



## **Ordinary Meeting of Council**

**Thursday 22 February 2024**

**4.00pm**

**Council Chambers**

**209 Comur Street, Yass**

**PRAYER:**

**All Stand:**

**Mayor:**

*Let us be still and remember the presence of God. As we commence our meeting let us together pray for guidance and help.*

**All say together:**

*Almighty God, we ask your blessing upon this Council.*

*Direct and prosper our deliberations to the true welfare of Australia and the people of Yass Valley Amen.*

**FUTURE MEETINGS**

**March 2024**

**Thursday 28th**

**4.00pm**

**Ordinary Meeting of Council**

# Ordinary Meeting of Council

## A G E N D A

**Open Forum**

**Page No.**

### **Webcasting**

This meeting is being webcast, a reminder to those in attendance that you should refrain from making any defamatory statements.

### **Acknowledgement of Country**

Yass Valley Council recognises the Ngunnawal people, the Traditional Custodians of the land, water, and sky. We pay our respect to their Elders past, present and future emerging leaders. We extend our respect to other Aboriginal and Torres Strait Islander people who live in the Yass Valley Local Government Area.

#### **1. Prayer**

#### **2. Apologies**

#### **3. Declaration of Pecuniary Interests/Special Disclosures**

#### **4. Confirmation of Minutes**

Minutes of Ordinary Council Meeting held on 20 December 2023 .....5

#### **5. Mayoral Minute**

5.1 Mayoral Minute - Cost Shifting ..... 24

#### **6. Reports to Council**

6.1 Draft Yass Valley Development Control Plan .....25

6.2 Parkwood - Service Delivery.....26

6.3 Low and Mid Rise Housing Reforms Proposed Legislative Changes .....28

6.4 Development Application DA230457 - Dwelling House (Dual Occupancy), 1100 Wallaroo Road, Wallaroo .....30

6.5 Development Applications - January 2024 .....35

6.6 Joe O'Connor Park Boat Ramp Upgrade .....36

6.7 Victoria Park Skate Park Additional Funding.....37

6.8 Fastrack Australia & Australian High Speed Rail Association - High Speed Rail Submission .....39

6.9 Yass Water Treatment Plant Upgrade Project Update .....41

6.10 Partial Road Closure of Nottingham Road Near Swinging Bridge Reserve, Wee Jasper .....44

6.11 Presentation of Audited Financial Statements 2022/23.....47

6.12 Delivery Program Six Month Progress Report .....50

6.13 Investment Report - December 2023 .....51

6.14 Investment Report - January 2024.....53

6.15 Rates Arrears.....56

6.16 Hartigan Centre Request to be Exempt from Rates.....57

6.17	Australia Day Event .....	58
6.18	Alive in the Street Submission .....	60
6.19	Community Christmas Parade Event .....	62
6.20	Southern Tablelands Arts Delegate Report.....	63
6.21	Regional Drought Resilience Planning Program - Round 2 .....	64
6.22	April 2024 Meeting Date .....	66
6.23	Proposed Crago Mill Precinct Project Committee .....	67
6.24	Parkwood Additional Planning Resource .....	68
6.25	Tender Evaluation Report - Back Creek Road Upgrade - Stage 2 YVC.IA.23.2023.....	69
<b>7.</b>	<b>Notice of Motion</b>	
7.1	Notice of Motion - Steering Committee Crago Mill Precinct Plan .....	71
<b>8.</b>	<b>Questions with Notice</b>	
8.1	Question With Notice - Purchase of Traffic Counter .....	72
<b>9.</b>	<b>Minutes and Recommendations of Council Committees</b>	
9.1	Minutes of the Canberra Region Joint Organisation Meeting held on 9 December 2023 .....	73
9.2	Minutes of the Sustainability Advisory Committee held on 6 February 2024.....	74
9.3	Minutes of the Local Traffic Committee held on 7 February 2024.....	75
9.4	Minutes of the Yass Soldiers Memorial Hall Advisory Committee held on 8 February 2024 .....	77
<b>10.</b>	<b>Confidential Matters .....</b>	<b>78</b>
	The following matters are classified as CONFIDENTIAL and will be considered in the Closed Meeting of Council in accordance with Section 10A(2) as they deal with commercial, personnel and legal matters:	
10.1	Parkwood Additional Planning Resource .....	78
10.2	Tender Evaluation Report - Back Creek Road Upgrade - Stage 2 YVC.IA.23.2023.....	78

**Close of Meeting Time**

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



# **Minutes of the Ordinary Meeting of Council**

**Wednesday 20 December 2023**

4.00pm

Council Chambers

209 Comur Street, Yass

## Table of Contents

<b>1.</b>	<b>Prayer .....</b>	<b>3</b>
<b>2.</b>	<b>Apologies .....</b>	<b>3</b>
<b>3.</b>	<b>Declaration of Interest/Disclosures .....</b>	<b>3</b>
<b>4.</b>	<b>Confirmation of Minutes .....</b>	<b>3</b>
<b>5.</b>	<b>Mayoral Minute.....</b>	<b>4</b>
<b>6.</b>	<b>Reports to Council .....</b>	<b>4</b>
6.1	Parkwood Development Control Plan.....	4
6.2	Yass Valley Open Space Strategy .....	4
6.3	Modification Development Consent DA175279 - Preschool, 37 Church Street, Yass .....	5
6.4	Review Request - Development Application No DA230034, Shed, 50 Merryville Drive, Murrumbateman .....	5
6.5	Development Application DA230373 - Shed and Dwelling House, 10 Ryslipp Drive, Murrumbateman .....	6
6.6	Development Application DA230374 - 34 Lot Rural Residential Subdivision, 75 Isabel Drive, Murrumbateman .....	6
6.7	Variation to Development Standards Quarterly Report .....	7
6.8	Yass High School Outdoor Basketball Court.....	7
6.9	Allocation of New 5 Bay Storage Shed, Murrumbateman Recreations Grounds .....	8
6.10	Rotary Lookout 17 Irvine Drive Yass .....	8
6.11	Memorandum of Agreement - South West Regional Waste Management Group .....	9
6.12	Land Acquisition for Road Purposes .....	9
6.13	IPART Rate Peg for 2024/25FY .....	10
6.14	Investment Report - November 2023 .....	10
6.15	2024 World Sand Greens (Mens) Championship - Binalong Community Club .....	11
6.16	Data Breach Policy .....	11
6.17	Tender Evaluation Report - Gravel Resheet for LRCI (Phase 4) Program - Contract YVC.IA.45.2023 .....	12
6.18	Tender Evaluation Report - Gravel Supply and Delivery for LRCI (Phase 4) Program - Contract YVC.IA.39.2023 .....	12
6.19	Tender Evaluation Report - Victoria Park Sports Lighting Upgrade YVC.IA.17.2023 .....	13
6.20	Revised Financial Statements for the Year Ended 30 June 2023 .....	13
<b>7.</b>	<b>Notice of Motion .....</b>	<b>13</b>
<b>8.</b>	<b>Questions with Notice.....</b>	<b>14</b>
8.1	Question With Notice - Delivery Program Progress Report.....	14
<b>9.</b>	<b>Minutes and Recommendations of Council Committees.....</b>	<b>14</b>
9.1	Meeting Notes of the Sustainability Advisory Committee Meeting held on 28 November 2023 .....	14
9.2	Minutes of the Bango Wind Farm Community Enhancement Fund Committee Meeting held on 13 December 2023 .....	14

