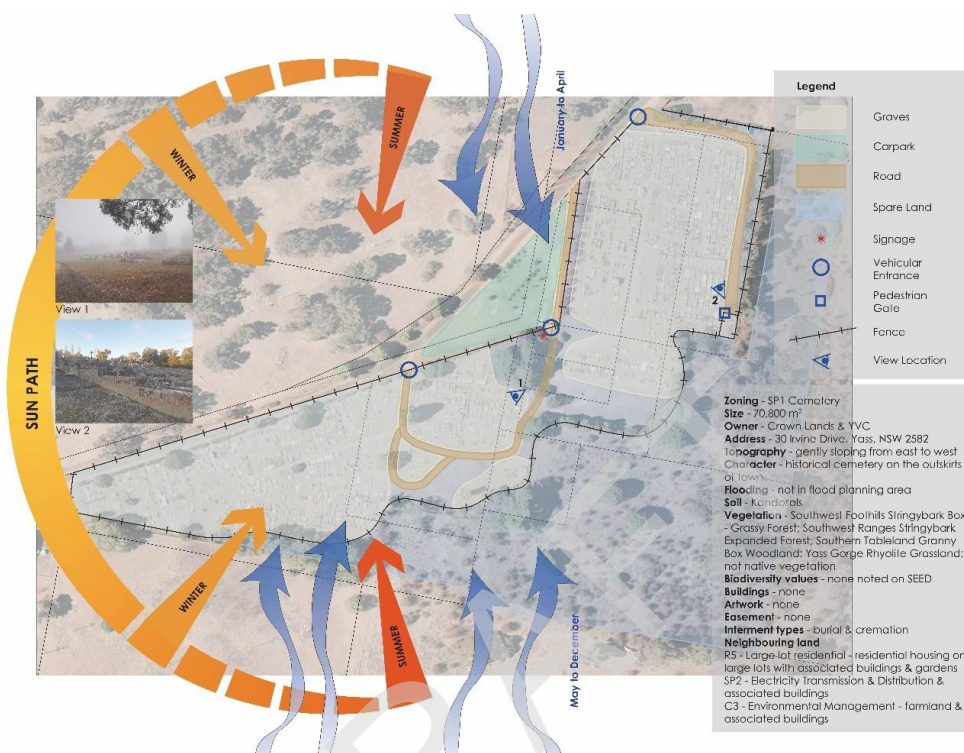
Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	Columbarium Shelter Toilet Maintenance compound Tank	Annual condition inspection
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	Water, sewer, electrical	Annual condition inspection
Graves	Memorials	Once every 5 years

Yass Old Cemetery

Status

Inactive



Landscape Maintenance Cycle

* The Landscape Maintenance Cycle will be updated to reflect the findings of the environmental consultant engaged to study each cemetery.

September to April: Fortnightly

April to August: Monthly

Response time for unplanned maintenance: 2 weeks

Cemetery area type	Maintenance activities
Graves	Basic maintenance activities, including removal of rubbish. Weed removal via the use of a glyphosate-based product, in accordance with the manufacturer's recommendations.
Unused cleared areas (not yet utilised)	Maintained to appropriate community standards depending on use (e.g. as general public open space)
Unused natural areas	Variable maintenance to ensure vegetation quality is retained or improved (e.g. weeds management), noting proposed Environmental Protection Zone.

Administrative / maintenance areas	Variable maintenance to ensure they are safe, tidy and do not create a potential hazard.
------------------------------------	--

Asset Maintenance Cycle

Class	Assets	Inspection cycle (for example)
Building assets	N/A	
Movement assets	Roads, car parks, pathways and access facilities	As required for safety or defects
Services assets	N/A	
Graves	Memorials	Once every 5 years

Appendix 4 – Maintenance Records

Example Record

[illegible]

Appendix 5 – Self-Assessment Checklist

[Self-assessment checklist for performance monitoring](#)

DRAFT

Appendix 6 – Memento Policy

XX-AP-XX

Draft Memento Policy

Purpose

The purpose of this Policy is to assist with ensuring that Yass Valley cemeteries’ appearance meets community expectations and is safe for all visitors, staff and contractors.

Scope

Council operates the following seven cemeteries:

- Binalong Cemetery
- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Lawn Cemetery
- Yass Old Cemetery

This Policy applies to Council officers, funeral directors, contractors and members of the public.

Definitions

Term	Meaning
Approved Container	A container suitable for retaining livings plants and Floral Tributes. Approved Containers must be no larger than 200mm in diameter and 300mm in height, and made from non-destructible material, such as concrete, fibreglass, stainless steel, or High Density Polyethylene (HDPE) plastic.
Flammable Tribute	Means candles or incense sticks.
Floral Tribute	Means flowers cut from living plants, or made using artificial flowers. These are to be free from rubber bands, plastic wrapping, and wetbrick.
Memento Tribute	Means any toys, trinkets, keepsakes, coins, jewellery, books, painted motifs, and framed photographs not affixed to a Memorial.
Ornamental Tribute	Means flags, lights, windmills, wind chimes, and sculptures no higher than 300mm.

Perishable Container	Means any vase, container, or planter box made from wood, glass, Styrofoam, or breakable materials (including porcelain, terracotta and hardened clay). Including iron cases, tin cans, jars, and jugs.
Place of Interment	Means the place within the cemetery where human remains (actual remains or the cremated remains) are interred and includes graves or plot which serves as a receptacle for the deceased.
Vegetation Tribute	Mans living plants including succulents, approved perennial and annual plants) that have been retained within an Approved container.

Policy Principles

This Policy guides and defines items that are approved for placement as a graveside memento, floral and ornamental tribute.

Ensures compliance with legislative requirements and industry standards as per the *Cemeteries and Crematoria Regulations 2022*.

Yass Valley cemeteries are maintained as an attractive, clean and tidy facilities in a hazard free environment.

Approach

To maintain the cemeteries, the following outlines the kind of tributes that may be left at gravesites:

- Artificial flowers – noting that due to the effects of UV rays, discoloured and worn artificial flowers will be removed from memorials at the discretion of Council.
- Fresh flowers – families are encouraged to assist Council by removing withered/weathered tributes from the grounds.

To reduce the risk of injury to people visiting or maintaining the Cemetery, the following outlines what is not permitted:

- Ceramic or glass items that are fragile or breakable;
- Metal items that are likely to rust or deteriorate;
- Items likely to cause a risk to health or safety;
- Items left at gravesites that could cause injury if damaged or caught under mowers or edge trimming equipment, are not permitted and will be removed (including alcohol left at the gravesite);
- No tree, shrub or other plant is to be placed or planted on any gravesite in the lawn sections;
- No statue or other structure is to be erected/constructed over the lawn section of the gravesite;
- Gravesite memorials at Yass Valley Council cemeteries are to be restricted to the concrete plinth and must not encroach on the adjacent gravesites or the lawn section of the gravesite; and

Approved Items	Non Approved Items
Urns and metal items that are not likely to rust	Ceramic or glass items that are fragile/breakable
Flowers – fresh and artificial	Alcohol
Memorials – small that fit on concrete plinth	Solar lights
Vases made from material that is not breakable	Pot plants with flowers, shrubs or trees planted
	Flowers, shrubs or trees planted on gravesite

Council acknowledges that cemeteries are special places that require sensitive and sympathetic management. Council officers will undertake regular maintenance of the cemeteries. Flowers that have become displaced, deteriorated or unsightly will be removed. Artificial flowers will be removed if they are not in approved bases. Artificial flowers will be removed when they are faded, weathered or otherwise degraded.

Responsibilities & Review

Director Infrastructure and Assets is responsible for ensuring that Yass Valley cemeteries' appearance meets community expectations and is safe for all visitors, staff and contractors.

Asset Owners are responsible for the development of appropriate policies and procedures.

Review will be every four years.

References

This Policy is to be read in conjunction with the following:

Legislation, Policies and procedures	Cemeteries and Crematoria Regulation 2022
	<i>Cemeteries and Crematoria Act 2013</i>
	<i>Local Government Act 1993</i> and Regulations
	Licence Conditions for Operators of Cemeteries and Crematoria, Cemeteries & Crematoria NSW, Department of Planning and Environment 2024
	<i>Work Health and Safety Act 2011</i> and Regulations
	Cemetery Operations Manual 2017

Approval History

Stage	Date	Comment	MagiQ Reference

Ownership and Approval

Responsibility	Role
Author	
Owner	
Endorser	
Approver	Chief Executive Officer

DRAFT

Appendix 7 – Memorial Policy

XX-AP-XX

Draft Memorial Policy

Purpose

The purpose of this Policy is to outline the overall principles of how Council manages its cemeteries in order to comply with legislative requirements and to provide a dignified and responsive cemetery and memorial service to the community

Scope

Council operates the following seven cemeteries:

- Binalong Cemetery
- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Lawn Cemetery
- Yass Old Cemetery

This Policy applies to Council officers, funeral directors, contractors and members of the public.

Definitions

Term	Meaning
Applicant	Means the person making an application for an Exclusive Right of Burial, Work Permit, enquiry, burial, relocation or exhumation. This could be a Funeral Director, Monumental Mason or a family member or friend.
Ashes/Ash Remains	Means the processed remains or residue recovered from the cremation of a human body or pathological samples.
Burial/Interment	Means the act of burying, interring or immuring the remains of deceased person.
Burial Plot/Site, Grave Site	Mans a grave site, vault site, crypt site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.

Burra charter	Means 'The Burra Charter (The Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance)' 1.4.13 By law or Crown Lands By-law means the 'Crown Lands (General Reserves) By-Law 2006' and the 'Crown Lands (General Reserves) Amendment (Sustainable Burials) By-law 2011'.
Casket	Is a general term to describe coffins and containers used to hold human remains.
Cemetery or Cemeteries	Means an area containing one or more burial plots. When used as a generic term it can apply to lone graves, family plots and larger collections, such as those under Council's control.
Child	Means a person aged 0 up to and including 12 years of age.
Council	Means yass Valley Council
Crown Land	Means land owned by Government. In NSW the nominal owner is the Minister for Lands. In this context the lands are allocated to Trusts and Local Councils and dedicated as cemeteries.
Exclusive Right of Burial	Means a certificate that provides a person with the authorisation of who can be interred or exhumed from a burial site. The Exclusive Right does not give the holder any equity or property holding in the cemetery.
Exhumation	means the removal of human remains from a grave filled with soil or sand.
Fee	Means a fee charged by Council in accordance with its annual Schedule of Fees and Charges.
Funeral Director	Means an individual or business carrying out funeral services.
Holder	In relation to a burial or niche licence, means the person recorded, in the register kept by Council, as the holder of the burial or niche licence.
Interment Right	Means the grant by a reserve trust of an exclusive right to bury one or more (human) remains in a burial site.
Interment Right Holder	Means the original purchaser and person recorded, in the register kept by the Council, as the person entitled to the interment right. The holder of the interment right is that person(s), or corporation(s) currently entered in the cemetery's register.
Joint Holders	Means two or more persons named as joint holders of a single interment right.
Monument	Means any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial site.

Monumental Mason	Means a tradesperson, mason or person possessing the skills to carry out monumental work to the current Australian Standard and fully licenced and insured to do so. Approved by Council.
Niche	Means the smaller spaces for interment of cremated remains. The niche can freestanding, such as a wall niche, incorporated into a building, or into the ground, such as a garden niche area.
Register	Mans the Council's formal repository of data containing all the required details of a burial plot, memorial site or interment right.
Significant dates	Means dates where there are generally expected to be a significantly larger number of mourners visiting the cemetery outside of a burial or ashes placement.

Policy Principles

This Policy guides and defines items that are approved for placement as plaques, headstones and monuments.

Ensures compliance with legislative requirements and industry standards as per the *Cemeteries and Crematoria Regulations 2022*.

Council will specify the type of memorial (plaque, headstone or monument) to be placed on a site. Areas specific to each type of memorial are designed in accordance with the Yass Valley Council Cemetery Masterplan and as per section type at Yass Valley Council Cemeteries. Memorials not in accordance with the prescribed type will not be approved.

Council requires that the family or authorised representative for the deceased endeavour to erect a suitable monument within 12 months of the interment or greater if consented to by Council on prior request. Council will only grant a monumental permit with the consent of the grantee of the 'Right of Burial'.

In lawn sections, Council will accept applications for either a Cast Bronze plaque, or a granite plaque, arranged through a Council Approved Installer or Stonemason and upon completion of an Application to erect cemetery monument.

Placement of Cast Bronze plaques and granite plaques is only to be undertaken by Council approved Installer or Stonemasons in accordance with the conditions outlined in the written approval.

Military insignia and emblems require consent from the Department of Veteran Affairs and will not be included on a plaque by Council without written approval. The onus is on the family to provide adequate military records to obtain written approval.

Council will not be liable for removal or replacement of plaques where errors have been made by the family or where vandalism has occurred.

The construction or installation of any monument, memorial, foundation, headstone, gravestone, kerbing, railing, footings or other structure on a burial plot or plots shall be:

- a. Pre-approved by Council through an 'Application to erect cemetery monument' form accompanied by sketches, drawings, engineering details and such other particulars as may be required by the Cemetery Coordinator.

- b. Carried out by a Council Approved, and licensed Monumental Mason.
- c. In accordance to the Australian Standard 4204
- d. In accordance with Council's Cemeteries Operation Manual.
- e. Constructed of materials of a permanent nature eg marble, granite, sandstone etc (timber or mortar and bricks are not considered permanent).

Council may provide a temporary grave marker for a headstone/monument plot upon request.

Ownership of improvements to a cemetery site is deemed to be with the person or persons who caused the improvement or as noted in the cemetery register. Where a request for an improvement is received from a person other than the authorised applicant, a letter of consent must accompany the request.

Maintenance of improvements is the responsibility of the family or authorised representative.

Council may act to modify and/or remove any structure in a cemetery that has become dilapidated, unsightly, is crumbling, has not been installed in accordance to the standard, is encroaching onto adjoining burial sites or is encroaching into aisle ways or has been deemed to be unsafe in a risk assessment carried out by Council. Council's actions will include making unsafe structures safe to ensure public and employee safety and to fulfil its responsibility for preservation as defined in the *Burra Charter*, ie '1.6 Preservation means maintaining the fabric of a place in its existing state and retarding deterioration'.

Interment of ashes and placement of relevant plaque may only be completed by Council officers. Families of the deceased, other members of the public or other contractors (such as funeral directors) are not permitted to inter ashes or place plaques.

General Public Requirements within the Cemetery

A person must **not** do any of the following within Council's cemeteries:

1. Damage, deface, interfere with, alter or remove any monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, rail or other structure from a cemetery without Council's written permission.
2. Construct or install any monument, memorial, foundation, headstone, gravestone, kerbing, railing, pebbles, matting or other structure on a burial plot or plots, unless it is of a material and design and carried out to a standard of workmanship approved by the Cemetery Coordinator, through the appropriate approval process
3. Place or install any item that extends beyond the constructed headstone, monument or niche, including pot plants, flower holders or live plants; that includes no items placed on grassed or landscaped areas both within burial plots and general areas.
4. Glue or permanently attach items to gardens, wall sites or lawn cemetery concrete beams.
5. Use a hose for the washing of monuments.
6. Erase, correct, or require the erasure or correction of, wording of any inscription that has been constructed, installed, made or carried out:
 - i. without Council's written consent; or
 - ii. otherwise than in accordance with an approval given by Council.

Responsibilities & Review

Director Infrastructure and Assets is responsible for ensuring that Yass Valley cemeteries’ appearance meets community expectations and is safe for all visitors, staff and contractors.

Asset Owners are responsible for the development of appropriate policies and procedures.

Review will be every four years.

References

This Policy is to be read in conjunction with the following:

Legislation, Policies and procedures	<i>Cemeteries and Crematoria Act 2013</i>
	Cemeteries and Crematoria Regulation 2022
	<i>Local Government Act 1993</i> and Regulations
	Licence Conditions for Operators of Cemeteries and Crematoria, Cemeteries & Crematoria NSW, Department of Planning and Environment 2024
	<i>Work Health and Safety Act 2011</i> and Regulations
	Cemetery Operations Manual 2017
	AS 4204:2019 <i>Headstones and cemetery monuments</i>
	AS 4425:2020 <i>Above-ground burial structures</i>

Approval History

Stage	Date	Comment	MagiQ Reference

Ownership and Approval

Responsibility	Role
Author	
Owner	
Endorser	
Approver	Chief Executive Officer

Appendix 8 – Operator Price Breakdown

2025/2026 Fees and Charges

Name	Per	GST	Policy Code	Year 24/25 Fee (incl. GST)	Year 25/26 Fee (excl. GST)	GST	Fee (incl. GST)	Increase %
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Cemeteries

Right of Internment (ROI)

Administration Fee	Each	N	Full Cost	\$0.00	\$65.00	\$0.00	\$65.00	∞
Cemetery ROI Transfer - Out of LGA	Each	N	Full Cost		At Need - Right of Internment and digging fee plus 50% Pre Need - Right of Internment plus 50%			
Interment Service Levy - Burial	Each	N	Full Cost	\$0.00	\$156.00	\$0.00	\$156.00	∞
Record Search Fee	Each	N	Full Cost	\$0.00	\$95.00	\$0.00	\$95.00	∞
Right of Internment Transfer	Each	N	Full Cost	\$0.00	\$110.00	\$0.00	\$110.00	∞
Right of Internment Fee/Plot, perpetual maintenance (ROI)	Each	Y	Full Cost	\$1,472.00	\$1,807.27	\$180.73	\$1,988.00	35.05%

Columbarium/Memorial Gardens Right of Internment (ROI)

Interment Service Levy - Ash Interment	Each	N	Full Cost	\$0.00	\$63.00	\$0.00	\$63.00	∞
Columbarium/Memorial Gardens Plot Right of Internment	Each	Y	Market	\$232.00	\$285.00	\$28.50	\$313.50	35.13%

Grave Digging Charges

Ash Interment - Digging - Gardens Only	Each	Y	Full Cost	\$0.00	\$285.00	\$28.50	\$313.50	∞
Ash Interment - Into existing Burial Plot	Each	Y	Full Cost	\$0.00	\$545.45	\$54.55	\$600.00	∞
Graves Exceeding Size/ Digging Cost		N	Full Cost	\$0.00	\$400.00	\$0.00	\$400.00	∞
Grave Digging or reopening of plot ROI issued prior to 1/7/2018	Each	Y	Market	\$2,220.00	\$2,724.55	\$272.45	\$2,997.00	35.00%
Grave Digging or reopening of plot where ROI issued post 1/7/2018	Each	Y	Market	\$1,442.00	\$1,770.00	\$177.00	\$1,947.00	35.02%
Grave digging – children (up to 5 years of age)	Each	Y	Market	\$494.50	\$607.27	\$60.73	\$668.00	35.09%
Double depth digging	Each	Y	Market	\$221.50	\$272.27	\$27.23	\$299.50	35.21%
After hours burials by arrangement only	Each	Y	Market	\$706.00	\$866.82	\$86.68	\$953.50	35.06%

Monument Erection

Monument Erection Application Fee (non refundable)	Each	N	Market	\$57.60	\$130.00	\$0.00	\$130.00	125.69%
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Appendix 9 – Yass Valley Council – Customer Service Charter

As a licenced [cemetery and/or crematorium] operator ('Operator'), and in line with our licence conditions, we recognise the importance of customer service. When carrying out interment services we will endeavour to provide a high standard of customer service at all times, as outlined in this Charter.

Commitment to Customer Service Principles

In providing our services we will take all reasonable steps to ensure that we:

- Respect the personal choices of our customers
- Provide customers and prospective customers with full and accurate information about the products and services that we are able or unable to provide
- Carry out our business with competency and integrity, and
- Maintain high standards of conduct, to enhance the reputation of the industry.

We will ensure that there are systems and processes in place to support these customer service principles. This Charter is a key part of those systems and processes.

We will ensure there is no discrimination against customers, visitors, invitees, or the public on any of the grounds referred to in the *Anti-Discrimination Act 1977*.

Provision of information to consumers

In relation to disclosure of information, we will have practices in place to ensure that:

- Where necessary, reasonable efforts will be made to assist customers who do not speak English or have specific communication needs
- We will not refer you to any ancillary / outside provider without disclosing any financial or other relationship we may have with that provider
- We take a responsible approach to selling, by making reasonable efforts to ensure customers fully understand the inclusions and exclusions in any service, plan, or package they purchase by providing information in a standardised format
- Where inappropriate or out-of-date information has been provided, we will rectify such errors to ensure that correct information is provided to the customer or prospective customer
- We make sure our customers are aware of their consumer rights under applicable laws of NSW and/or the Commonwealth
- We maintain the privacy and confidentiality of personal information under applicable legislation.

Dealing with complaints and disputes

When resolving any disputes with our customers we will:

- Deal with disputes and complaints in a respectful and compassionate way
- Do our best to acknowledge a complaint in writing within 7 days, and respond in writing within 30 days

If you are not satisfied with our handling of your complaint or the resolution, you can contact the Cemeteries Agency via email - ccnsw.info@cemeteries.nsw.gov.au or by phone - 02 9842 8470.

For all complaints we receive, we will ensure these are captured in a register and maintain relevant records for 7 years from the date the complaint was made.

How we demonstrate this commitment

To ensure that we are meeting these customer service standards, as required by our licence, we will provide Cemeteries & Crematoria NSW, our regulator, with copies of documentation related to customer service activities on request, including:

- Copies of customer service policies and/or processes or other relevant documentation;
- Any information relevant to complaints, including the annual summary of records of complaints received; and
- Keeping appropriate records as required by law and to support our business and customers.

How to contact us:

For all enquiries, feedback or to share your experience please:

Call: 02 6226 1477

E-mail: council@yass.nsw.gov.au

Mail: PO Box 6, Yass NSW 2582

Appendix 10 – [Cemeteries & Crematoria NSW's General consumer guide to interment rights in NSW](#)

A link to the NSW Government General Consumer Guide to Interment Rights in NSW is provided below:

[General consumer guide to interment rights in NSW](#)



Appendix 11 – Yass Valley Council Complaints Policy – GOV-CP-07



GOV-CP-07

Complaints

Purpose

To provide guidance on the management of complaints that facilitates a consistent, fair and equitable process for resolution.

Scope

Any member of the public, including a member of staff can lodge a complaint in accordance with this Policy.

Any staff member or Councillor can accept a complaint which will be referred to the relevant Council officer for action. Complex or serious complaints should be made in writing directly to the General Manager with the exception of complaints about the General Manager, which should be addressed to the Mayor.

Definitions

Term	Meaning
Standard	This Policy applies to complaints covered by the following definition.
Complaint	<i>A complaint is generally an expression of dissatisfaction with Council's policies quality of service or follow up communication. It includes dissatisfaction with the outcome of a decision, level or quality of service, the failure to adhere to a policy or the behaviour of an employee or agent that can be acted upon.</i>
Formal Complaint	<u>Complaints about Staff or Councillor Conduct</u> If the complaint alleges that a staff member or Councillor has breached the Code of Conduct it will be dealt with in accordance with the provisions of the Department of Local Government's Model Code of Conduct adopted as Council's Code of Conduct. <u>Anonymous Complaints</u> These complaints will only be dealt with where the matter is considered to be serious and there is sufficient information provided in the complaint to enable an investigation to be conducted. <u>Maladministration or Serious and Substantial Waste</u> These matters should be reported to the General Manager who has a duty to report such matters to the NSW Ombudsman. <u>Corrupt Conduct</u> A complaint related to unethical conduct, fraud or corruption is to be reported directly to the General Manager who has an obligation to notify the Independent Commission Against Corruption (ICAC).

GOV-CP-07 Complaints Policy

1

Approved: 27 January 2021

Criminal Conduct

A complaint involving criminal activity is to be reported to the General Manager for referral to the NSW Police.

Competitive Neutrality

This is the concept of 'level playing field ' for all businesses. Where Council competes in the market place it should do so without utilising its public position to gain an unfair advantage over a private sector competitor. Complaints regarding Competitive Neutrality are to be referred to the General Manager

Information Access

Complaints regarding access to information held by Council under the Government Information (Public Access) Act 2009 should be made to Council's Public Officer.

Staff Working with Children

Complaints against staff working directly with children should be reported to the General Manager and will be handled in accordance with relevant legislation.

Other Matters

The following are not considered complaints under this Policy and as such are not covered by this Policy.

- Requests for service eg collection of waste, repairing of potholes or clearing of drains
- Reports of hazards eg fallen trees
- Requests for information or explanation of policies, procedures or decisions of Council
- Concerns about neighbours or neighbouring properties eg barking dogs, unauthorised works
- An objection to a Council decision
- Submissions relating to an item on public exhibition or a notification
- An internal grievance

Council's Commitment

Council welcomes complaints as an opportunity to improve its services and performance, it views every complainant as its customer and is committed to:

- providing a system of recording complaints;
- listening to what the customer has to say;
- seeking to understand what the customer wants;
- respecting the customer and recognising that they are always our customer;
- providing an explanation to the customer;
- considering all aspects of the complaint including possible solutions and the impact of those on the wider community; and
- taking action, if required, within a reasonable timeframe and keeping the customer informed.

Lodgement of Complaints

Complaints can be made by any of the following means:

- email - to council@yass.nsw.gov.au
- mail - in writing to the General Manager, Yass Valley Council, PO Box 6, Yass NSW 2582, except where the complaint is about the General Manager, and should be in writing to the Mayor
- in person - to a staff member at 209 Comur Street, Yass

- by telephone – call 6226 1477

To enable a proper response, complainants should give their name, address, telephone number and a brief description of the complaint. This personal information is restricted to Council officers who may require the information to investigate or respond to the complaint. The provision of personal information is voluntary, however, Council may not be able to properly investigate a complaint if it cannot obtain further information from a complainant.

Timeframe for Standard Complaint Handling

Timeframe	Action
Immediate	Complaints lodged by phone and 'in person' will be acknowledged at time of receipt.
Within 1 day	All complaints will be recorded in Council's electronic document management system.
Within 5 days	Written or electronic complaints - the staff member dealing with the complaint will provide acknowledgement and aim to give a timeframe for resolution of the matter where it is complex or requires investigation.
Within 15 days	Council will aim to address the full complaint or keep the complainant informed of progress. For long and complicated issues updates will be provided at regular intervals

Timeframe for Formal Complaint Handling

Timeframe	Action
Immediate	Dealt with in accordance with the Model Code of Conduct for Local Councils in NSW and the Model Code Procedures as adopted by Council.

Unreasonable Complainant Conduct

Unreasonable complainant conduct is any behaviour by a complainant which, because of its nature or frequency raises substantial health, safety or resource issues for the organisation or staff. Such conduct can be categorised as unreasonable persistence, unreasonable demands, unreasonable lack of co-operation, unreasonable arguments or unreasonable behaviour. Council's strategy will depend on the circumstances of the unreasonable conduct but may include terminating unproductive conversations, refusing to respond to correspondence on issues that have been previously addressed or requiring contact with a specific officer only or via a particular form of communication. Reference should also be made to Council's CA-POL-05 – Unreasonable Conduct by Customer policy.

Abusive or Threatening Complainants

Abusive and threatening behaviour by complainants will not be tolerated. Where personal abuse or vulgar language is used the communication may be terminated at the discretion of the subject employee and may involve the employee walking away from the complainant, termination of a telephone call, blocking future emails from the sender or returning offending letters to the sender unanswered.

Complainant Rights of Appeal

Internal Review - should the complainant be dissatisfied with the handling or determination of a complaint, they will be provided with the relevant information regarding rights of appeal and may request that an internal review of the complaint be conducted.



External Review – should the complainant be dissatisfied with the internal review they will be provided with the relevant information regarding rights of appeal and may seek a review by the:

- NSW Ombudsman on 1800 451 524 or at www.ombo.nsw.gov.au - for complaints about the conduct of staff, enforcement matters and the administrative conduct of Council itself.
- Independent Commission Against Corruption (ICAC) on 1800 463 909 or at www.icac.nsw.gov.au - for complaints that a Council official has acted corruptly.
- Office of Local Government (OLG) on 4428 4100 or at www.olg.nsw.gov.au - for complaints about the overall functioning of Council, pecuniary interest issues, tendering or Councillor misconduct

Confidentiality

Council will ensure that confidentiality is maintained in regard to complaints received. Personally identifiable information concerning a complainant will be used for the purposes of addressing and resolving the complaint only. The complainant's name will not be released to the person who is the subject of the complaint without their consent and subject to privacy legislation and public interest principles of *Government Information (Public Access) Act 2009*.

Council will take all care that reporting of complaints about Council activities will not result in the complainant experiencing any form of victimisation or retribution as a result of the complaint.

Responsibilities & Review

The Governance Business Unit will

- Provide all necessary administrative support for the operation of this policy
- Develop and document any procedures for the effective implementation of this policy
- Review this policy every four years. The next review date is January 2025.

References

This policy is to be read in conjunction with the following:

Legislation Policies and procedures	Model Code of Conduct for Local Councils in NSW 2020 - OLG
	Effective Complaint Handling Guidelines, February 2017 - NSW Ombudsman
	CA-POL-05 Unreasonable Conduct by Customer
	GOV-OP-07 Complaints Handling Procedure
	GOV-POL-18 Recordkeeping - Councillors
	Customer Service Charter

Approval History

Stage	Date	Comment	MagiQ Reference
Review	10 March 2010	Special Planning Meeting	Min 78
Adopted	13 June 2012	Special Planning Meeting	Min 248
Exhibition & Adoption	27 November 2013	Council Meeting	Min 383
Review	25 May 2016	Council Meeting	Min 126
Review	26 September 2018	Council Meeting	Min 210
Review	27 January 2021	EMT (Minor adjustment)	Doc ID 266507