## Minutes of the Ordinary Meeting of Council held on 20 December 2023

---

9.3	Minutes of the Country Mayors Association AGM and General Meeting held on 24 November 2023 .....	15
9.4	Minutes of the Murrumbateman Playground Project Committee held on 11 December 2023 .....	15
9.5	Minutes of the Yass Valley Open Space Strategy Project Committee Meeting held on 5 December 2023.....	15
<b>9.</b>	<b>Confidential Matters.....</b>	<b>15</b>
10.1	Tender Evaluation Report - Gravel Resheet for LRCI (Phase 4) Program.....	17
10.2	Tender Evaluation Report - Gravel Supply and Delivery for LRCI (Phase 4) Program.....	17
10.3	Tender Evaluation Report - Victoria Park Sports Lighting Upgrade YVC.IA.17.2023 .....	18

## Open Forum

### Presentations to Council – Items on the Meeting Agenda

- **6.6 Development Application DA230374 – 34 Lot Rural Residential Subdivision 47 Isabel Drive, Murrumbateman**  
Rowan Geddes  
Ian McCall

### Council Meeting - The Mayor declared the meeting open at 4.25pm

#### Present

Councillors Allan McGrath, Mayor, in the chair, Jim Abbey, Cecil Burgess, Kristin Butler, Adrian Cameron, Jasmin Jones, Cayla Pothan, Mike Reid and Kim Turner.

Also present were the Chief Executive Officer – Chris Berry, Director Planning & Environment – Julie Rogers, Director Infrastructure & Assets – Nathan Cooke, and Manager Governance Risk & WHS - Philip Hodge.

#### Acknowledgement of Country

##### 1. Prayer

##### 2. Apologies

Nil

##### 3. Declaration of Interest/Disclosures

**Councillor Pothan** , declared a Pecuniary Interest in item 6.3 Modification Development Consent DA175279, Preschool 37 Church Street Yass.

**Reason:** Possible Pecuniary Interest with Councillor’s husband being part of SIPS International who are providing SIP panels for the build. He was a Director of the company unit June 2023.

**Councillor Turner**, declared a Non-Pecuniary - Non Significant Interest in item 6.10 Rotary Lookout 17 Irvine Drive Yass.

**Reason:** Councillor Turner is a member of Rotary.

**Councillor Butler**, declared a Non-Pecuniary , Significant Interest in item 6.9 Allocation of new 5 bay storage shed, Murrumbateman Receptions Grounds.

**Reason:** Councillor Butler is a General Committee member of Murrumbateman Little Athletic Club.

**Councillor Burgess**, declared a Pecuniary Interest in item 9.2 Minutes of the Bango Wind Farm Community Enhancement Fund, Committee meeting held on 13 December 2023.

**Reason:** Receiving money from Bango Wind Farm.

##### 4. Confirmation of Minutes

***RESOLVED that the minutes of the Ordinary Council Meeting held on 23 November 2023 covered by resolution numbers 228-255 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.***

**(Reid/Pothan) 256**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## **5. Mayoral Minute**

Nil

### **Motion**

***RESOLVED that the Late Report – Item 6.20 Revised Financial Statements for the Year Ended 30 June 2023 be accepted into business of the meeting.***

***(Abbey/ Reid 257***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## **6. Reports to Council**

### **6.1 PARKWOOD DEVELOPMENT CONTROL PLAN**

---

#### **SUMMARY**

In July 2020 an area of land on the ACT/NSW Border near Wallaroo was rezoned as an urban release area. The area is covered by the *Yass Valley Local Environmental Plan (Parkwood) 2020*. Clause 6.4 *Parkwood LEP 2020* requires that a Development Control Plan must be developed prior to any development consent being granted for development on the land. This report seeks Council resolution to commence preparation of a Development Control Plan for the area covered by the *Parkwood LEP 2020*.

#### ***RESOLVED that:***

- 1. A Development Control Plan for the area covered by Yass Valley Local Environmental Plan (Parkwood) 2020 be prepared.***
- 2. A report be presented at the February 2024 meeting detailing the due diligence process undertaken to consider the offer by the developer to fund resourcing Council to undertake the preparation of the Development Control Plan including:***
  - All relevant independent legal and probity advice documents be tabled along with any proposed deed in final draft format.***
  - Identifying alternate funding options and resourcing impact on Council's budget.***

***(Jones/Reid) 258***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.2 YASS VALLEY OPEN SPACE STRATEGY

---

### SUMMARY

The *Yass Valley Open Space Strategy* final report has been finalised and endorsed by the Yass Valley Open Space Strategy Project Committee. This report seeks a resolution to place the *Yass Valley Open Space Strategy* on public exhibition.

***RESOLVED that the Yass Valley Open Space Strategy be placed on public exhibition for a period of 42 days commencing 29 January 2024.***

***(Turner/Pothan) 259***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.3 MODIFICATION DEVELOPMENT CONSENT DA175279 - PRESCHOOL, 37 CHURCH STREET, YASS

---

### SUMMARY

To present the assessment of a request to modify Development Consent DA175279B for a preschool at 37 Church Street, Yass. The request has attracted no submissions, however, introduces matters relating to conditions regarding footpath construction which have previously been considered by Council and was subject to a review of determination. Approval is recommended including a reduction in the extent of footpath construction on Church Street required by the conditions.

***RESOLVED that Development Consent DA175279B be modified for the preschool at 37 Church Street, Yass, including conditions which reduce the extent of the footpath construction requirement on Church Street.***

***(Jones/Butler) 260***

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, M Reid and K Turner

AGAINST: Councillor A Cameron

**6.4 REVIEW REQUEST - DEVELOPMENT APPLICATION NO DA230034, SHED, 50 MERRYVILLE DRIVE, MURRUMBATEMAN**

---

**SUMMARY**

To present a request for review of the refusal determined by Council at its meeting on 23 November 2023 for a shed at 50 Merryville Drive, Murrumbateman.