Ownership and Approval

Responsibility	Role
Author	Corporate Projects Officer

GOV-CP-07 Complaints Policy

4

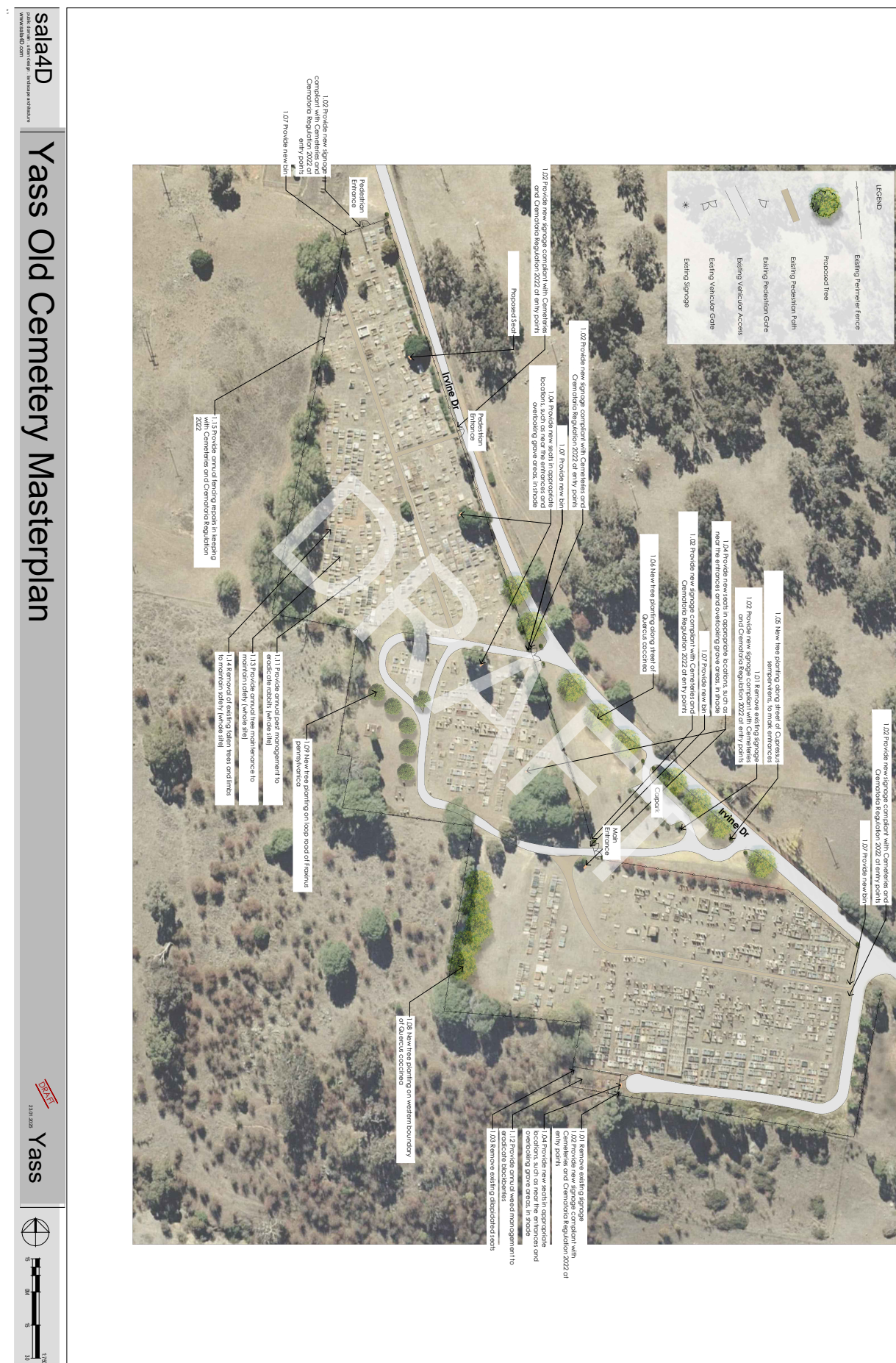
Approved: 27 January 2021

Appendix 12 – Yass Valley Council Complaints Register

Excel spreadsheet stored in Council's Document Management System – Doc ID 749025, example of set out below:

[illegible]



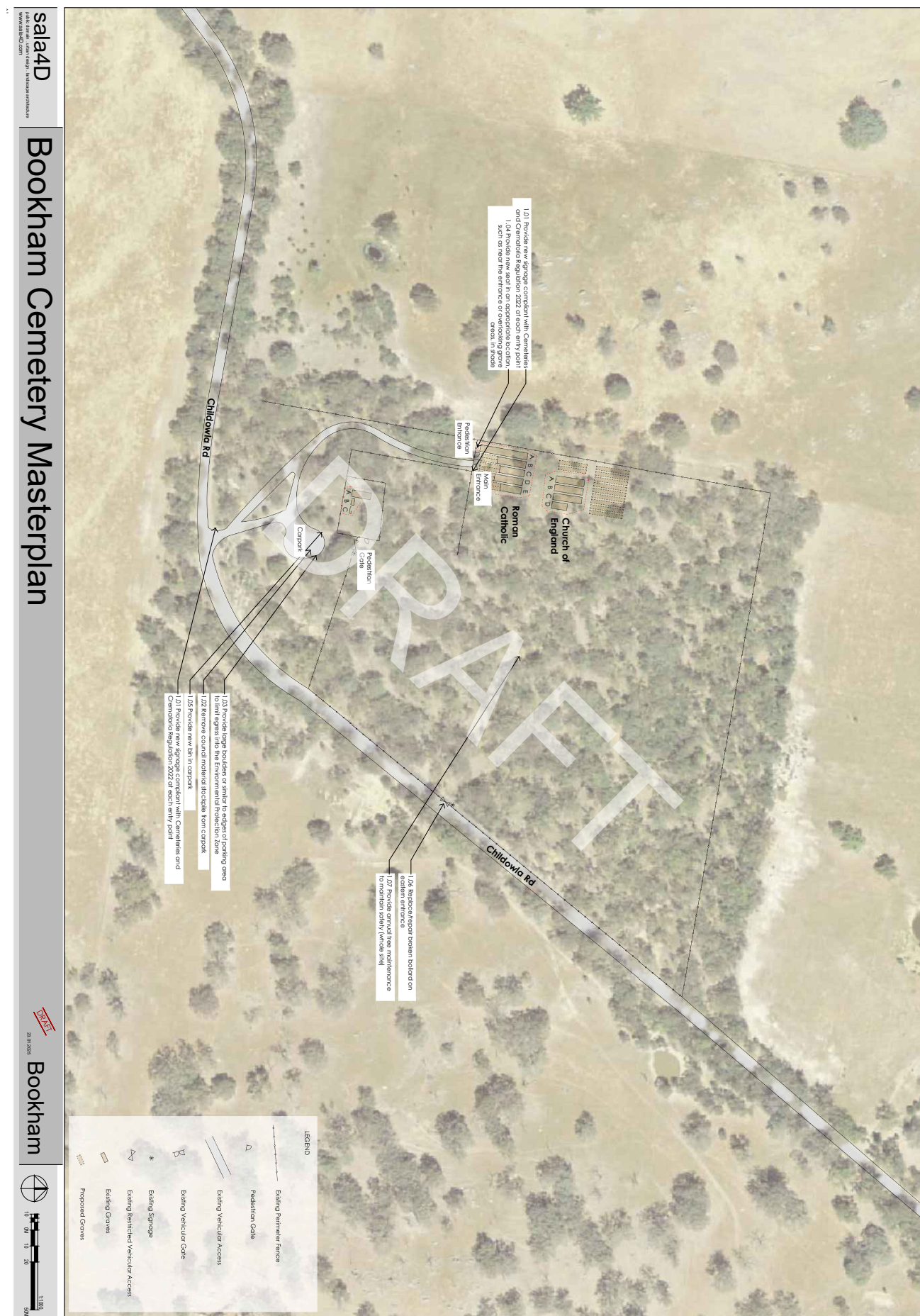


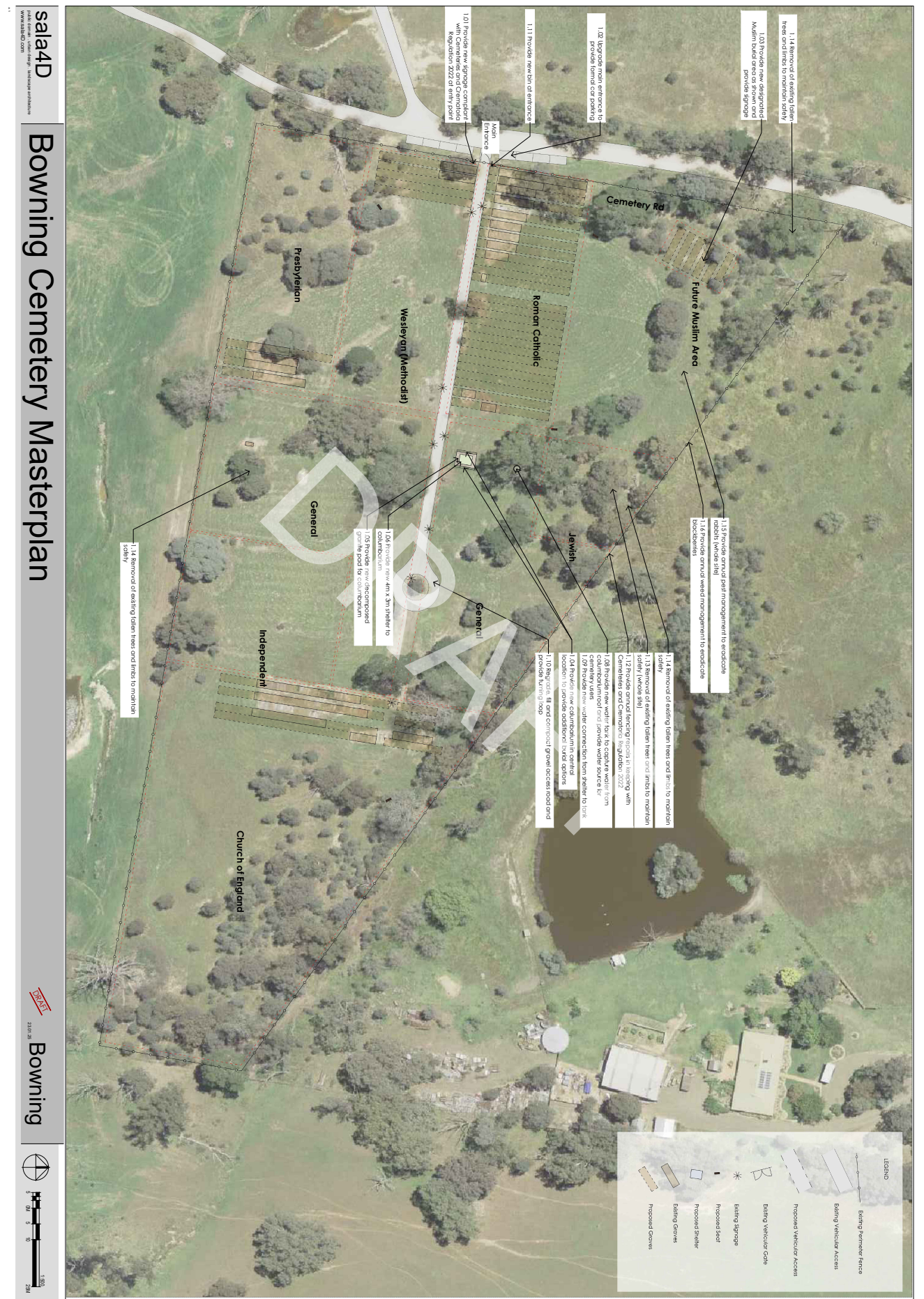


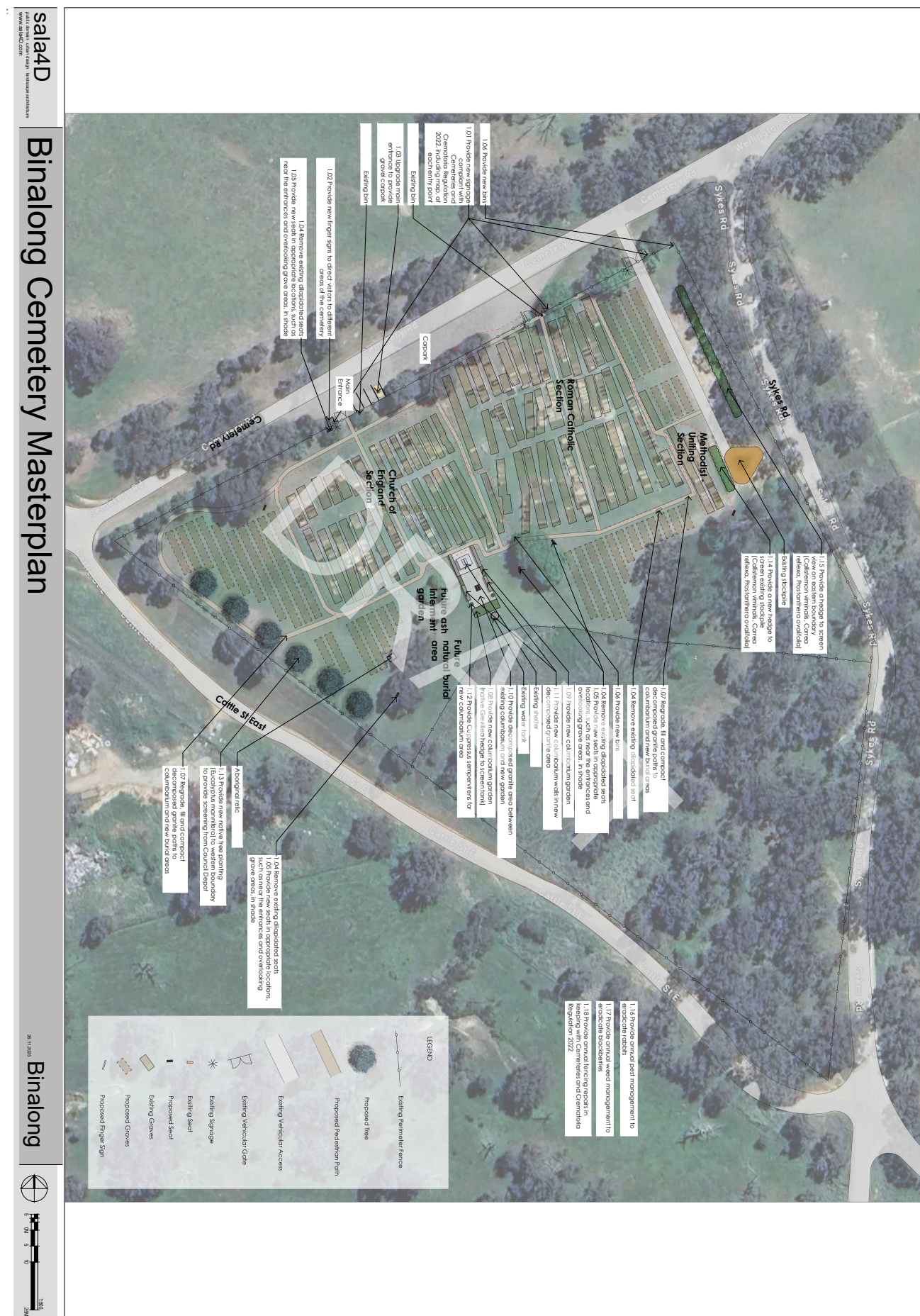


2014年5月
Gundaroo









Draft Memento Policy

Purpose

The purpose of this Policy is to assist with ensuring that Yass Valley cemeteries' appearance meets community expectations and is safe for all visitors, staff and contractors.

Scope

Council operates the following seven cemeteries:

- Binalong Cemetery
- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Lawn Cemetery
- Yass Old Cemetery

This Policy applies to Council officers, funeral directors, contractors and members of the public.

Definitions

Term	Meaning
Approved Container	A container suitable for retaining living plants and Floral Tributes. Approved Containers must be no larger than 200mm in diameter and 300mm in height, and made from non-destructible material, such as concrete, fibreglass, stainless steel, or High Density Polyethylene (HDPE) plastic.
Flammable Tribute	Means candles or incense sticks.
Floral Tribute	Means flowers cut from living plants, or made using artificial flowers. These are to be free from rubber bands, plastic wrapping, and wetbrick.
Memento Tribute	Means any toys, trinkets, keepsakes, coins, jewellery, books, painted motifs, and framed photographs not affixed to a Memorial.
Ornamental Tribute	Means flags, lights, windmills, wind chimes, and sculptures no higher than 300mm.
Perishable Container	Means any vase, container, or planter box made from wood, glass, Styrofoam, or breakable materials (including porcelain, terracotta and hardened clay). Including iron cases, tin cans, jars, and jugs.

Place of Interment	Means the place within the cemetery where human remains (actual remains or the cremated remains) are interred and includes graves or plot which serves as a receptacle for the deceased.
Vegetation Tribute	Mans living plants 9including succulents, approved perennial and annual plants) that have been retained within an Approved container.

Policy Principles

This Policy guides and defines items that are approved for placement as a graveside memento, floral and ornamental tribute.

Ensures compliance with legislative requirements and industry standards as per the *Cemeteries and Crematoria Regulations 2022*.

Yass Valley cemeteries are maintained as an attractive, clean and tidy facilities in a hazard free environment.

Approach

To maintain the cemeteries, the following outlines the kind of tributes that may be left at gravesites:

- Artificial flowers – noting that due to the effects of UV rays, discoloured and worn artificial flowers will be removed from memorials at the discretion of Council.
- Fresh flowers – families are encouraged to assist Council by removing withered/weathered tributes from the grounds.

To reduce the risk of injury to people visiting or maintaining the Cemetery, the following outlines what is not permitted:

- Ceramic or glass items that are fragile or breakable;
- Metal items that are likely to rust or deteriorate;
- Items likely to cause a risk to health or safety;
- Items left at gravesites that could cause injury if damaged or caught under mowers or edge trimming equipment, are not permitted and will be removed (including alcohol left at the gravesite);
- No tree, shrub or other plant is to be placed or planted on any gravesite in the lawn sections;
- No statue or other structure is to be erected/constructed over the lawn section of the gravesite;
- Gravesite memorials at Yass Valley Council cemeteries are to be restricted to the concrete plinth and must not encroach on the adjacent gravesites or the lawn section of the gravesite; and

Approved Items	Non Approved Items
Urns and metal items that are not likely to rust	Ceramic or glass items that are fragile/breakable
Flowers – fresh and artificial	Alcohol
Memorials – small that fit on concrete plinth	Solar lights
Vases made from material that is not breakable	Pot plants with flowers, shrubs or trees planted
	Flowers, shrubs or trees planted on gravesite

Council acknowledges that cemeteries are special places that require sensitive and sympathetic management. Council officers will undertake regular maintenance of the cemeteries. Flowers that have become displaced, deteriorated or unsightly will be removed. Artificial flowers will be removed if they are not in approved bases. Artificial flowers will be removed when they are faded, weathered or otherwise degraded.

Responsibilities & Review

Director Infrastructure and Assets is responsible for ensuring that Yass Valley cemeteries' appearance meets community expectations and is safe for all visitors, staff and contractors.

Asset Owners are responsible for the development of appropriate policies and procedures.

Review will be every four years.

References

This Policy is to be read in conjunction with the following:

Legislation, Policies and procedures	Cemeteries and Crematoria Regulation 2022
	<i>Cemeteries and Crematoria Act 2013</i>
	<i>Local Government Act 1993</i> and Regulations
	Licence Conditions for Operators of Cemeteries and Crematoria, Cemeteries & Crematoria NSW, Department of Planning and Environment 2024
	<i>Work Health and Safety Act 2011</i> and Regulations
	Cemetery Operations Manual 2017

Approval History

Stage	Date	Comment	MagiQ Reference
Draft	26/09/2025	Council (Exhibition)	851195

Ownership and Approval

Responsibility	Role
Author	
Owner	
Endorser	
Approver	Chief Executive Officer

Draft Memorial Policy

Purpose

The purpose of this Policy is to outline the overall principles of how Council manages its cemeteries in order to comply with legislative requirements and to provide a dignified and responsive cemetery and memorial service to the community

Scope

Council operates the following seven cemeteries:

- Binalong Cemetery
- Bookham Cemetery
- Bowning Cemetery
- Gundaroo Cemetery
- Murrumbateman Bush Cemetery
- Yass Lawn Cemetery
- Yass Old Cemetery

This Policy applies to Council officers, funeral directors, contractors and members of the public.

Definitions

Term	Meaning
Applicant	Means the person making an application for an Exclusive Right of Burial, Work Permit, enquiry, burial, relocation or exhumation. This could be a Funeral Director, Monumental Mason or a family member or friend.
Ashes/Ash Remains	Means the processed remains or residue recovered from the cremation of a human body or pathological samples.
Burial/Interment	Means the act of burying, interring or immuring the remains of deceased person.
Burial Plot/Site, Grave Site	Mans a grave site, vault site, crypt site, memorial site or other place for the disposition or commemoration of the remains of the dead, whether cremated or not.
Burra charter	Means 'The Burra Charter (The Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance)' 1.4.13 By law or Crown Lands By-law means the 'Crown Lands (General Reserves) By-Law 2006' and the 'Crown Lands (General Reserves) Amendment (Sustainable Burials) By-law 2011'.
Casket	Is a general term to describe coffins and containers used to hold human remains.

Cemetery or Cemeteries	Means an area containing one or more burial plots. When used as a generic term it can apply to lone graves, family plots and larger collections, such as those under Council's control.
Child	Means a person aged 0 up to and including 12 years of age.
Council	Means yass Valley Council
Crown Land	Means land owned by Government. In NSW the nominal owner is the Minister for Lands. In this context the lands are allocated to Trusts and Local Councils and dedicated as cemeteries.
Exclusive Right of Burial	Means a certificate that provides a person with the authorisation of who can be interred or exhumed from a burial site. The Exclusive Right does not give the holder any equity or property holding in the cemetery.
Exhumation	means the removal of human remains from a grave filled with soil or sand.
Fee	Means a fee charged by Council in accordance with its annual Schedule of Fees and Charges.
Funeral Director	Means an individual or business carrying out funeral services.
Holder	In relation to a burial or niche licence, means the person recorded, in the register kept by Council, as the holder of the burial or niche licence.
Interment Right	Means the grant by a reserve trust of an exclusive right to bury one or more (human) remains in a burial site.
Interment Right Holder	Means the original purchaser and person recorded, in the register kept by the Council, as the person entitled to the interment right. The holder of the interment right is that person(s), or corporation(s) currently entered in the cemetery's register.
Joint Holders	Means two or more persons named as joint holders of a single interment right.
Monument	Means any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around a burial site.
Monumental Mason	Means a tradesperson, mason or person possessing the skills to carry out monumental work to the current Australian Standard and fully licenced and insured to do so. Approved by Council.
Niche	Means the smaller spaces for interment of cremated remains. The niche can freestanding, such as a wall niche, incorporated into a building, or into the ground, such as a garden niche area.
Register	Mans the Council's formal repository of data containing all the required details of a burial plot, memorial site or interment right.
Significant dates	Means dates where there are generally expected to be a significantly larger number of mourners visiting the cemetery outside of a burial or ashes placement.

Policy Principles

This Policy guides and defines items that are approved for placement as plaques, headstones and monuments.

Ensures compliance with legislative requirements and industry standards as per the *Cemeteries and Crematoria Regulations 2022*.

Council will specify the type of memorial (plaque, headstone or monument) to be placed on a site. Areas specific to each type of memorial are designed in accordance with the Yass Valley Council Cemetery Masterplan and as per section type at Yass Valley Council Cemeteries. Memorials not in accordance with the prescribed type will not be approved.

Council requires that the family or authorised representative for the deceased endeavour to erect a suitable monument within 12 months of the interment or greater if consented to by Council on prior request. Council will only grant a monumental permit with the consent of the grantee of the 'Right of Burial'.

In lawn sections, Council will accept applications for either a Cast Bronze plaque, or a granite plaque, arranged through a Council Approved Installer or Stonemason and upon completion of an Application to erect cemetery monument.

Placement of Cast Bronze plaques and granite plaques is only to be undertaken by Council approved Installer or Stonemasons in accordance with the conditions outlined in the written approval.

Military insignia and emblems require consent from the Department of Veteran Affairs and will not be included on a plaque by Council without written approval. The onus is on the family to provide adequate military records to obtain written approval.

Council will not be liable for removal or replacement of plaques where errors have been made by the family or where vandalism has occurred.

The construction or installation of any monument, memorial, foundation, headstone, gravestone, kerbing, railing, footings or other structure on a burial plot or plots shall be:

- a. Pre-approved by Council through an 'Application to erect cemetery monument' form accompanied by sketches, drawings, engineering details and such other particulars as may be required by the Cemetery Coordinator.
- b. Carried out by a Council Approved, and licensed Monumental Mason.
- c. In accordance to the Australian Standard 4204
- d. In accordance with Council's Cemeteries Operation Manual.
- e. Constructed of materials of a permanent nature eg marble, granite, sandstone etc (timber or mortar and bricks are not considered permanent).

Council may provide a temporary grave marker for a headstone/monument plot upon request.

Ownership of improvements to a cemetery site is deemed to be with the person or persons who caused the improvement or as noted in the cemetery register. Where a request for an improvement is received from a person other than the authorised applicant, a letter of consent must accompany the request.

Maintenance of improvements is the responsibility of the family or authorised representative.

Council may act to modify and/or remove any structure in a cemetery that has become dilapidated, unsightly, is crumbling, has not been installed in accordance to the standard, is encroaching onto adjoining burial sites or is encroaching into aisle ways or has been deemed to be unsafe in a risk assessment carried out by Council. Council's actions will include making unsafe structures safe to ensure public and employee safety and to fulfil its responsibility for preservation as defined in the *Burra Charter*, ie '1.6 Preservation means maintaining the fabric of a place in its existing state and retarding deterioration'.

Interment of ashes and placement of relevant plaque may only be completed by Council officers. Families of the deceased, other members of the public or other contractors (such as funeral directors) are not permitted to inter ashes or place plaques.

General Public Requirements within the Cemetery

A person must **not** do any of the following within Council's cemeteries:

1. Damage, deface, interfere with, alter or remove any monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, rail or other structure from a cemetery without Council's written permission.
2. Construct or install any monument, memorial, foundation, headstone, gravestone, kerbing, railing, pebbles, matting or other structure on a burial plot or plots, unless it is of a material and design and carried out to a standard of workmanship approved by the Cemetery Coordinator, through the appropriate approval process
3. Place or install any item that extends beyond the constructed headstone, monument or niche, including pot plants, flower holders or live plants; that includes no items placed on grassed or landscaped areas both within burial plots and general areas.
4. Glue or permanently attach items to gardens, wall sites or lawn cemetery concrete beams.
5. Use a hose for the washing of monuments.
6. Erase, correct, or require the erasure or correction of, wording of any inscription that has been constructed, installed, made or carried out:
 - i. without Council's written consent; or
 - ii. otherwise than in accordance with an approval given by Council.

Responsibilities & Review

Director Infrastructure and Assets is responsible for ensuring that Yass Valley cemeteries' appearance meets community expectations and is safe for all visitors, staff and contractors.

Asset Owners are responsible for the development of appropriate policies and procedures.

Review will be every four years.

References

This Policy is to be read in conjunction with the following:

Legislation, Policies and procedures	<i>Cemeteries and Crematoria Act 2013</i>
	<i>Cemeteries and Crematoria Regulation 2022</i>
	<i>Local Government Act 1993</i> and Regulations
	Licence Conditions for Operators of Cemeteries and Crematoria, Cemeteries & Crematoria NSW, Department of Planning and Environment 2024
	<i>Work Health and Safety Act 2011</i> and Regulations
	<i>Cemetery Operations Manual 2017</i>
	<i>AS 4204:2019 Headstones and cemetery monuments</i>
	<i>AS 4425:2020 Above-ground burial structures</i>



Approval History

Stage	Date	Comment	MagiQ Reference
Draft	25/09/2025	Council – Exhibition	851194

Ownership and Approval

Responsibility	Role
Author	
Owner	
Endorser	
Approver	Chief Executive Officer

CAPITAL EXPENDITURE – 30 NOVEMBER 2025



November 2025 Report

Capital Expenditure (CAPEX)

	QBR1 25-26	QBR1 25-26	Actual 25-26	QBR1 YTD x Actuals		QBR1 Full Year x Actuals	
	Full Year	YTD		\$	%	\$	%
Capital work in progress	38,552,874	22,648,145	13,511,140	-9,137,005	-40.3%	-25,041,734	-65.0%
- Roads, Bridges, Footpaths	9,015,397	5,269,354	2,822,756	-2,446,598	-46.4%	-6,192,641	-68.7%
4910008 - Yass Valley Rail Trail Detailed Design	207,315	207,315	73,620	-133,695	-64.5%	-133,695	-64.5%
4910012 - Petit/Shaw Street pathways	843,000	168,600	169,596	996	0.6%	-673,404	-79.9%
5010013 - Yass River Bridge Replacement	883,960	883,960	0	-883,960	-100.0%	-883,960	-100.0%
5010014 - Murrumbateman Creek Bridge Replacement	647,347	647,347	2,117,489	1,470,142	227.1%	1,470,142	227.1%
5020104 - Back Creek Road Sealing - stage 2 Local Roads	209,334	209,334	0	-209,334	-100.0%	-209,334	-100.0%
5020116 - Detailed Design – Pedestrian \$125K Cycling \$40K	0	0	895	895		895	
5020118 - RERFF Local Road Programme	732,313	369,049	0	-369,049	-100.0%	-732,313	-100.0%
5020122 - 2025-26 - NSW LG Recovery Grant (Project Management)	410,000	205,000	3,485	-201,515	-98.3%	-406,515	-99.2%
5020126 - 2025-26 RTR Grant Program	999,063	416,276	0	-416,276	-100.0%	-999,063	-100.0%
5021024 - RERFF Regional Road Program	536,906	265,561	0	-265,561	-100.0%	-536,906	-100.0%
5021032 - 2025-26 RTR Grant Program	591,568	246,487	0	-246,487	-100.0%	-591,568	-100.0%
5021035 - BLOCK Grant Capital Works FY 25-26	632,810	263,671	0	-263,671	-100.0%	-632,810	-100.0%
5021542 - Regional Roads - Block Grant - Sutton Rd Design Project	6,220	6,220	6,220	0.0%		0.0%	
5021543 - Sutton Road Safety Works	0	0	-54,287	-54,287		-54,287	
6012002 - Flood event Oct 22 Emergency Task or Special Events	1,602,902	667,876	0	-667,876	-100.0%	-1,602,902	-100.0%
6012003 - DM01005 Burrinjuck Rd S24 Embankment erosion/slip	0	0	2,963	2,963		2,963	
6012004 - DM01326 Cavan Rd S10 Undermined lrg gabion wingwall 1700dia	80,464	80,464	1,984	-78,480	-97.5%	-78,480	-97.5%
6012005 - DM01327 Cavan R S8 Erosion underme strcture out/inlet blk	97,223	97,223	1,221	-96,002	-98.7%	-96,002	-98.7%
6012006 - DM01328 Cavan Rd S8 Outlets scour inlet debris us erosion/slip	21,636	21,636	0	-21,636	-100.0%	-21,636	-100.0%
6012007 - DM01132 Dicks Creek Road S2 Shoulder & embankment washout	82,361	82,361	0	-82,361	-100.0%	-82,361	-100.0%
6012008 - DM01112 Fifeshire Rd S2 Landslip lost culvert concrete prot	49,835	49,835	4,864	-44,971	-90.2%	-44,971	-90.2%
6012009 - DM01358 Henderson Ln S1 Bridge Damage - scour of approaches	176,243	176,243	373	-175,870	-99.8%	-175,870	-99.8%
6012011 - DM01023 Illalong Road Seg 5 washed out	5,406	5,406	-21,833	-27,239	-503.9%	-27,239	-503.9%
6012012 - DM00980 McCarthy Rd Seg 2 land slip Council - Emergency Task	92,265	92,265	0	-92,265	-100.0%	-92,265	-100.0%
6012014 - DM01324 Wee Jasper Road Seg 11 Landslip Emergency task	0	0	267,313	267,313		267,313	
6012018 - DM00938 - Scanes Road - Seg 3	0	0	1,613	1,613		1,613	
6012019 - DM01004 - Burrinjuck Road - Seg 18	107,226	107,226	0	-107,226	-100.0%	-107,226	-100.0%
6012020 - AGRN 1034 - DM00925 - Bushs Lane	0	0	36,020	36,020		36,020	
6012022 - Dairy Creek Road	0	0	931	931		931	
6012023 - AGRN 1034 - DM01380 - Marked Tree Road	0	0	1,554	1,554		1,554	
6012024 - AGRN 1034 - DM00986 - Woolgarlo Road	0	0	93	93		93	
6012026 - AGRN 1034 - DM00984 - Sutton Grange Road	0	0	280	280		280	
6012030 - AGRN 1034 - DM01368 - Bouchers Drive - Seg 3	0	0	640	640		640	
6012031 - AGRN 1034 - DM01139 - Bouchers Drive - Seg 7	0	0	387	387		387	
6012032 - AGRN 1034 - DM01006 - Burrinjuck Road	0	0	360	360		360	
6012034 - AGRN 1034 - DM01371 - Caves Road - Ch 5.4 - Galvanised Culve	0	0	1,267	1,267		1,267	
6012036 - AGRN 1034 - DM01375 - Paynes Road - Culvert Scour Protection	0	0	5,827	5,827		5,827	
6012039 - Cookes Hill Road	0	0	1,350	1,350		1,350	
6012043 - Fifeshire Road	0	0	115,569	115,569		115,569	
6012046 - AGRN 1034 - Fifeshire Road - Seg 4,5	0	0	9,188	9,188		9,188	
6012052 - Good Hope Road	0	0	307	307		307	
6012054 - AGRN 1034 - DM01258 - Greenwood Road - Seg 2 Shoulder	0	0	40	40		40	
6012055 - AGRN 1034 - DM01185 - Greenwood Road - Seg 6 Drainage	0	0	2,535	2,535		2,535	
6012056 - AGRN 1034 - DM01084 - Lucernevale Road	0	0	80	80		80	
6012058 - AGRN 1034 - DM01078 - Hardwick Lane - Neville Dowling Bridge	0	0	358	358		358	
6012059 - Dicks Creek Road	0	0	39,109	39,109		39,109	
6012063 - AGRN 1034 - DM01039 - Hughstonia Road	0	0	1,489	1,489		1,489	
6012064 - Illalong Road	0	0	1,323	1,323		1,323	
6012070 - Majura Lane	0	0	956	956		956	
6012071 - AGRN 1034 - DM01269 - Mulligans Flat Road	0	0	1,594	1,594		1,594	
6012072 - AGRN 1034 - DM01075 - Morton Avenue	0	0	67	67		67	
6012074 - AGRN 1034 - DM01381 - Murrumbateman Road - Shoulder	0	0	1,240	1,240		1,240	
6012076 - AGRN 1034 - DM01377 - Shingle Hill Way	0	0	3,215	3,215		3,215	
6012079 - Walls Junction Road	0	0	1,243	1,243		1,243	
6012080 - Wargeila Road	0	0	1,957	1,957		1,957	
6012083 - AGRN 1034 - DM01346 - Longleys Road	0	0	133	133		133	
6012086 - Yass River Road	0	0	1,390	1,390		1,390	
6012088 - AGRN 1034 - DM01169 - Yass River Road - Buckmasters Bridge	0	0	3,464	3,464		3,464	
6012089 - AGRN 1034 - DM01140 - Yass River Road - Shoulder Repairs	0	0	11,453	11,453		11,453	
6012091 - AGRN 1034 - DM01367 - Scanes Road - Resheeting	0	0	1,821	1,821		1,821	