***RESOLVED that the request for a review of Development Application No DA230034 for a storage shed at 50 Merryville Drive, Murrumbateman be approved subject to the maximum height of the shed being 5m high.***

***(Reid/Turner) 261***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**6.5 DEVELOPMENT APPLICATION DA230373 - SHED AND DWELLING HOUSE, 10 RYSLIPP DRIVE, MURRUMBATEMAN**

---

**SUMMARY**

To present the assessment of Development Application DA230373 for a proposed shed and dwelling house at 10 Ryslipp Drive, Murrumbateman. The application attracted nine objections and relevant concerns cannot be addressed by conditions. Refusal is recommended.

***RESOLVED that Development Application DA230373 for the shed and dwelling house at 10 Ryslipp Drive, Murrumbateman be refused on the following grounds:***

- 1. The proposed shed is not appropriately characterised as ancillary development to the proposed dwelling house and residential use of land. Based on information submitted within documentation accompanying the Development Application, the use of the shed relates to the purposes associated with a joinery and cabinet making. This is a prohibited use of land in the RU4 Primary Production Small Lots zone.***
- 2. Insufficient information has been submitted to enable a complete assessment of the proposed dwelling and associated infrastructure under the Environmental Planning & Assessment Act 1979 and Biodiversity Conservation Act 2016:***
  - The application has not demonstrated that the proposed development does not trigger entry into the NSW Biodiversity Offset Scheme (BOS), or where the BOS is triggered, has not provided a Biodiversity Development Assessment Report (BDAR).***
  - The internal access road (driveway) crosses through an area of the site which is potentially Box-Gum Woodland, being a critically endangered ecological community. There is insufficient information submitted to consider the associated impacts.***
  - A revised site plan has not been supplied which clearly shows the location of all trees in the vicinity of the development (including those to be removed and retained), the exclusion zone on the land (restriction) per Deposited Plan 1040192, and the location of the existing dam.***
- 3. The Applicant be advised to review the proposed development and submit a new development application***

***(Butler/Pothan) 262***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## **6.6 DEVELOPMENT APPLICATION DA230374 - 34 LOT RURAL RESIDENTIAL SUBDIVISION, 75 ISABEL DRIVE, MURRUMBATEMAN**

---

### **SUMMARY**

To present the assessment of Development Application DA230374 for 34 lot rural residential subdivision ("The Fields" Stage 4) at 75 Isabel Drive, Murrumbateman. The application attracted nine submissions including eight of which raised matters of concern and one that fully supported the proposal. Approval is recommended under deferred commencement.

#### ***RESOLVED that :***

- 1. A Deferred Commencement Development Consent be issued for Development Application DA230374 for 34 lot rural residential subdivision at 75 Isabel Drive, Murrumbateman.***
- 2. A condition be imposed requiring the construction of a footpath on the land to be dedicated to Council adjoining proposed lot 34 (identified in pink on Attachment H of the report).***

***(Pothan/Butler) 263***

FOR: Councillors J Abbey, C Burgess, K Butler, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Councillor A Cameron

## **6.7 VARIATION TO DEVELOPMENT STANDARDS QUARTERLY REPORT**

---

### **SUMMARY**

Reporting on development standard variations approved in the third quarter (June – October) of 2023.

***RESOLVED that the report on approved development variations for the third quarter of 2023 be noted.***

***(Reid/Abbey) 264***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.8 YASS HIGH SCHOOL OUTDOOR BASKETBALL COURT

---

### SUMMARY

To advise of a request received from Department of Education to install an outdoor basketball court at Yass High School. Council approval is required to commence the process to grant a licence for use of part of the Crown and under Council control (Lot 1 DP 1134940) adjacent the school to the north-east and part of the Council Road Reserve adjacent the Crown land, to accommodate a portion of the basketball court.

### **RESOLVED that :**

1. ***The part road closure of Hume Street be approved.***
2. ***The road closure process be commenced, and notification be undertaken in accordance with the Roads Act 1993.***
3. ***The land within Hume Street Road reserve be dedicated as operational land under the Local Government Act 1993 and be sold to the NSW Department of Education.***
4. ***The proposed 21 year license of the section of Crown Land within Victoria Park for the use of an outdoor basketball court be placed on public notification for a period no less than 28 days in accordance with the Local Government Act 1993.***
5. ***The Chief Executive Officer and Mayor be authorised to sign documentation associated with the part road closure and license to use part of the Crown land at Victoria Park for an outdoor basketball court for Yass High School.***

**(Jones/Pothan) 265**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.9 ALLOCATION OF NEW 5 BAY STORAGE SHED, MURRUMBATEMAN RECREATIONS GROUNDS

---

### SUMMARY

To advise of the process to allocate a new 5 bay storage shed to community and user groups at the Murrumbateman Recreation Grounds.

### **RESOLVED that :**

1. ***The new five bay storage units be allocated to the following user groups:***
  - ***Murrumbateman Lions Club.***
  - ***Murrumbateman Eagles AFL Club***
  - ***Murrumbateman Little Athletics***
  - ***Murrumbateman Cricket Club***
  - ***Murrumbateman Community Association***

- 2. The clubs be encouraged to negotiate in consultation with Council the amount of space required within the storage bays*
- 3. An annual usage charge for the use of the storage bays be considered in the 2024/25 Operational Plan 'Fees and Charges'.*

*(Reid/Pothan) 266*

FOR: Councillors J Abbey, C Burgess, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## **6.10 ROTARY LOOKOUT 17 IRVINE DRIVE YASS**

---

### **SUMMARY**

To advise of a request received from the Rotary Club of Yass Inc to seek approval in principle to develop 17 Irvine Drive (Lot 35 DP1045621) for a recreational lookout for tourism.

#### **RESOLVED that :**

- 1. Community consultation be undertaken for a period of 28 days regarding the proposed recreational lookout project.*
- 2. If no significant objections are received the Rotary Club of Yass Inc be permitted in principle to develop and maintain the area subject to formal approval of the project being undertaken.*

*(Reid/Jones) 267*

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## **6.11 MEMORANDUM OF AGREEMENT - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP**

---

### **SUMMARY**

The purpose of this report is to seek Council's endorsement of a new Memorandum of Agreement (MoA) for the continued operation of the South West Regional Waste Management Group (SWRWMG).

#### **RESOLVED that :**

- 1. The Memorandum of Agreement for the continued operation of the South West Regional Waste Management Group at Attachment A be endorsed.*
- 2. The Chief Executive Officer be delegated to execute all associated documentation.*

*(Abbey/Reid) 268*

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.12 LAND ACQUISITION FOR ROAD PURPOSES

---

### SUMMARY

To obtain approval to acquire land for road purposes.