CAPITAL EXPENDITURE – 30 NOVEMBER 2025



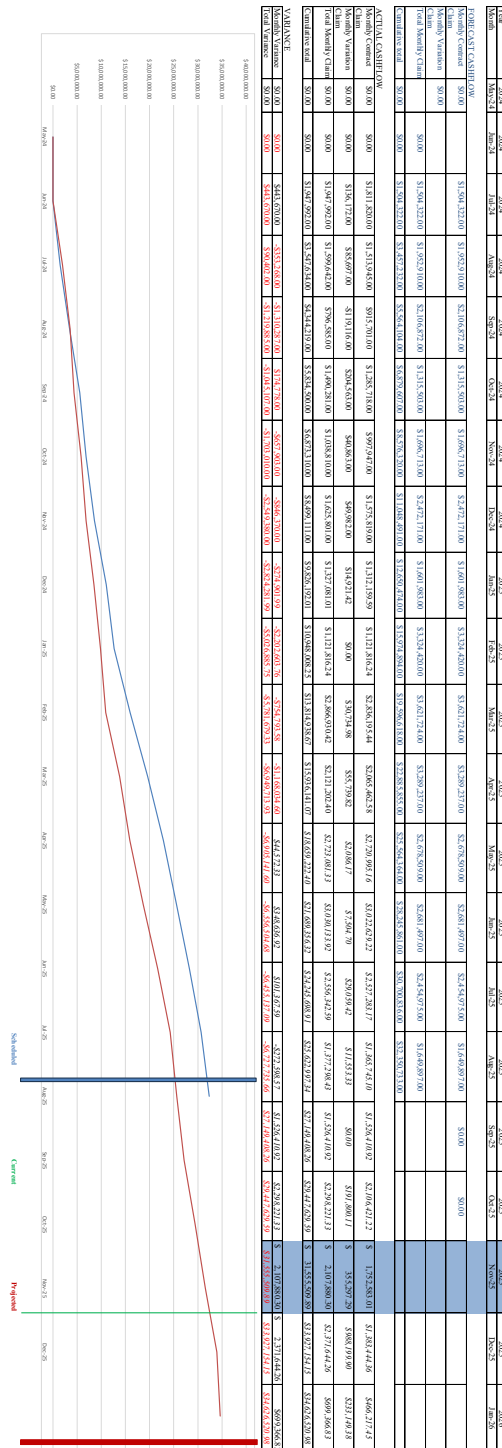
November 2025 Report

Capital Expenditure (CAPEX)

	QBR1 25-26 Full Year	QBR1 25-26 YTD	Actual 25-26	QBR1 YTD x Actuals		QBR1 Full Year x Actuals	
				\$	%	\$	%
- Land & Buildings	17,817,512	12,347,826	8,261,329	-4,086,497	-33.1%	-9,556,183	-53.6%
1101007 - Crago Mill Precinct	16,690,046	11,416,667	7,985,891	-3,430,775	-30.1%	-8,704,154	-52.2%
1101018 - Yass Library part of Crago Mill precinct	0	0	35,399	35,399		35,399	
5014024 - Old sale yard remediation	250,000	100,000	0	-100,000	-100.0%	-250,000	-100.0%
5014028 - Yass Valley Community Centre Upgrade SCOF5 0232 Buildings	277,841	231,534	144,466	-87,068	-37.6%	-133,375	-48.0%
5014029 - Buildings Roof Resheeting Yass memorial LRCI P3	0	0	-30,295	-30,295		-30,295	
5014033 - Buildings Roof Resheeting Yass Liabary LRCI P4	327,625	327,625	103,971	-223,654	-68.3%	-223,654	-68.3%
6310016 - Discovery Drive Subdivision	72,000	72,000	21,896	-50,104	-69.6%	-50,104	-69.6%
6310017 - Old Gas Works EPA monitoring as per VMP & 2 extra wells	150,000	150,000	0	-150,000	-100.0%	-150,000	-100.0%
6310018 - Annual Fire Safety Statements	50,000	50,000	0	-50,000	-100.0%	-50,000	-100.0%
- Other Assets	83,022	83,022	18,022	-65,000	-78.3%	-65,000	-78.3%
4910009 - Bowning Village Active Circuit	18,022	18,022	18,022	0	0.0%	0	0.0%
5015013 - Yass Lawn Cemetery Improvement and Expansion works	65,000	65,000	0	-65,000	-100.0%	-65,000	-100.0%
- Other Open Space/Recreational Assets	982,156	387,656	166,859	-220,797	-57.0%	-815,297	-83.0%
4920015 - Wee Jasper Reserve Carpark Upgrade Recreational Assets	131,556	131,556	92,142	-39,414	-30.0%	-39,414	-30.0%
5012006 - 4 Cabin Replacements (32,34,3,4)	30,000	30,000	1,785	-28,215	-94.1%	-28,215	-94.1%
5013020 - 2025/26 - CRIF - Yass Pool Power Upgrades	11,100	11,100	23,448	12,348	111.2%	12,348	111.2%
5019018 - Signage Replacement - Sporting Facilities & Park Reserves	5,000	5,000	1,190	-3,810	-76.2%	-3,810	-76.2%
5019025 - Murrumbateman Adventure Playground	594,500	0	48,244	48,244		-546,256	-91.9%
5019031 - Stage 1 'Signage as remote Supervision'	10,000	10,000	0	-10,000	-100.0%	-10,000	-100.0%
NCP30801 - Sporting Facilities Internal Road Network Upgrades	200,000	200,000	0	-200,000	-100.0%	-200,000	-100.0%
No Project Number	0	0	50	50		50	
- Plant & Equipment	1,500,000	625,000	811,254	186,254	29.8%	-688,746	-45.9%
PACQNEW - Plant Acquisition - New & Upgrade Assets	0	0	115,054	115,054		115,054	
PACQRENEW - Plant Acquisition - Renew & Replace Assets	1,500,000	625,000	696,200	71,200	11.4%	-803,800	-53.6%
- Sewerage Network	1,909,581	1,247,081	439,787	-807,294	-64.7%	-1,469,794	-77.0%
5022001 - Yass STP	0	0	42,946	42,946		42,946	
5022013 - Sewer Main Upgrade Program (Capital)	150,000	0	0	0		-150,000	-100.0%
5022021 - Integrated Water Cycle Management Plan - Sewer (Capital)	60,000	50,000	0	-50,000	-100.0%	-60,000	-100.0%
5022026 - Wastewater Treatment Plant Upgrade Program (Capital)	100,000	0	9,175	9,175		-90,825	-90.8%
5022027 - Wastewater Pump Station Upgrade Program (Capital)	797,344	757,344	340,635	-416,709	-55.0%	-456,709	-57.3%
5022028 - Telemetry Upgrade Sewer (Capital)	157,137	134,637	0	-134,637	-100.0%	-157,137	-100.0%
5022029 - Laidlaw Street SPS - decommissioning	326,789	236,789	3,032	-233,757	-98.7%	-323,757	-99.1%
5022030 - Yass STP Augmentation (Capital)	318,311	68,311	44,000	-24,311	-35.6%	-274,311	-86.2%
- Stormwater	528,000	528,000	33,837	-494,163	-93.6%	-494,163	-93.6%
5023520 - Yass Flood Warning System Stage 2 - install infrastructure	528,000	528,000	33,837	-494,163	-93.6%	-494,163	-93.6%
- Waste	304,504	194,504	2,000	-192,504	-99.0%	-302,504	-99.3%
5025126 - Murrumbateman Landfill Closure Stage 2	104,504	104,504	2,000	-102,504	-98.1%	-102,504	-98.1%
5026013 - Landfill Closure	50,000	50,000	0	-50,000	-100.0%	-50,000	-100.0%
5026018 - Transfer Station Improvements Yass and Murrumbateman	150,000	40,000	0	-40,000	-100.0%	-150,000	-100.0%
- Water Supply Network	6,412,702	1,965,702	955,296	-1,010,406	-51.4%	-5,457,406	-85.1%
5027013 - Integrated Water Cycle Management Plan - Water (Capital)	138,899	138,899	5,000	-133,899	-96.4%	-133,899	-96.4%
5027015 - Village Water Main Extensions (Capital)	2,000	0	0	0		-2,000	-100.0%
5027017 - Water Pump Station Upgrade Program (Capital)	369,783	239,783	187,708	-52,075	-21.7%	-182,075	-49.2%
5027018 - WTP Improvement (Capital)	100,000	0	0	0		-100,000	-100.0%
5027025 - Developer Servicing Plan (DSP) (Capital)	30,000	15,000	0	-15,000	-100.0%	-30,000	-100.0%
5027026 - Telemetry System Upgrade Upgrade - Water (Capital)	140,000	120,000	15,387	-104,613	-87.2%	-124,613	-89.0%
5027028 - Water Reservoir Upgrade Program (Capital)	60,000	50,000	6,153	-43,847	-87.7%	-53,847	-89.7%
5027029 - Water Reticulation Upgrade Program (Capital)	1,000,000	440,000	422,377	-17,623	-4.0%	-577,623	-57.8%
5027033 - Morton Low Level Reservoir Repair	2,296,285	166,285	42,647	-123,638	-74.4%	-2,253,638	-98.1%
5027035 - WTP Upgrade Pre-Design and Tender Management	1,425,735	695,735	276,025	-419,710	-60.3%	-1,149,710	-80.6%
5027036 - Water Reticulation Upgrade - Election Fund (capital)	850,000	100,000	0	-100,000	-100.0%	-850,000	-100.0%
Total Capital Expenditure	38,552,874	22,648,145	13,511,140	-9,137,005	-40.3%	-25,041,734	-65.0%

6.10 Monthly Financial Report
Attachment B Crago Mill Progress Report (CMP)

Project Name: Crago Mill 1 Year
Superior Performance 2013-2014
PROJECT
KANSAS
Crago Mill
18 - Planned
2013/2014



Yass Valley Council - Audit, Risk & Improvement Committee Annual Assessment

The Yass Valley Council Audit, Risk & Improvement Committee is established under s428A of the *Local Government Act 1993*, and *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*. Those Regulations enact a series of Guidelines (*Guidelines for Risk Management and Internal Audit for local government in NSW*) and the organisation's *Audit Risk & Improvement Committee Terms of Reference* are modeled on those Guidelines.

The Committee's *Terms of Reference* were adopted by the Yass Valley Council in May 2024. Prior to that the Committee operated under a draft version of the same document.

The Audit Risk and Improvement Committee has met five times in 2025 once each quarter, and an extraordinary meeting to consider the Draft 2024/25 Financial Statements. The Committee also held closed sessions with internal and external audit practitioners. Attendance from senior management and representatives of the Audit Office of NSW was consistently strong.

Assurance Reporting

Under *The Guidelines* the Committee must regularly report to the Yass Valley Council elected body to ensure that it is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of the Yass Valley Council or the achievement of the organisation's goals and objectives. We do this by providing you with a copy of the Committee's draft Minutes after every meeting. Minutes are reviewed by the Chair after every meeting and formally approved by the Committee at the subsequent Committee meeting.

The Committee will also provide an update to the governing body and the Chief Executive Officer of its activities and opinions after every committee meeting, annually, and at the end of Term. We do the first part of that statement in our meeting Minutes each meeting. This report covers the most recent Annual Update.

Scope of Work

The Committee seeks to align itself with the Terms of Reference as described above through an Annual Planner. Our scope of work includes those areas listed in the Terms of Reference with the following items being considered this year.

- Audit
 - Internal Audit
 - External Audit
- Risk
 - Risk Management
 - Internal Controls
 - Compliance
 - Fraud & Corruption
 - Financial Management
 - Governance
 - Legal matters
 - Work health and safety
 - Implementation of improvement recommendations.

Developing all of this for a regional council like Yass Valley requires a degree of pragmatism, as well as a timeframe to allow for maturity of processes to become embedded.

The Committee is focused on moving "Improvement" maturity forward over the coming year and incorporating greater focus throughout 2026

- Improvement
 - Strategic Planning
 - Service reviews and business improvement
 - Performance data and measurement.

This report summarises the Committee's activities, oversight findings, and assurance outcomes for the 2025 calendar year, and supports the Chief Executive Officer's annual attestation and Council's broader risk, audit and improvement obligations

Main Activities

The main activities of the Committee this year (across the five meetings held) include:

Internal Audit

- The internal audit function remained a core focus, with the Committee reviewing internal audit progress reports, draft and final internal audit plans, and detailed corrective action tracking.
- Internal audit topics reviewed included procurement, risk management framework alignment, ICT controls, business continuity arrangements, and broader governance and financial control findings.
- The Committee has supported the transition from a shared-services internal audit model to a future externally procured model, ensuring continuity of assurance during this change.
- Internal audit recommendations were closely monitored through enhanced reporting and consolidation of corrective actions into a more robust tracker.

External Audit

- The Committee continued to maintain constructive working relationships with the Audit Office NSW and Ernst & Young, including through in-camera sessions and targeted discussions on emerging risks.
- External audit activities included review of the Audited 2023/24 Financial Statements, Draft 2024/25 Financial Statements, Special Purpose and General-Purpose Financial Statements, and multiple accounting position papers relating to asset remediation, Rural Fire Service assets and grant revenue.
- Progress on management letter issues was monitored at each meeting, with attention to asset valuation, IT general controls, financial sustainability, and timeliness of audit deliverables.
- The Committee observed improved management responsiveness, documentation quality, and consistency in financial reporting.

Risk Management

- Risk management remained an area of active development. The Committee reviewed updated risk policies, the enterprise risk register, strategic risk reporting, WHS & wellbeing metrics, insurance updates, and incident reporting.
- The Risk Management Framework is being progressively aligned with the OLG Risk Management and Internal Audit Guidelines, supported by updated procedures and governance oversight.
- The Committee noted the need for enhanced standardisation in strategic and operational risk reporting, stronger integration of project risk in capital works planning, and improved documentation to embed a risk-aware culture.
- Regular emerging risk discussions helped improve visibility of systemic issues and organisational vulnerabilities.

Internal Controls

- Internal controls were reviewed through internal audit outcomes, external audit findings, the Outstanding Recommendations Tracker and financial performance reporting.
- No material control breakdowns were reported to the Committee.

Compliance

- Compliance oversight activities included review of Council's self-assessment checklists, legislative and policy reporting, WHS obligations, and policy updates such as the Public Interest Disclosure Policy, Code of Conduct, and Interaction Between Council Officials.
- The Committee monitored delays in the development of a corporate compliance register and emphasised the need for a more structured compliance management framework with clear ownership and reporting expectations.
- Compliance-related audit actions were reviewed each quarter to ensure accountability and follow-through.

Fraud & Corruption

- The Committee received updates on fraud-related matters primarily through action registers, CEO briefings, and governance reporting.
- Legacy items relating to fraud investigation reports and fraud management review documents required follow-up, with the Committee encouraging improved record-keeping and visibility of fraud-control activities.
- The Committee emphasised the need to further strengthen the Fraud & Corruption Control Plan, ensure staff awareness of reporting mechanisms, and embed periodic fraud risk assessments.

Financial Management

- Financial management oversight included ongoing review of monthly financial statements, cashflow, investment and borrowing reports, quarterly budget reviews, Long-Term Financial Plans, and the Financial Sustainability Roadmap.
- Council's financial position continues to reflect long-term sustainability pressures, including reliance on capital grants for positive results and challenges in asset management, depreciation, and valuation accuracy.

- The Committee monitored trust funds, contingent liability disclosures, spending profiles for major projects, and alignment of financial planning with service capacity and staffing requirements.
- Progressively improved reporting allowed for more transparent scrutiny of financial risks.

Governance

- Governance reporting covered updates on policy framework reviews, delegations, statutory reporting, corporate support functions, and wider organisational change activities.
- The Committee reviewed the ARIC Terms of Reference for alignment with NSW OLG guidelines and supported enhancements to reporting clarity, accountability, and meeting workplans.
- The Outstanding Recommendations Tracker was significantly enhanced, including better categorisation, progress notes, and traffic-light status indicators.
- Business continuity arrangements were reviewed but require further consolidation and testing.

Improvement

- The Committee contributed to the development of an ARIC Four-Year Strategic Work Plan, annual workplan and meeting calendar, and performance expectations for the Committee's own effectiveness.
- Service reviews commenced as part of Council's broader improvement and budget alignment priorities, with the Committee encouraging linkages between service levels, resourcing, financial sustainability, and future workforce needs.

Key Risks Observed During the Year

During the year, the Committee observed several key risks that required ongoing oversight and management attention.

- Council continues to face long-term financial sustainability challenges, with operating deficits before capital grants and increasing pressure on cashflow. Asset management remains a significant risk area, with recurring issues in valuation accuracy, useful life assessments, and remediation provisions highlighted across multiple audit papers. Major projects are sensitive to cost escalation and timing pressures, particularly where delivery depends on grant funding milestones. Ongoing oversight is essential to ensure financial strategies, capital programs and asset renewal planning remain realistic and well-governed.
- Governance frameworks are still developing, with several core policies requiring update, adoption or consolidation throughout the year. Strengthened governance maturity will rely on clearer frameworks, structured monitoring and improved organisational discipline.
- Internal controls continue to mature. Sustained focus on IT general controls, cyber resilience and core system optimisation is required to strengthen the control environment.
- Council's ability to progress key initiatives has been constrained by staff turnover, acting arrangements and capacity limitations in critical risk, ICT and financial roles. Risk culture is still developing, with inconsistent strategic and operational risk reporting. WHS reporting improved but requires more meaningful metrics, trend analysis and proactive risk insights. Strengthening organisational capability and embedding a mature risk culture will be essential to achieving reliable governance and service outcomes.

- Major capital projects continue to present elevated delivery risks, including cost escalation, delays, contractor dependencies and grant-funding compliance requirements. Reporting has improved but still requires stronger integration of financial, scheduling and risk information to ensure transparent oversight

Value

The Committee delivered clear value to Council during the year by providing independent, skilled oversight across audit, risk, governance and financial management. Through disciplined agendas aligned to its legislative mandate, the ARIC ensured that all required assurance domains were regularly examined, giving Council confidence that key risks, control weaknesses and compliance obligations were being actively monitored.

The Committee added further value through constructive challenge by seeking clarification, requesting additional reporting and ensuring that both internal and external auditors were supported and held accountable. This strengthened the transparency and quality of information available to Council and led to more robust discussions and better-informed decision-making.

A major contribution of the ARIC was its ability to synthesise assurance from multiple sources into a coherent view. By drawing together internal audit findings, external audit outcomes, risk reporting, WHS data and compliance updates, the Committee provided Council with a consolidated understanding of organisational risk exposure, avoiding siloed reporting and highlighting cross-cutting themes requiring management attention.

The Committee also modelled accountability by undertaking an annual self-assessment against its charter and the NSW OLG Guidelines, identifying opportunities to improve its own performance. This commitment to continuous improvement ensured that the ARIC evolved alongside organisational needs and sector expectations. Ultimately, the Committee's value is demonstrated by the extent to which its recommendations are implemented—strengthening controls, improving systems and reducing Council's exposure to avoidable risk.

Membership

The Audit Risk and Improvement Committee composition includes a balance of professional skills, knowledge and technical experience, as well as professionals with sufficient capacity, independence and objectivity, to ensure the Committee can discharge its responsibilities as defined in its Terms of Reference.

The Audit Risk and Improvement Committee members are primarily independent members with the addition of one Councillor as a non-voting member of the Committee. We are focused on maintaining a skills-based Audit Risk and Improvement Committee, so we will always ensure we have the right mix of governance expertise, professional/industry skills, personal attributes and diversity.

We convene our meetings in a face-to-face format, with some members joining online, as needed. Conflicts are declared at each meeting (if any) and I believe independence was maintained. Attendance table below.

Name	Role	Commenced	Expires	Meeting Dates				
				31/03/25	01/07/25	11/09/25	30/09/25	01/12/25
Stephen Coates	Independent Chairperson	1 January 2023	31 December 2025	✓	✓	✓	✓	✓
Diana Hamono	Independent Member	1 January 2023	31 December 2025	✓	✓		✓	✓
Rachel Harris	Independent Member	1 January 2023	31 December 2025		✓	✓	✓	✓
Bryce McNair	Independent Member	1 January 2023	31 December 2025	✓		✓	✓	✓
Cr David Carter	Non-Voting Member			✓		✓	✓	✓
Various Officers as required				✓	✓	✓	✓	✓

Overall Assurance Opinion

The Committee confirms it has fulfilled all mandatory functions required under s428A and the OLG Guidelines during 2025.

Based on the Committee's work throughout 2025, I am satisfied that Yass Valley Council has continued to strengthen its governance, audit and risk maturity, despite operating within a constrained regional context.

Internal and external audit processes were appropriately supported, with no material control breakdowns identified and management demonstrating improving responsiveness to assurance findings.

Overall, the Committee is of the view that Council's control environment is adequate for current operations and is continuing to strengthen, with a clear trajectory toward higher capability and maturity in 2026.



Stephen Coates
Chairperson - Audit Risk & Improvement Committee



Terms of reference for the Yass Valley Council Audit, Risk and Improvement Committee

The Yass Valley Council has established an Audit, Risk and Improvement Committee (ARIC) in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* as amended by the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*, and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. These terms of reference set out the ARIC's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The Independent Chair and Committee Members of Yass Valley Council's ARIC are shared with the Canberra region Joint Organisation (CRJO) and Goulburn Mulwaree and Upper Lachlan Shire Councils.

Objective

The objective of Yass Valley Council's ARIC is to provide independent assurance to the Yass Valley Council by monitoring, reviewing and providing advice about the Yass Valley Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall financial and operational performance.

Independence

The ARIC is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide Yass Valley Council with robust, objective and unbiased advice and assurance.

The ARIC is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the Yass Valley Council. The ARIC will provide independent advice to the Yass Valley Council that is informed by the Yass Valley Council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The ARIC must always ensure it maintains a direct reporting line to and from the Yass Valley Council's internal audit function and act as a mechanism for internal audit to report to the Yass Valley Council and the Yass Valley Council Chief Executive Officer (CEO) on matters affecting the performance of the internal audit function.



Authority

Yass Valley Council authorises the ARIC, for the purposes of exercising its responsibilities, to:

- access any information it needs from the Yass Valley Council
- use any Yass Valley Council resources it needs
- have direct and unrestricted access to the CEO and senior management of the Yass Valley Council
- seek the Yass Valley Council CEO's permission to meet with any other Yass Valley Council staff member or contractor
- discuss any matters with the external auditor or other external parties
- request the attendance of any employee at ARIC meetings, and
- obtain external legal or other professional advice in line with councils' procurement policies.

Information and documents pertaining to the ARIC are confidential and are not to be made publicly available.

The ARIC may only release Yass Valley Council information to external parties that are assisting the ARIC to fulfil its responsibilities with the approval of the CEO, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Composition and tenure

The YVC ARIC consists of an independent chairperson and two independent committee members who have voting rights.

The Yass Valley Council may appoint a non-voting Councillor member of the ARIC who is not the mayor of Yass Valley Council, as provided for by the Local Government (General) Regulation 2021 as amended by the Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023.

The Yass Valley Council appoints the chairperson and members of the ARIC by way of Council Resolution.

All ARIC members must meet the independence and eligibility criteria prescribed under the *Local Government (General) Regulation 202, as amended by the Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023*.

Members may be appointed for up to a four-year term. Members can be reappointed for one further term, but the total period of continuous membership cannot exceed eight years. This includes any term as chairperson of the ARIC. Members who have served an eight-year term (either as a member or as chairperson) must have a two-year break from serving on the ARIC before being appointed again.



To preserve the ARIC's knowledge of the Yass Valley Council, ideally, no more than one member should retire from the ARIC because of rotation in any one year.

The terms and conditions of each member's appointment to the ARIC are to be set out in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

Prior to approving the reappointment or extension of the chairperson's or an independent member's term, the Yass Valley Council is to undertake an assessment of the chairperson's or ARIC's member's performance. Reappointment of the chairperson or an ARIC member is also to be subject to that person still meeting the independence and eligibility requirements prescribed under the *Local Government (General) Regulation 2021*.

Members of the ARIC must possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of the Yass Valley Council, the environment in which the Yass Valley Council operates, and the contribution that the ARIC makes to the Yass Valley Council. At least one member of the ARIC must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of the Yass Valley Council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the Yass Valley Council's annual financial statements.

The independent chairperson and committee members of Yass valley Council's ARIC are shared with Goulburn Mulwaree and Upper Lachlan Shire Councils. A shared service agreement is to be put in place between these entities.

Role

As required under section 428A of the *Local Government Act 1993* (the Act), the role of the ARIC is to review and provide independent advice to the Yass Valley Council regarding the following aspects of the Yass Valley Council's operations:

- compliance
- risk management
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program and strategies
- service reviews
- collection of performance measurement data by the Yass Valley Council, and
- internal audit.



The ARIC must also provide information to the Yass Valley Council for the purpose of improving the Yass Valley Council's performance of its functions.

The ARIC's specific audit, risk and improvement responsibilities under section 428A of the Act are outlined in Schedule 1 to these terms of reference.

The ARIC will act as a forum for consideration of the Yass Valley Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The ARIC has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external audit findings.

The ARIC is directly responsible and accountable to the Yass Valley Council for the exercise of its responsibilities. In carrying out its responsibilities, the ARIC must at all times recognise that primary responsibility for management of the Yass Valley Council rests with the Yass Valley Council and the Yass Valley Council CEO.

The responsibilities of the ARIC may be revised or expanded in consultation with, or as requested by, the Yass Valley Council from time to time.

Responsibilities of members

Independent members

The chairperson and members of the ARIC are expected to understand and observe the requirements of the Office of Local Government's *Guidelines for Risk Management and Internal Audit for Local Government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings
- contribute the time needed to review and understand information provided to it
- apply good analytical skills, objectivity and judgement
- act in the best interests of the Yass Valley Council
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry
- maintain effective working relationships with the Yass Valley Council
- have strong leadership qualities (chairperson)
- lead effective ARIC meetings (chairperson), and
- oversee the Yass Valley Council's internal audit function (chairperson).

Councillor members



The Yass Valley Council may nominate a councillor to attend the ARIC, but to preserve the independence of the ARIC, the Yass valley Council member of the ARIC is a non-voting member. The nominated councillor cannot be the mayor of Yass Valley Council. Their role is to:

- relay to the ARIC any concerns the Yass Valley Council may have regarding the Yass Valley Council and issues being considered by the ARIC
- provide insights into local issues and the strategic priorities of the Yass Valley Council that would add value to the ARIC's consideration of agenda items
- advise the Yass Valley Council (as necessary) of the work of the ARIC and any issues arising from it, and
- assist the Yass Valley Council to review the performance of the ARIC.

Issues or information the Yass Valley Council member raises with or provides to the ARIC must relate to the matters listed in Schedule 1 and issues being considered by the ARIC.

The Yass Valley Council member of the ARIC must conduct themselves in a non-partisan and professional manner. The Yass Valley Council member of the ARIC must not engage in any conduct that seeks to politicise the activities of the ARIC or the internal audit function or that could be seen to do so.

If the Yass Valley Council member of the ARIC engages in such conduct or in any other conduct that may bring the ARIC and its work into disrepute, the chairperson of the ARIC may recommend to the Yass Valley Council, that the Yass valley Council member be removed from membership of the ARIC.

Where the Yass Valley Council does not agree to the ARIC chairperson's recommendation, the Yass Valley Council must give reasons for its decision in writing to the chairperson.

Conduct

Independent ARIC members are required to comply with the Yass Valley Council's code of conduct.

Complaints alleging breaches of the Yass Valley Council's code of conduct by an independent ARIC member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The CEO must consult with the Yass valley Council before taking any disciplinary action against an independent ARIC member in response to a breach of the Yass Valley Council's Code of Conduct.

Conflicts of interest

Once a year, ARIC members must provide written declarations to the Yass Valley Council stating that they do not have any conflicts of interest that would preclude them from being members of the ARIC. Independent ARIC members are 'designated persons' for the purposes of the Yass Valley Council's code of conduct and must also complete and submit returns of their interests.



ARIC members and observers must declare any pecuniary or non-pecuniary conflicts of interest they may have in a matter being considered at the meeting at the start of each meeting or as soon as they become aware of the conflict of interest. Where an ARIC member or observer declares a pecuniary or a significant non-pecuniary conflict of interest, they must remove themselves from ARIC deliberations on the issue. Details of conflicts of interest declared at meetings must be appropriately minuted.

Standards

ARIC members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and current Australian risk management standards, where applicable.

Work plans

The work of the ARIC is to be thoroughly planned and executed. The ARIC must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the ARIC and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The ARIC may, in consultation with the Yass Valley Council, vary the strategic work plan at any time to address new or emerging risks. The Yass Valley Council may also, by resolution, request the ARIC to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the ARIC.

The ARIC must also develop an annual work plan to guide its work, and the work of the internal audit function over the forward year.

The ARIC may, in consultation with the Yass Valley Council, vary the annual work plan to address new or emerging risks. The Yass valley Council may also, by resolution, request the ARIC to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the ARIC.

When considering whether to vary the strategic or annual work plans, the ARIC must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

Assurance reporting

The ARIC must regularly report to the Yass Valley Council to ensure that it is kept informed of matters considered by the ARIC and any emerging issues that may influence the strategic direction of the Yass Valley Council or the achievement of the Yass Valley Council's goals and objectives.