#### **RESOLVED that :**

1. ***The acquisition of land for road purposes for the following projects, as detailed in this report, be approved:***
  - ***Low Level crossing replacement - Murrumbateman Creek - 3,774m<sup>2</sup>***
  - ***Greenwood Road Southwest of Murrumbateman Creek – 442m<sup>2</sup>***
  - ***Low Level crossing replacement – Yass River - 5,093.9m<sup>2</sup>***
  - ***Greenwood Road near intersection with Yass River Road – 195.4m<sup>2</sup>***
2. ***All land acquired be classified as public road.***
3. ***The Chief Executive Officer and Mayor be delegated under s377 Local Government Act 1993, to execute the approved purchases.***

**(Turner/Burgess) 269**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.13 IPART RATE PEG FOR 2024/25FY

---

### SUMMARY

This report provides the 2024/25FY rate peg details, as set by IPART.

***RESOLVED that the 2024/25FY rate peg of 4.5% be noted.***

**(Abbey/Turner) 270**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.14 INVESTMENT REPORT - NOVEMBER 2023

---

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 30 November 2023. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

***RESOLVED that the Investment & Borrowings Report for October 2023 be noted.***

***(Reid/Pothan) 271***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.15 2024 WORLD SAND GREENS (MENS) CHAMPIONSHIP - BINALONG COMMUNITY CLUB

---

### SUMMARY

The Binalong Community Club have won the opportunity to host the 2024 World Sand Greens (Mens) Championship on 28-29 September 2024. Golf NSW and the Binalong Golf Club have approached Council for sponsorship and in-kind assistance.

***RESOLVED that :***

- 1. Sponsorship be approved to the value of \$10,000.***
- 2. In-kind assistance be provided to the value of \$5,000.***

***(Burgess/Cameron) 272***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 6.16 DATA BREACH POLICY

---

### SUMMARY

To present a Data Breach Policy for adoption. NSW Public Sector Agencies bound by the *Privacy & Personal Information Protection Act 1998 (P&PIP Act 1998)* are now required to have a Mandatory Notification of Data Breach Policy.

***RESOLVED that the draft Data Breach Policy be placed on public exhibition for a period of 28 days and adopted if no significant submissions are received.***

***(Reid/Pothan) 273***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**6.17 TENDER EVALUATION REPORT - GRAVEL RESHEET FOR LRCI (PHASE 4) PROGRAM - CONTRACT YVC.IA.45.2023**

---

**SUMMARY**

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 4 and general resheeting works (YVC.IA.45.2023). This contract is for the civil construction component of the upcoming gravel resheeting program.

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

***(Abbey/Pothan) 274***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**6.18 TENDER EVALUATION REPORT - GRAVEL SUPPLY AND DELIVERY FOR LRCI (PHASE 4) PROGRAM - CONTRACT YVC.IA.39.2023**

---

**SUMMARY**

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 4 and general resheeting works (YVC.IA.39.2023). This contract is for the gravel supply and delivery for Councils gravel resheeting program.

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

***(Reid/Turner) 275***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**6.19 TENDER EVALUATION REPORT - VICTORIA PARK SPORTS LIGHTING UPGRADE  
YVC.IA.17.2023**

---

**SUMMARY**

This report provides advice and recommendations on the submission of tenders for the Victoria Park Sports Lighting Upgrade YVC.IA.17.2023 Contract.

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

***(Jones/Cameron) 276***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**6.20 REVISED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023**

---

**SUMMARY**

In accordance with s413 Local Government Act 1993, approval is sought to refer the revised Financial Statements for the year ended 30 June 2023 to Council's external auditor, the NSW Audit Office.

***RESOLVED that :***

- 1. The revised 2023 Financial Statements be signed in accordance with s413 (1), (2) and (3) Local Government Act 1993 and referred to the NSW Audit Office.***
- 2. Upon receipt of the Auditor Report for 2023 Financial Statements, a copy be forwarded to the Office of Local Government and presented to Council at the February 2024 Council Meeting.***

***(Abbey/Reid) 277***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**7. Notice of Motion**

Nil

## **8. Questions with Notice**

### **8.1 QUESTION WITH NOTICE - DELIVERY PROGRAM PROGRESS REPORT**

---

#### **Question**

Councillor Adrian Cameron submitted the following Questions on Notice:

The responsibilities of the CEO include that the Council and the community are provided with Progress Reports on the activities detailed in the Delivery Program AT LEAST every six months. But it appears that the last such report was to Council on 23 February 2023 as Item 6.14.

In light of just one report so far for 2023, can Councillors be given a timeline for 2024 with dates when these report will be given to our Council and to the community?

**Note: Response provided in the [Business Papers](#).**

## **9. Minutes and Recommendations of Council Committees**

### **9.1 MEETING NOTES OF THE SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON 28 NOVEMBER 2023**

---

***RESOLVED that the meeting notes of the Sustainability Advisory Committee meeting held on 28 November 2023 be noted.***

***(Cameron/Abbey) 278***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

### **9.2 MINUTES OF THE BANGO WIND FARM COMMUNITY ENHANCEMENT FUND COMMITTEE MEETING HELD ON 13 DECEMBER 2023**

---

***RESOLVED that the minutes of the Bango Wind Farm Community Enhancement Fund Committee meeting held on 13 December 2023 and adopt the following recommendations:***

#### **4.1 Funding Guidelines and Forms**

***That:***

- 1. The Guidelines and Forms be recommended to Council for approval.***
- 2. The Committee recommend Council approves for an Expression of Interest to be placed on public exhibition for from 8 January to 28 February 2024.***

***(Abbey/Reid) 279***

FOR: Councillors J Abbey, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**9.3 MINUTES OF THE COUNTRY MAYORS ASSOCIATION AGM AND GENERAL MEETING HELD ON 24 NOVEMBER 2023**

---

**RESOLVED that the minutes of the Country Mayors AGM and General meeting held on 24 November 2023 be noted.**

**(Pothan/Reid) 280**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**9.4 MINUTES OF THE MURRUMBATEMAN PLAYGROUND PROJECT COMMITTEE HELD ON 11 DECEMBER 2023**

---

**RESOLVED that the minutes of the Murrumbateman Playground Project Committee meeting held on 11 December 2023 be noted.**

**(Jones/Cameron) 281**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**9.5 MINUTES OF THE YASS VALLEY OPEN SPACE STRATEGY PROJECT COMMITTEE MEETING HELD ON 5 DECEMBER 2023**

---

**RESOLVED that the minutes of the Yass Valley Open Space Strategy meeting held on 5 December 2023 and adopt the following recommendations:**

**Item 4.1 Final Draft Yass Valley Open Space Strategy**

**That the report on the final draft Yass Valley Open Space Strategy be presented to the December 2023 Council meeting with a recommendation that it be placed on public exhibition.**

**(Abbey/Turner) 282**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**9. Confidential Matters**

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

**10.1 Tender Evaluation Report - Gravel Resheet for LRCI (Phase 4) Program  
Item 10.1 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature**

*that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**10.2** *Tender Evaluation Report - Gravel Supply and Delivery for LRCI (Phase 4) Program*  
*Item 10.2 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**10.3** *Tender Evaluation Report - Victoria Park Sports Lighting Upgrade YVC.IA.17.2023*  
*Item 10.3 is confidential in accordance with section s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**(Turner/Abbey) 283**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

Closed Council commenced at 6:00 pm.

**RESOLVED that the meeting move into Open Council.**

**(Pothan/Jones) 284**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

Open Council resumed at 6:10 pm.

**RESOLVED that the recommendations in Closed Council be adopted.**

**(Turner/Abbey) 285**

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 10.1 TENDER EVALUATION REPORT - GRAVEL RESHEET FOR LRCI (PHASE 4) PROGRAM

---

### SUMMARY

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 4 and general resheeting works (YVC.IA.45.2023). This contract is for the civil construction component of the upcoming gravel resheeting program.

***RESOLVED that the tender submitted by Lentro Earthworks Pty Ltd for Contract YVC.IA.45.2023 - Gravel Resheeting for LRCI Phase 4 Program be accepted for a total cost of \$242,410.00 (excluding GST).***

***(Abbey/Pothan) 286***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

## 10.2 TENDER EVALUATION REPORT - GRAVEL SUPPLY AND DELIVERY FOR LRCI (PHASE 4) PROGRAM

---

### SUMMARY

This report provides advice on the submission of tenders for Local Roads & Community Infrastructure (LRCI) Phase 4 and general resheeting works as part of contract YVC.IA.39.2023. This contract is for the gravel supply and delivery for Councils gravel resheeting program.

***RESOLVED that the tender submitted by Bald Hill Quarry Pty Ltd for Contract YVC.1A.39.2023 - Gravel Supply and Delivery for LRCI (Phase 4) Program be accepted for a total cost of \$857,615.00 (Excluding GST).***

***(Reid/Turner) 287***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

**10.3 TENDER EVALUATION REPORT - VICTORIA PARK SPORTS LIGHTING UPGRADE  
YVC.IA.17.2023**

---

**SUMMARY**

This report provides advice and recommendations on the submission of tenders for the Victoria Park Sports Lighting Upgrade YVC.IA.17.2023 Contract.

***RESOLVED that the tender submitted by Power By Watts under the Victoria Park Sports Lighting Upgrade (YVC.IA.17.2023) contract be accepted for a total cost of \$387,643.63 ex GST.***

***(Jones/Cameron) 288***

FOR: Councillors J Abbey, C Burgess, K Butler, A Cameron, J Jones, A McGrath, C Pothan, M Reid and K Turner

AGAINST: Nil

The meeting closed at 6:16 pm.

---

## 5.1 MAYORAL MINUTE - COST SHIFTING

---

### SUMMARY

Presenting the findings of the LGNSW Cost Shifting Report for the 2021/22 financial year.

### RECOMMENDATION

*That:*

1. *The findings of the LGNSW Cost Shifting report for the 2021/22 financial year be noted.*
2. *A copy of the cost shifting report be placed on Council's website so that our communities can access it.*
3. *Letters be sent to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.*

### REPORT

The pressure on Councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to Councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable Local Government and risking the capacity of Councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarming, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/22 financial year ([www.lgnsw.org.au/costshifting](http://www.lgnsw.org.au/costshifting)), an amount of \$1.36 Billion of expense has been passed on to Councils to fund. This is an increase of \$540 Million since the last report from the 2017/18 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the State.

With Councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only Councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Our communities deserve better, and this must stop. Prior to the most recent State election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the Local Government sector.

Now in 2024, it is important to Councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

As a result I move the following:

1. The findings of the LGNSW Cost Shifting report for the 2021/22 financial year be noted.
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it.
3. Letters be sent to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

**ATTACHMENTS:** A. LGNSW Cost Shifting Report [⇒](#)  
B. Draft Cost Shifting Letter [⇒](#)

**6.1 DRAFT YASS VALLEY DEVELOPMENT CONTROL PLAN**

**SUMMARY**

The draft Development Control Plan has been prepared to guide the future of development within the Yass Valley. A comprehensive set of controls have now been developed and coordinated into a comprehensive Development Control Plan. It is proposed to exhibit the document for a period of 42 days.

**RECOMMENDATION**

*That:*

1. A comprehensive Development Control Plan be prepared for the Yass Valley.
2. The Draft Yass Valley Development Control Plan be placed on public exhibition for a period of 42 days.

**FINANCIAL IMPLICATIONS**

The document has been prepared internally however the Operational Plan 2023/24 allocated \$10,000 for the finalisation of the document by a graphic designer.

**POLICY & LEGISLATION**

The draft Development Control Plan has been drafted under the provisions of the *Environmental Planning & Assessment Act, 1979*

**REPORT**

The draft comprehensive Development Control Plan (DCP) has been drafted to guide future development in the Yass Valley. The DCP contains objectives on what Council is trying to achieve in relation to development outcomes and a set of controls on how the objectives should or could be met. The document contains a mix of prescriptive and performance based controls to provide developer flexibility for creative expression to meet objectives and at the same time providing guidance for assessment of Development Applications.

The DCP draws information from Council’s policies, industry best practice as well as information from Council’s Heritage Advisor. The document is divided into chapters each covering a separate issue or development type and is supported by diagrams where applicable to assist in the interpretation of objectives and controls. The document also includes a matrix to guide developers and users to which parts are applicable for their development and facilitate easy navigation.

It is proposed to place the document on exhibition for a period of 42 days.

**STRATEGIC DIRECTION**

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete the comprehensive development control plan

**ATTACHMENTS:** A. Draft Yass Valley Development Control Plan [⇒](#)

---

## 6.2 PARKWOOD - SERVICE DELIVERY

---

### SUMMARY

To provide an update on cross border services to be delivered by the ACT and necessary for the development of Parkwood.