The ARIC will provide an update to the Yass Valley Council and the CEO of its activities and opinions after every ARIC meeting.



The ARIC will provide an annual assessment to the Yass Valley Council and the Yass Valley Council CEO on the ARIC work and its opinion on how the Yass Valley Council is performing.

The ARIC will provide a comprehensive assessment to the Yass Valley Council every council term of the matters listed in Schedule 1 to the Yass Valley Council and the Yass Valley Council CEO.

The ARIC may at any time report to the Yass Valley Council or the Yass Valley Council CEO on any other matter it deems of sufficient importance to warrant their attention. The Yass Valley Council Mayor and the chairperson of the ARIC may also meet at any time to discuss issues relating to the work of the ARIC.

Should the Yass Valley Council require additional information, a request for the information may be made to the ARIC chairperson by resolution. The ARIC chairperson is only required to provide the information requested by the Yass Valley Council where the ARIC chairperson is satisfied that it is reasonably necessary for the Yass Valley Council to receive the information for the purposes of performing its functions under the *Local Government Act*. Individual ARIC members are not entitled to request or receive information from the ARIC.



Administrative arrangements

Meetings

The ARIC will meet at least 4 times per year, including a special meeting to review the council's financial statements if needed.

The ARIC can hold additional meetings when significant unexpected issues arise, or if the chairperson is asked to hold an additional meeting by an ARIC member, the Yass Valley Council CEO, or the Yass Valley Council.

ARIC meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a ARIC member cannot attend.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the ARIC chairperson has the casting vote.

The chairperson of the ARIC will decide the agenda for each ARIC meeting. Each ARIC meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the ARIC.

The nominated Yass Valley Council councillor, Yass Valley Council CEO and the Internal Audit Coordinator and the CRJO shared contract manager for the external internal audit provider, should attend ARIC meetings as non-voting observers. The external auditor (or their representative) is to be invited to each ARIC meeting as an independent observer. The ARIC chairperson can request the Yass Valley Council's Chief Finance Officer or equivalent, head of risk management function or equivalent, senior managers or equivalent, senior managers or equivalent, any Yass Valley Council members, any employee/contractor of the Yass Valley Council and any subject matter expert to attend ARIC meetings. Where requested to attend a meeting, persons must attend the meeting where possible and provide any information requested. Observers have no voting rights and can be excluded from a meeting by the ARIC chairperson at any time.

The ARIC can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the ARIC present.

The ARIC must meet separately with the Internal Audit Coordinator and the Yass Valley Council's external auditor at least once each year.

Dispute resolution

Members of the ARIC and the Yass Valley Council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.



In the event of a disagreement between the ARIC and the CEO or other senior managers, the dispute is to be resolved by the Yass Valley Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the Office of Local Government in writing.

Secretariat

The Yass Valley Council CEO will nominate a staff member or may accept a CRJO staff member to provide secretariat support to the ARIC. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the ARIC chairperson at least one week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the ARIC chairperson and circulated within two weeks of the meeting to each member.

Resignation and dismissal of members

Where the chairperson or an ARIC member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give 3 months' notice to the ARIC chairperson and the Yass Valley Council prior to their resignation to allow the Yass Valley Council to ensure a smooth transition to a new ARIC chairperson or member.

The Yass Valley Council can, by resolution, terminate the appointment of the ARIC chairperson or an independent ARIC member before the expiry of their term where that person has:

- breached the council's code of conduct
- performed unsatisfactorily or not to expectations
- declared, or is found to be in, a position of a conflict of interest which is unresolvable
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been charged with a serious criminal offence
- been proven to be in serious breach of their obligations under any legislation, or
- experienced an adverse change in capacity or capability.

The position of a Yass Valley Council member on the ARIC can be terminated at any time by the Yass Valley Council by resolution.

Review arrangements

At least once every Yass Valley Council term, the Yass Valley Council must review or arrange for an external review of the effectiveness of the ARIC.

These terms of reference must be reviewed annually by the ARIC and once each Yass Valley Council term by the Yass Valley Council. Any substantive changes are to be approved by the Yass Valley Council.



Further information

For further information on the Yass Valley Council's ARIC, contact Sharon Houlihan, CRJO Executive Officer on sharon.houlihan@crjo.nsw.gov.au or by phone on 0427 469 156.

Reviewed by chairperson of the ARIC:

[signed]

[date]

Reviewed by Yass Valley Council in accordance with a resolution of the Yass Valley Council.

[signed]

[date]

[resolution reference]

Next review date: [date]



Schedule 1 – ARIC responsibilities

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between the Yass Valley Council, CEO, senior management, the internal audit function and external audit
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions
- Review and advise the Yass Valley Council:
 - on whether the Yass Valley Council is providing the resources necessary to successfully deliver the internal audit function
 - if the Yass Valley Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if the Yass Valley Council's internal audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Yass Valley Council are suitable
 - of the strategic four-year work plan and annual work plan of internal audits to be undertaken by the Yass Valley Council's internal audit function
 - if the Yass Valley Council's internal audit activities are effective, including the performance of the internal audit coordinator and the internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by the Yass Valley Council of these corrective actions
 - on the appointment of the internal audit coordinator and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

External audit

- Act as a forum for communication between the Yass Valley Council, CEO, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit and external audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations



- Provide advice to the Yass Valley Council and/or CEO on action taken on significant issues raised in relevant external audit reports and better practice guides

Risk

Risk management

Review and advise the Yass Valley Council:

- if the Yass Valley Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the Yass Valley Council is providing the resources necessary to successfully implement its risk management framework
- whether the Yass Valley Council's risk management framework is adequate and effective for identifying and managing the risks the Yass Valley Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the Yass Valley Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, e.g., the Yass Valley Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the Yass Valley Council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the Yass Valley Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the Yass Valley Council's risk management approach impacts on the Yass Valley Council's insurance arrangements
- of the effectiveness of the Yass Valley Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise the Yass Valley Council:

- whether the Yass Valley Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective



- whether the Yass Valley Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the Yass Valley Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise the Yass Valley Council of the adequacy and effectiveness of the Yass Valley Council's compliance framework, including:

- if the Yass Valley Council has appropriately considered legal and compliance risks as part of the Yass Valley Council's risk management framework
- how the Yass Valley Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise the Yass Valley Council of the adequacy and effectiveness of the Yass Valley Council's fraud and corruption prevention framework and activities, including whether the Yass Valley Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise the Yass Valley Council:

- if the Yass Valley Council is complying with accounting standards and external accountability requirements
- of the appropriateness of the Yass Valley Council's accounting policies and disclosures
- of the implications for the Yass Valley Council of the findings of external audits and performance audits and the Yass Valley Council's responses and implementation of recommendations
- whether the Yass Valley Council's financial statement preparation procedures and timelines are sound
- the accuracy of the Yass Valley Council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues



- the methods used by the Yass Valley Council to account for significant or unusual transactions and areas of significant estimates or judgements
- appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the Yass Valley Council's annual report is consistent with signed financial statements
- if the Yass Valley Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the Yass Valley Council are adequate
- if the Yass Valley Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise the Yass Valley Council regarding its governance framework, including the council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

Improvement

Strategic planning

Review and advise the Yass Valley Council:

- of the adequacy and effectiveness of the Yass Valley Council's integrated, planning and reporting (IP&R) processes



- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the Yass Valley Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise the Yass Valley Council:
 - If the Yass Valley Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how the Yass Valley Council can improve its service delivery and the Yass Valley Council's performance of its business and functions generally

Performance data and measurement

Review and advise the Yass Valley Council:

- if the Yass Valley Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the Yass Valley Council uses are effective, and
- of the adequacy of performance data collection and reporting.


YASS NSW 2582

9 December 2025

Ms Gayleen Burley
Chief Executive Officer
Yass Valley Council

Dear Ms Burley

Please find attached a petition supporting the views of many in our community. We believe that the best local government policies and decisions are made when the community is an integral part of the decision-making process.

In July 2025, several community members took action in response to a contractor being sent to remove trees in Rossi Street. This petition arose following that situation. At that time, both the contractors and those demonstrating to protect the old trees agreed to a proposal put by Inspector David Cowell of the Hume Police District that all parties agree to discuss the issues and find an agreed way forward. So far, no such discussion has occurred.

As we collected signatures, members of the community continued to raise their concerns that little progress had been made in increasing community engagement on this important issue. They commented about the lack of communication by the council about any plans to plant more trees in the district. They were also concerned that no steering committee—including community members—had been established to pursue the establishment of a tree management strategy, and that no consultation had yet been undertaken.

This petition reflects the community's deep concerns about what priority the council has given to our environment, local tree canopies and other environmental issues as we face climate change. We are particularly concerned that a tree management strategy be agreed to and implemented before the expiry of the 12-month status report on the trees in Rossi Street. Our community looks forward to significant action being taken urgently to address these issues.

Yours sincerely


Annemarie Doyle



Council Code of Meeting Practice

*Based on the Model Code of Meeting Practice for Local Councils in NSW (2025) issued by the
NSW Office of Local Government under Section 23A of the Local Government Act 1993*

Public Policy

Adopted by Council: dd mm 2025 (Minute No. 25/nn)

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Responsible Business Unit: Governance

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1. Introduction

This Code of Meeting Practice is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Code applies to all meetings of Yass Valley Council and Committees of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

All NSW Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the *Model Meeting Code of Meeting Practice for Councils in NSW* issued by the NSW Office of Local Government.

A Council's adopted Code of Meeting Practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A Council and a committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

2. Meeting Principles

Council and committee meetings should be:

- Transparent:** Decisions are made in a way that is open and accountable.
- Informed:** Decisions are made based on relevant, quality information.
- Inclusive:** Decisions respect the diverse needs and interests of the local community.
- Principled:** Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:** The community has confidence that councillors and council officers act ethically and make decisions in the interests of the whole community.
- Respectful:** Councillors, council officers, and other meeting attendees treat each other with respect.
- Effective:** Meetings are well organised, effectively run and skillfully chaired.
- Orderly:** Councillors, council officers, and other meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. Before the Meeting

Timing of ordinary council meetings

3.1. Ordinary meetings of the council will be as follows:

- a) Ordinary meetings of council will be held on the 4th Thursday of each month, commencing at 4:00pm, with the exception of December and January. The ordinary meeting held in December will be on the 3rd Thursday of the month commencing at 4:00pm and there will be no ordinary meeting in January.
- b) Open forum will be conducted on the Tuesday of the week of the Council Meeting, commencing at 5:15pm during daylight savings and at 4:00pm alternatively.
- c) The day and time of ordinary meetings of council may be changed by resolution of the council.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meeting

- 3.2. If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.
- 3.3. The mayor may call an extraordinary meeting without the need to obtain the signature of the two (2) councillors.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4. The council must give notice to the public of the time, date, and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5. For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6. For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7. The Chief Executive Officer must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date, and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8. The notice and the agenda for, and the business papers relating to, the meeting may be

given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda, and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9. Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10. A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by **12:00pm on the Wednesday a week prior** to when the meeting is to be held.
- 3.11. A councillor may, in writing to the Chief Executive Officer, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12. A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the Chief Executive Officer about the performance or operations of the council.
- 3.13. A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14. The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15. The Chief Executive Officer must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16. The Chief Executive Officer must ensure that the agenda for an ordinary meeting of the council states:
- a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - c) all matters, including matters that are the subject of council officer reports and reports of committees, to be considered at the meeting, and
 - d) any business of which due notice has been given under clause 3.10.
- 3.17. Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.7.
- 3.18. The Chief Executive Officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be,

unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

- 3.19. Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:
- a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.19 reflects section 9(2A)(a) of the Act.

- 3.20. The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21. Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.21 reflects section 9(2) and (4) of the Act.

- 3.22. Clause 3.21 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.22 reflects section 9(2A)(b) of the Act.

- 3.23. For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.23 reflects section 9(3) of the Act.

- 3.24. A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form.

Note: Clause 3.24 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25. The Chief Executive Officer must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26. Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7
- 3.27. Despite clause 3.25, business may be considered at an extraordinary meeting of the council, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and

requires a decision of the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

- 3.28. 3.28 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.26 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.29. A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28.

Pre-meeting briefing sessions

- 3.30. Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of council.

Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.31. Nothing in clause 3.31 prevents a councillor from requesting information from the Chief Executive Officer about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

4. Public Forums

- 4.1. The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.
- 4.2. Public forums may be held by audio-visual link.
- 4.3. Public forums are to be chaired by the mayor or their nominee.
- 4.4. Yass Valley Council Public Forum will be held on the Tuesday before the Council Meeting, commencing at 5:15pm during daylight savings and at 4:00pm alternatively.
- 4.5. To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **12:00pm** on the day on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.6. A person may apply to speak on no more than **three (3)** items of business on the agenda of the council meeting.
- 4.7. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.8. The Chief Executive Officer or their delegate may refuse an application to speak at a public forum. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

- 4.9. No more than **four (4)** speakers in total are to be permitted to speak on an item on the agenda either 'for' or 'against.'
- 4.10. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may request the speakers to nominate
- 4.11. from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the Chief Executive Officer or their delegate is to determine who will address the council at the public forum.
- 4.12. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.13. Approved speakers at the public forum are to register with the council any written, visual, or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs at least **one (1) business day before** the public forum. The Chief Executive Officer or their delegate may refuse to allow such material to be presented.
- 4.14. The Chief Executive Officer or their delegate is to determine the order of speakers at the public forum.
- 4.15. Each speaker will be allowed **three (3)** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.16. Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.17. A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.18. Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **one (1)** minute.
- 4.19. Speakers at public forums cannot ask questions of the council, councillors, or council officers. 4.18 The Chief Executive Officer or their nominee may, with the concurrence of the chairperson, address the council for up to **three (3)** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.20. Where an address made at a public forum raises matters that require further consideration by council officers, the Chief Executive Officer may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.21. When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.22. If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

- 4.23. Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.24. Where a speaker engages in conduct of the type referred to in clause 4.20, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for such a period as the Chief Executive Officer or their delegate considers appropriate.
- 4.25. Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: In accordance with recommended practice under the Model Code of Meeting Practice, public forums are not to be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5. Coming Together

Attendance by councillors at meetings

- 5.1. All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.
- Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.***
- 5.2. Councillors are expected to wear smart casual business attire which excludes logos and any reference to a political party.
- 5.3. A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4. Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.
- 5.5. The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6. Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its resolution.
- 5.7. A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

The quorum for a meeting

- 5.8. The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

- 5.9. Clause 5.7 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10. A meeting of the council must be adjourned if a quorum is not present:
- a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - b) within half an hour after the time designated for the holding of the meeting, or
 - c) at any time during the meeting.

Note: For the purposes of paragraph (b), clause 3.1 provides that the designated time for an ordinary council meeting is immediately after the conclusion of the preceding public forum that may commence at 4:00pm. That time may vary depending on the number of registered speakers at any given public forum.

- 5.11. In either case, the meeting must be adjourned to a time, date, and place fixed:
- a) by the chairperson, or
 - b) in the chairperson's absence, by the majority of the councillors present, or
 - c) failing that, by the Chief Executive Officer.
- 5.12. The Chief Executive Officer must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13. Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety and or welfare of councillors, council officers and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire) or a public health emergency, the mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14. Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

- 5.15. A meeting of the council or a committee of the council may be held by audio-visual link

where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and council officers at risk. The mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor.

- 5.16. Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:
- a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - c) cause a notice to be published on the council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.17. This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.18. Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.19. Clause 5.18 does not apply to meetings at which a mayoral election is to be held.
- 5.20. A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21. Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22. The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using, and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.23. A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24. A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.

- 5.25. If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26. A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.27. The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28. This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29. A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30. A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.31. Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

- 5.32. Clause 5.30 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33. A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- a) by a resolution of the meeting, or
 - b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

Note: Clause 15.13 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting.