### RECOMMENDATION

*That:*

1. *Local services to Parkwood be provided through a satellite Council Office and Depot other than the following services which Council is not in a position to provide and need to be sourced from the ACT:*
  - *Water supply*
  - *Sewerage treatment*
  - *Waste collection and disposal*
  - *Management of the bushland conservation area along the Murrumbidgee River and Ginninderra Creek*
2. *The ACT Chief Minister, Treasury & Economic Development Directorate and the NSW Department of Planning & Environment be advised of Council's position in relation to service delivery for Parkwood.*

---

### FINANCIAL IMPLICATIONS

Cross border services to be delivered by the ACT and necessary for the development of Parkwood will be based on ACT costings.

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Yass Valley Local Environmental Plan (Parkwood) 2020*

### REPORT

In September 2023 a Parkwood Planning Forum was held with the developer, Council staff, NSW State Agency representatives and ACT Territory Agency representatives on the provision of satisfactory arrangements for the servicing of the development should the site remain in NSW.

Determining satisfactory arrangements for services is a statutory requirement under the *Yass Valley Local Environmental Plan (Parkwood) 2020*.

For many of the NSW State Agencies it is a matter of considering how they will provide services to Parkwood, at what cost, what are the timeframes for implementing services, and are there any alternate service delivery options. Most have not turned their attention to these issues.

A funding application has been lodged jointly by Yass Valley Council and Regional NSW to undertake a project to determine how NSW State Agencies and Council will deliver their services to Parkwood and what are the costs and timeframes for these.

Council staff have been grappling with the delivery of local services for several years. When originally considering the Planning Proposal, simply engaging the ACT to provide all Council services was considered the preferred solution. Since this initial view further consideration has been given to the issue of Council servicing Parkwood. Council required the development to provide a site to establish a satellite Council office and depot so Council services can be provided to the residents. The only services Council is unable to provide for Parkwood are:

- *Water supply*
- *Sewerage treatment*

- Waste collection and disposal
- Management of the bushland conservation area along the Murrumbidgee River and Ginninderra Creek

The following comments are provided in each of these services:

- **Water Supply**

Water cannot be provided to Parkwood from Council’s current source (i.e. Yass River). The yield from Yass River is insufficient to provide for new growth areas.

The water supply infrastructure on the ACT side of the border has been sized to enable water to be provided from the ACT to the Parkwood development in NSW. It has been the understanding since the inception of the rezoning proposal for Parkwood that water supply would be from the ACT.

- **Sewerage Treatment**

It is not practical for the sewerage from Parkwood to be directed to the Yass or Murrumbateman Sewerage Treatment Plants (STP). The original proposal envisaged sewerage from Parkwood would be directed to the Molonglo STP for treatment.

- **Waste Collection and Disposal**

Council currently has no landfill facilities within the Local Government Area. Waste is collected from households and the Waste Transfer Stations and transported to the Bald Hill Waste Facility at Jugiong.

The collection of household waste from Parkwood requires a long trip to the ACT to access the area and then a longer trip to the Bald Hill Waste facility. With waste costs being a charge to residents this would not be an economical arrangement for Parkwood.

Access to the ACT waste facilities for Parkwood would be a more pragmatic solution. Council could procure a waste contractor to provide kerbside collection service, but this would need to be subject to Council’ contractor being able to access the ACT waste facilities.

- **Bushland Conservation Management**

The bushland conservation area along the adjoining watercourses at Parkwood is to be dedicated to Council as community land. The management of the bushland conservation area is beyond Council resources and staff skill sets. As the conservation area in the ACT has already been established and is managed by the Ginninderry Conservation Trust it makes sense this group continues their work into NSW. The procurement arrangements under *the Local Government Act 1993* would need to be considered to determine if a tender process is required or if there are extenuating circumstances to make a direct appointment.

It is recommended that that ACT Chief Minister, Treasury & Economic Development Directorate and the NSW Department of Planning & Environment be advised of Council’s position in relation to service delivery to Parkwood.

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** Nil

---

## 6.3 LOW AND MID RISE HOUSING REFORMS PROPOSED LEGISLATIVE CHANGES

---

### SUMMARY

The NSW Government has released proposed legislative reforms to low and mid-rise housing with submissions on the proposed reforms being accepted until 23 February 2024. The majority of the proposed reforms do not apply to low and mid-rise development in Yass Valley.

### RECOMMENDATION

*That:*

1. *The report on the Low and Mid-Rise Housing Reforms – Proposed Legislative Changes be noted.*
2. *No submission be made on the proposed reforms.*

---

### FINANCIAL IMPLICATIONS

There are no financial implications for Council as a result of the proposed reforms.

### POLICY & LEGISLATION

The proposed reforms are being exhibited in accordance with the provisions of the *Environmental Planning & Assessment Act, 1979*.

### REPORT

The National Housing Accord was announced in October 2022 under which governments, institutional investors and the construction sector are collaborating to address housing supply and affordability. The Accord set an aspirational target of 1 million new well located homes over five years from 1 July 2024 as well as delivering more affordable homes via medium and longer term actions. NSW has committed to deliver at least 314,000 new homes by 2029.

A National Blueprint for the delivery of secure and affordable housing was developed in 2023 with the NSW Government committing to delivering on the blueprint reforms. The reforms a range of measures including the promotion of medium and high density housing in well located areas close to existing public transport connections, amenities and employment and streamlining approval pathways. To this end the NSW Government is proposing changes to legislation as it pertains to low and mid-rise housing. The majority of the changes are targeted towards the “Six Cities Region” (i.e. Lower Hunter and Greater Newcastle City, Central Coast City, Illawarra-Shoalhaven, Central River City and Eastern Harbour Cite) and support the aims of Transport Oriented Development and include the introduction of non-refusal standards. Non refusal standards mean that where a proposal complies with the set standards, a consent authority cannot refuse certain types of development on those grounds.

For the most part the changes do not impact upon Local Government areas outside of Greater Sydney and the Six Cities Region at this stage. The exception however, is the changes to the Standard Instrument Local Environmental Plan to make dual occupancies a permissible use with Consent in the R2 Low Density Residential Zone across NSW, with non-refusal standards for dual occupancies only applicable to the Greater Sydney Area. The *Yass Valley Local Environmental Plan 2013* already has dual occupancies as a use permissible with Consent in the R2 Low Density Residential Zone. Accordingly, the legislative changes as proposed do not currently impact upon the controls for low and mid-rise housing in Yass Valley.

Included in the proposed reforms is a proposal to amend the Apartment Design Guide to ensure mid-rise apartment buildings are well designed and promote excellent amenity and liveability for residents. The reforms also propose to enable the Torrens Title subdivision of multi dwelling housing

and dual occupancies approved under the reforms provided that appropriate lot sizes, lot widths and accesses are met. Further amendments proposed by the reforms include the introduction of landscaping provisions for residential development covered by the reforms. The landscaping controls will apply for low and mid-rise housing development approved under the reforms.

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL3: Our community is informed and engaged in decision making
Strategies	CL3.2 - Residents have access to timely, relevant and accurate information about issues that affect them
Delivery Program Action	Accessible website and social media platforms

**ATTACHMENTS:** Nil

## 6.4 DEVELOPMENT APPLICATION DA230457 - DWELLING HOUSE (DUAL OCCUPANCY), 1100 WALLAROO ROAD, WALLAROO

### SUMMARY

To present the assessment of Development Application No DA230457 for a dwelling house to create a dual occupancy at 1100 Wallaroo Road, Wallaroo. The application is reported to Council due to policy variation relating to the setback of the proposed dwelling from the rear boundary and it attracted one submission. It is recommended that consent be approved as the proposed variation to the setback meets the intent of the policy which is to establish and maintain the character of an area.

### RECOMMENDATION

*That Conditional Development Consent be issued for Development Application No DA230457 for a dwelling house to create a dual occupancy at 1100 Wallaroo Road, Wallaroo.*

### FINANCIAL IMPLICATIONS

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

### POLICY & LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2021*
- *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Exempt & Complying Codes) 2008
- Yass Valley Local Environmental Plan 2013
- Building Line – Rural and Rural Residential Land Policy
- Road Standards Policy
- Filling Policy
- Application Assessment and Decision-Making Policy
- Yass Valley Development Contribution Plan 2018
- *Local Government Act 1993*
- *Biodiversity Conservation Act 2016*
- *Roads Act 1993*

#### 1. Application Details

Date Received	-	29 September 2023
Land	-	Lot 20 DP 253616 1100 Wallaroo Road, Wallaroo
Area	-	16.47ha
Zoning	-	RU1 Primary Production

## 2. Site Description and Locality

The site is located in an area characterised by rural lots of varying size, many of which are used for rural lifestyle purposes rather than primary production activities due to smaller sizes and the proximity to Canberra.

The site is accessed from Wallaroo Road and it has an existing dwelling and several ancillary structures. The area for the proposed development is generally undulating. A site cut has already been undertaken and an internal access road to the site created.

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

## 3. Proposal

The submitted application involves:

- Construction of a dwelling house to create a dual occupancy
- Installation of onsite sewage management facility

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

## 4. Public Exhibition

Public exhibition included notice to four adjoining and nearby landowners and one submission was received (refer **Attachment C**).

## 5. Assessment

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

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

### 5.1 Setback Policy

The Applicant seeks a variation to the Council's *Setback Policy for Rural and Rural Residential Land*, proposing a 23m setback to the rear boundary instead of the required 50m. The Applicant has requested a variation on the following basis (refer **Attachment E**):

- The proposed development will have no impact on adjoining neighbours or the environment.
- There is considerable separation distance to dwellings on adjoining lots.
- The proposed development still satisfies the intent of the policy.

The intent of this policy is to provide minimum boundary setbacks for the siting of dwellings and ancillary outbuilding in rural and rural residential zones, in order to minimise impact of development on surrounding allotments and ensure adequate separation between development.

The proximity of neighbouring dwellings in relation to the proposed dwelling are shown in **Attachment F**. There are two dwellings on the neighbouring lot to the east, being 456m and 711m away from the proposed dwelling. Neighbour 1 – Dwelling 1, being the closer of the two dwellings on that lot is surrounded by an established landscape buffer which would obstruct any possible view of the proposed dwelling.

Neighbour 2 to the north is the closest dwelling to the proposed dwelling, being 324m away. It should be noted that the dwelling on this lot is within the stipulated 50m setback as shown in orange and has an established hedge which would obstruct any view towards the proposed dual occupancy dwelling. As such, it is not anticipated that the proposed variation to the setback policy will have any negative impact on the rural outlook of the area or the amenity of the occupants of the neighbouring dwellings.

There were no submissions received from either of the two closest neighbours.

In addition to the above factors, the building pad will be cut into the slope in a way that will mitigate the impact of the dwelling within the landscape.

The proposed setback also complies with the Draft Development Control Plan which is currently being tested which proposes a minimum side and rear setback of 15 metres within the RU1 Primary Production Zone.

In this regard, the proposed variation is appropriate, will not result in an adverse planning outcome, and it can be supported.

## **5.2 Issues Raised in Submission**

### **5.2.1 Inappropriate Size Property for Dual Occupancy**

The submission suggests that the size of the lot, which is 16.47ha, is inappropriate for the establishment of a dual occupancy. Clause 4.2B(7) *Yass Valley LEP 2013* determines that where there is a lawfully established dwelling located on a lot in the RU1 Primary Production zone, a second dwelling to create a dual occupancy is permissible.

### **5.2.2 Failure to Identify Proximity to Watercourse**

The submission notes that there is no mention anywhere in the supporting documentation that the proposed dwelling is located to a first-order stream, and that this location is inappropriate as it ultimately feeds into the Murrumbidgee River.

The site is within proximity to a first-order watercourse, generally considered to be a drainage line or flow path. This is shown on the site plans and there is no works proposed in that area which will alter the flow path. The onsite sewage management system and disposal area are located further to the north.

### **5.2.3 Land Mapped as Terrestrial Biodiversity – Yass Valley LEP 2013**

The subject site is identified on the Natural Resources Terrestrial Biodiversity Map for the purposes of clause 6.3 *Yass Valley LEP 2013*. The submission suggests that the application has not provided sufficient detail to demonstrate supporting claims within the Statement Environmental Effects that the site has no significant potential for habitat or connectivity and will not impact native flora and fauna. It further suggests that the proposal does not comply with the *Yass Valley LEP 2013* if impacts to biodiversity can be avoided, with other location on the properties outside of the area mapped as Terrestrial Biodiversity.

An assessment has indicated that the proposed development is unlikely to have any significant adverse environmental impact on terrestrial biodiversity. The area of the development can generally be described as grassland but has been partially cleared and disturbed/modified from historical grazing and agricultural use. There is no tree removal required. Furthermore, the proposed development does not trigger entry into the NSW Biodiversity Offset Scheme, as discussed further below.

### **5.2.4 Inappropriate Septic Location**

The submission suggests that the location of the septic is inappropriate, being 30m west to the dwelling and therefore in proximity to the first-order watercourse. The proposed onsite sewage management system (AWTS) is an aerated wastewater treatment system, rather than a septic system. An AWTS system treats wastewater to a higher standard than a septic. An on-site sewage management report has been provided by a qualified professional with speciality in this area. The report was subject to environmental health review and the proposed arrangements are considered acceptably, including for meeting minimum buffer distances.