Livestreaming of meetings

- 5.34. Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35. At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- a) the meeting is being recorded and made publicly available on the council's website, and

- b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36. The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.37. The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.38. Clauses 5.35 and 5.36 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.
- 5.39. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the Chief Executive Officer and other council officers at meetings

- 5.40. The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.
Note: Clause 5.40 reflects section 376(1) of the Act.
- 5.41. The Chief Executive Officer is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.
Note: Clause 5.41 reflects section 376(2) of the Act.
- 5.42. The Chief Executive Officer may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.
Note: Clause 5.42 reflects section 376(3) of the Act.
- 5.43. The attendance of other council officers at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.

6. The Chairperson

The chairperson at meetings

- 6.1. The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.
Note: Clause 6.1 reflects section 369(1) of the Act.
- 6.2. If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.
Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3. If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4. The election of a chairperson must be conducted:
 - a) by the Chief Executive Officer or, in their absence, an employee of the council, designated by the Chief Executive Officer to conduct the election,

- or
- b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.
- 6.5. If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6. For the purposes of clause 6.5, the person conducting the election must:
- a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7. The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8. Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9. When the chairperson rises or speaks during a meeting of the council:
- a) a. any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7. Modes of Address

- 7.1. Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2. If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor' or 'Mayor.'
- 7.3. Where the chairperson is not the mayor, they are to be addressed as either 'Mr Deputy Mayor' or 'Deputy Mayor.'
- 7.4. Where the chairperson is not the mayor or the deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair.'
- 7.5. A councillor is to be addressed as 'Councillor [surname]'.
- 7.6. A council officer is to be addressed by their official designation or as Mr / Ms [surname].

8. Order of Business for Ordinary Council Meetings

- 8.1. The general order of business for an ordinary meeting of the council shall be:
- i. Opening meeting
 - ii. Acknowledgement of country

Note: First meeting of council after an election of all councillors to include a 'Welcome to Country'

- iii. Prayer
 - iv. Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
 - v. Confirmation of minutes
 - vi. Disclosures of interests
 - vii. Mayoral minute(s)
 - viii. Officer reports
 - ix. Notices of motions
 - x. Questions with notice
 - xi. Confidential matters
 - xii. Conclusion of the meeting
- 8.2. The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- Note. Part 13 allows council to deal with items of business by exception.***
- 8.3. Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9. Consideration of Business at Council Meetings

Business that can be dealt with at a council meeting

- 9.1. The council must not consider business at a meeting of the council:
- a) unless a councillor has given notice of the business, as required by clause 3.9, and
 - b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.
- 9.2. Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- a) is already before, or directly relates to, a matter that is already before the council, or
 - b) is the election of a chairperson to preside at the meeting, or
 - c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3. Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.

- 9.4. A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover, can speak to the motion before it is put.
- 9.5. If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6. A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5

Mayoral minutes

- 9.7. The mayor may, by minute signed by the mayor, be put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8. A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9. A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

- 9.10. A recommendation made in an officer report is, in so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.11. The recommendations of a committee of the council are, in so far as they are adopted by the council, resolutions of the council.
- 9.12. If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13. A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.12 and 3.13.
- 9.14. A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.15. A councillor may, through the mayor, ask the Chief Executive Officer about a matter on the agenda. The Chief Executive Officer may request another council employee to answer the questions.
- 9.16. A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17. Councillors must ask questions directly, succinctly, respectfully and without argument.

- 9.18. The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10. Rules of Debate

Motions to be seconded

- 10.1. Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2. A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3. If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4. In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5. It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6. The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7. Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

Amendments to motions

- 10.8. An amendment to a motion must be moved and seconded before it can be debated.
- 10.9. An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10. The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11. If an amendment has been lost, a further amendment can be moved to the motion to

- which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12. While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13. If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14. An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15. A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16. A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17. A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18. Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19. Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
- a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20. The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.21. If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22. If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23. All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24. Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25. Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

11. Voting

Voting entitlements of councillors

- 11.1. Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

- 11.2. The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3. Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.4. A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5. All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.

Voting on planning decisions

- 11.6. The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter before put before the council for a decision.
- 11.7. Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in the staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.8. The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.9. For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.10. Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.11. Clauses 11.7–11.9 apply also to meetings that are closed to the public.

Note: Clauses 11.7–11.10 reflect section 375A of the Act.

Note: The requirements of clause 11.7 may be satisfied by maintaining a register of the minutes of each planning decision.

12. Committee of the Whole

- 12.1. The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2. All the provisions of this code relating to meetings of the council, in so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3. The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the council designated by the Chief Executive Officer, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4. The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. Dealing with Items by Exception

- 13.1. The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2. Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3. The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4. Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5. A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6. Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7. Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14. Closure of Council Meetings to the Public

Grounds on which meetings can be closed to the public

- 14.1. The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- a) personnel matters concerning particular individuals (other than councillors),

- b) the personal hardship of any resident or ratepayer,
- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- d) commercial information of a confidential nature that would, if disclosed:
 - i. prejudice the commercial position of the person who supplied it, or
 - ii. confer a commercial advantage on a competitor of the council, or
 - iii. reveal a trade secret,
- e) information that would, if disclosed, prejudice the maintenance of law,
- f) matters affecting the security of the council, councillors, council officers or council property,
- g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2. The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3. A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege, or security, and
 - b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4. A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- a) are substantial issues relating to a matter in which the council or committee is involved, and
 - b) are clearly identified in the advice, and
 - c) are fully discussed in that advice, and
 - d) are subject to legal professional privilege.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5. If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must

not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6. For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- a) a person may misinterpret or misunderstand the discussion, or
- b) the discussion of the matter may:
 - i. cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - ii. cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7. In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8. Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter), and
 - ii. should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9. The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10. A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11. Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.

14.12. Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an

- application to the council in a manner determined by council.
- 14.13. Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **4:00pm three (3) working days** before the meeting at which the matter is to be considered.
- 14.14. The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.13. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.
- 14.15. No more than **four (4)** speakers are to be permitted to make representations under clause 14.9.
- 14.16. If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the council.
- 14.17. The Chief Executive Officer (or their delegate) is to determine the order of speakers.
- 14.18. Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **four (4)** speakers to make representations in such order as determined by the chairperson.
- 14.19. Each speaker will be allowed **three (3)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.20. If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.21. If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.22. Councillors attending a meeting by audio-visual link must ensure that no other person

is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.23. The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- a) the relevant provision of section 10A(2) of the Act,
 - b) the matter that is to be discussed during the closed part of the meeting,
 - c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: *Clause 14.23 reflects section 10D of the Act.*

Resolutions passed at closed meetings to be made public

- 14.24. If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.25. Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is webcast.
- 14.26. The Chief Executive Officer must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business paper ceases to be confidential.
- 14.27. The Chief Executive Officer must consult with the council and any other affected persons before publishing information on the council's website under clause 14.24 and provide reasons for why the information has ceased to be confidential.

15. Keeping Order at Meetings

Points of order

- 15.1. A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2. A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3. The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

- 15.4. A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5. The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6. The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7. A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8. If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9. Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.10. A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - a) contravenes the Act, the Regulation, or this code, or
 - b) assaults or threatens to assault another councillor or person present at the meeting, or
 - c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - d) uses offensive or disorderly words, or
 - e) makes gestures or otherwise behaves in a way that is sexist, racist or homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
 - f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
 - g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in a way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74."

Note: Clause 15.10 reflects section 182 of the Regulation.

- 15.11. The chairperson may require a councillor:
 - a) to apologise without reservation for an act of disorder referred to in clauses

- 15.10(a), or (b), (d), (e), or (g), or
- b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

- 15.12. If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.13. All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.14. Clause 15.13 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.15. A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.10 or 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.15 reflects section 233(2) of the Regulation.

- 15.16. A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.17. Members of the public attending a meeting of the council:
- (a) must remain silent during the meeting unless invited by the chairperson to speak,
 - (b) must not bring flags, signs or protest symbols to the meeting, and
 - (c) must not disrupt the meeting.
- 15.18. Without limiting clause 15.17, a contravention of clause 15.18 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.18.
- 15.19. Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20. If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering

that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21. Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22. If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23. Councillors, council officers and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24. A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25. Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26. If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16. Conflicts of Interest

- 16.1. All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2. Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17. Decisions of the Council

Council decisions

- 17.1. A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act

- 17.2. Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3. A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4. If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5. If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6. A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7. If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8. The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9. A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

- 17.10. A motion to alter or rescind a resolution relating to a development application must be submitted to the Chief Executive Officer no later than 10:00am on the day after the meeting at which the resolution was adopted.

- 17.11. A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12. Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13. A motion moved under clause 17.12(b) can be moved without notice. Despite any other provisions of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.14. A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

- 17.15. Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- a) to correct any error, ambiguity, or imprecision in the council's resolution, or
 - b) to confirm the voting on the resolution.
- 17.16. In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17. The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18. A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20– 10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19. A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20. A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. Time Limits on Council Meetings

- 18.1. Meetings of the council and committees of the council are to conclude no later than **three (3) hours after the commencement of the meeting**.
- 18.2. If the business of the meeting is unfinished **within three (3) hours of the commencement of the meeting**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3. If the business of the meeting is unfinished **within three (3) hours of the commencement of the meeting**, and the council does not resolve to extend the meeting, the chairperson must either:
- a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4. Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must

fix the time, date, and place that the meeting is to be adjourned to.

- 18.5. Where a meeting is adjourned under clause 18.3 or 18.4, the Chief Executive Officer must:
- a) individually notify each councillor of the time, date, and place at which the meeting will reconvene, and
 - b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. After the Meeting

Minutes of meetings

- 19.1. The council is to keep full and accurate minutes of the proceedings of meetings of the council.
- Note: Clause 19.1 reflects section 375(1) of the Act.**
- 19.2. At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the council's minutes:
- a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
 - b) details of each motion moved at a council meeting and of any amendments moved to it,
 - c) the names of the mover and seconder of the motion or amendment,
 - d) whether the motion or amendment was passed or lost, and
 - e) such other matters specifically required under this code.
- 19.3. The minutes of a council meeting must be confirmed at a subsequent meeting of the council.
- Note: Clause 19.3 reflects section 375(2) of the Act.**
- 19.4. Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5. When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- Note: Clause 19.5 reflects section 375(2) of the Act.**
- 19.6. The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7. The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8. The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any

person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9. Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10. Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11. Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12. The Chief Executive Officer is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. Council Committees

Application of this Part

- 20.1. This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2. The council may, by resolution, establish such committees as it considers necessary.
- 20.3. A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4. The quorum for a meeting of a committee of the council is to be:
- a) such number of members as the council decides, or
 - b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5. The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6. The Chief Executive Officer must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- a) the time, date, and place of the meeting, and

- b) the business proposed to be considered at the meeting.
- 20.7. Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8. A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9. Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10. A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- a) to give notice of business for inclusion in the agenda for the meeting, or
 - b) to move or second a motion at the meeting, or
 - c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11. The chairperson of each committee of the council must be:
- a) the mayor, or
 - b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12. The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13. If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14. The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15. Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all

committees of the council.

- 20.16. Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17. Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral Minutes

- 20.18. The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

- 20.19. The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20. If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21. Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.22. The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23. Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - b) details of each motion moved at a meeting and of any amendments moved to it, the names of the mover and seconder of the motion or amendment,
 - c) whether the motion or amendment was passed or lost, and
 - d) such other matters specifically required under this code.
- 20.24. All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25. The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

- 20.26. Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27. When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28. The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29. The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation

21. Irregularities

Proceedings at a meeting of a council or a council committee are not invalidated because of:

- a) a vacancy in a civic office, or
- b) a failure to give notice of the meeting to any councillor or committee member, or
- c) any defect in the election or appointment of a councillor or committee member, or
- d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- e) a failure to comply with this code.

Note: *Clause 21.1 reflects section 374 of the Act.*

DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

Council Policy

CA-CP-03

Live Streaming of Council Meetings

Purpose

Yass Valley Council has a commitment to providing transparency in all decision making processes of Council to invoke trust and accountability. Council meetings are open to the public, yet attendance is not always possible due to timings and location. Yass Valley Council encompasses a Local Government Area (LGA) of approximately 4,000 square km and a population in excess of 16,000.

Live streaming will allow the public to view Council meetings held in the Council Chambers. Meetings may also be viewed retrospectively.

This policy will provide guidance in relation to the recording and live streaming of council meetings at Yass Valley Council.

Scope

This policy applies to all public meetings of Yass Valley Council with the exclusion of those meetings which are closed to the public in accordance with section 10A of the Local Government Act 1993.

The live streaming of meetings will be carried out in accordance with relevant legislation concerning privacy and access to information as stated in item 5 below.

This policy will apply to:

- Councillors
- Permanent employees, whether full-time or part-time
- Temporary or casual employees
- Consultants
- Contractors working for Yass Valley Council and their employees
- Other people

Definitions

Term	Meaning
Public Meeting –	Ordinary meetings of Council and extraordinary meetings of Council
Webcasting –	The use of the worldwide web (internet) for broadcasting information and distributing media files. A webcast is a media presentation distributed over the internet using streaming media technology to distribute a single content source to many simultaneous listeners/viewers. A webcast may either be distributed live or on demand.

Policy Principles

1 Context

In circumstances where a meeting is closed to the public, a recording may be made however any such recording will not be made available to the public.

Council will attempt to notify the public if live streaming is unavailable due to technical difficulties such as availability of internet connection, device malfunction, power outages and unavailability of social media platforms or service provider outages.

Individual user settings such as bandwidth, internet connection, PC memory and capacity may also impact on the quality of the live stream and recording but are outside the control of Council.

The Mayor, may at any time, direct the live streaming to be terminated if the content of the discussion is determined to be inappropriate to be published. Material that is inappropriate to be published may include, but not be limited to, that which is:

- Defamatory in nature
- An infringement of copyright
- A breach of privacy or discloses personal information
- Is offensive, abusive, or discriminatory in nature
- Incites hatred or vilifies another person
- Is confidential or privileged council information

2 Privacy

The audio visual equipment will be set up to ensure all councillors are able to be viewed and will not specifically be directed towards the public gallery, however Council is unable to expressly guarantee that a person's image will not be webcast. To ensure that all visitors to the meeting are aware of the intention to record the proceedings and livestream these to the public, signage will be displayed in the Council chamber and a statement will be read out prior to the commencement of each meeting. Remaining in the public gallery will automatically presume consent to broadcast a person's image and/or voice.

3 Risk

Council meetings, like any public forum, are a platform for open questioning and an open expression of views. Council has both a Code of Meeting Practice and a Code of Conduct Policy which strongly oppose bullying, harassment, abuse, discrimination, vilification, and defamatory comments of any kind however some topics may occasionally invoke strong emotions and comments. A consequence of having a broader audience in attendance made possible through livestreaming inevitably increases the likelihood and/or severity of comments being regarded as contravening these ethics and standards.

No protection will be afforded to staff, Councillors or the public where comments made during a meeting are subsequently challenged in a court of law and determined to be slanderous, defamatory, or inappropriate in nature.

4 Access to Archived Recordings

Access to records will be available free of charge from Council's You Tube Channel via links in the meetings section on Council's website for a minimum of two (2) years.

Responsibilities & Review

The Director Corporate & Community will:

- Provide all necessary administrative support for the operation of this policy
- Develop and document any procedures for the effective implementation of this policy
- Keep sufficient records to enable monitoring of compliance with this policy and provide information required for Integrated Planning and Reporting purposes and internal organisational performance measurement.
- The review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines. This policy will be reviewed every two years from the adoption date. The next review date is: 22 June 2023.

References

This policy is to be read in conjunction with the following:

Legislation Policies and procedures	Code of Meeting Practice
	Code of Conduct
	<i>Local Government Act 1993</i>
	<i>Government Information (Public Access) Act 2009</i>
	<i>Privacy and Personal Information Protection Act 1998</i>
	<i>Copyright Act 1968</i>
	<i>State Records Act 1998</i>

Approval History

Stage	Date	Comment	MagiQ Reference
Original	22/6/2019	Approved by Council	300731
Reviewed	25/3/2022	Minor adjustment	300731

Ownership and Approval

Responsibility	Role
Author	ICT Manager
Owner	Director Corporate & Community
Endorser	EMT
Approver	Council