### **5.2.5 Lack of Detail on Noise Impacts**

Concern is raised in the submission that there is a lack of detail on noise impacts. Residential development of this size is not anticipated to create any noise impacts on surrounding properties.

### 5.2.6 Lack of Detail on Erosion and Sediment Control Measures

Concern is raised in the submission that there is a lack of detail on erosion and sediment control measures. Consent conditions can be included to ensure sediment and erosion control is implemented during construction and this must be checked by the Principal Certifier at each inspection.

### 5.2.7 Lack of Detail on Biodiversity Impacts

The submission also notes that the Applicant has not provided any area calculations of the footprint of the development to determine whether it triggers entry into the NSW Biodiversity Offset Scheme (BOS) under the *Biodiversity Conservation Act 2016*. Entry into the BOS would be triggered where the proposed development impacts 1ha or more of native vegetation. A calculation undertaken during the assessment has found that the proposed development is below the area threshold of 1ha. The proposed development also does not involve clearing of land identified on the NSW Biodiversity Values Map and is unlikely to have an impact on threatened species which exceeds the test of significance. Furthermore, the land is identified as 'Category 1 – exempt' land on the NSW Draft Native Vegetation Regulatory Map which is land that has been previously cleared or is low conservation value grassland.

In this regard, the assessment has concluded that the proposed development does not trigger the BOS and a Biodiversity Development Assessment Report (BDAR) is not required.

### 5.2.8 Claim that No Earthworks Required

The submission suggests that the application incorrectly claims that no earthworks will be required. Assessment has indicated that some earthworks will be required for the construction. The earthworks have been considered in the assessment and Consent conditions can be included to limit the extent of earthworks. It is noted that earthworks have already commenced, as detailed later in this report.

### 5.2.9 Lack of Detail on Traffic Impacts

The submission notes that the application suggests the traffic movements will increase during construction but does not detail the extent in order to support the claim that it will not be significantly generating traffic. The proposed development is not anticipated to cause any significant impacts as a result of the limited increase in traffic movements, including during construction.

### 5.2.10 Access Road

The submission raises concern in relation to the construction of the internal access road, including limited detail on calculations for the importation of fill material and compliance with Council's *Filling Policy*, including for maximum pavement width. The Development Application does not propose the importation of any fill material for internal access road construction, which can be supported through appropriate Consent conditions. It is noted that construction of the internal access road has already commenced, as detailed later in this report.

### 5.2.11 Other

The submission also raises a number of other issues, including inconsistencies with plans and the application lodged, as well as compliance with setback policy and consistency with the objectives of the zone. These issues are considered elsewhere in this report and the s4.15 Assessment (refer **Attachment D**), with exception of the following additional comments:

- Survey plan. A survey plan was submitted with the Development Application and can be read in conjunction with the site plan. Standard conditions of any Consent require

the building to be set out by a registered surveyor prior to the commencement of work, including to verify location of boundaries.

- Application form. The application form leaves the question of number of pre-existing dwellings on site question blank. It is sufficiently clear however that the application is for a second dwelling to create a dual occupancy. Similarly, it is sufficiently clear in the Statement of Environmental Effects that internal access road to the site of the development is intended to be extend.

### 5.3 Earthworks and Internal Access Road Commencement

It was identified in submissions received and from a site inspection that the site cut and earthworks for the dwelling and internal access road formation have already commenced prior to the issue of any Development Consent. In this regard, a compliance and enforcement investigation will be commenced.

## 6 Conclusion

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

### STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete the comprehensive development control plan

### ATTACHMENTS:

- A. Locality Plan [⇨](#)
- B. Plans and Supporting Documentation [⇨](#)
- C. Submission [⇨](#)
- D. s.4.15 Assessment [⇨](#)
- E. Applicant Setback Variation Request [⇨](#)
- F. Location of Dwellings on Adjoining Lots [⇨](#)
- G. Draft Conditions of Consent [⇨](#)

## 6.5 DEVELOPMENT APPLICATIONS - JANUARY 2024

---

### SUMMARY

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

### RECOMMENDATION

*That the report on development applications for January 2024 be noted.*

---

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

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

### REPORT

A list of Development Applications that have been lodged, determined and under assessment for January 2024 is included in **Attachment A**.

### STRATEGIC DIRECTION

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete the comprehensive development control plan

**ATTACHMENTS:** A. Development Applications - January 2024 [⇨](#)

**6.6 JOE O'CONNOR PARK BOAT RAMP UPGRADE**

**SUMMARY**

Council received a \$50,000 grant from the NSW Recreational Fishing and Camping Facilities Program for the reconstruction of the Joe O'Connor Park boat ramp. Preliminary works have been completed but quotes for the work are in excess of the grants funds received. It is recommended that the additional \$45,000 required by funded by the Contributions Reserve.

**RECOMMENDATION**

*That a total of \$45,000 be transferred from the Contributions Reserve to fund the reconstruction of the Joe O'Connor Boat Ramp.*

**FINANCIAL IMPLICATIONS**

An additional \$45,000 is required to complete the reconstruction of the Joe O'Connor Boat Ramp. It is recommended that the additional cost be funded from the Contributions Reserve.

**POLICY & LEGISLATION**

Nil.

**REPORT**

**1. Background**

Council received a \$50,000 grant from the NSW Recreational Fishing and Camping Facilities Program for the reconstruction of the Joe O'Connor Park boat ramp. Preliminary works have been completed but quotes for the work are in excess of the grants funds received. An additional \$45,000 is required to complete the project.

**2. Funding**

To date, Council has spent \$20,000 on the preliminary works including designs, permits for working in the Yass River and a Review of Environmental Factors. Council has now received quotes for the work and there is a shortfall of \$45,000 required to complete the work. It is recommended that the proposed additional cost be funded from the Contributions Reserve.

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.3 - Seek out and pursue grant funding opportunities
Delivery Program Action	Apply for grants for operation, maintenance, upgrade and new infrastructure

**ATTACHMENTS:** Nil

---

## 6.7 VICTORIA PARK SKATE PARK ADDITIONAL FUNDING

---

### SUMMARY

Council received funding from the Stronger Country Communities Funding Round 5 and allocated it to five projects. It is recommended to Council that funding allocated to Murrumbateman and Wee Jasper projects be reallocated and additional monies be transferred from the Contributions Reserve to finalise the Yass Skatepark.

### RECOMMENDATION

*That:*

1. *A total of \$82,157 from the Stronger Country Communities Funding Round 5 grant allocated to the Murrumbateman and Wee Jasper projects be reallocated to the completion of the Yass Skatepark Project.*
2. *A total of \$14,851 be transferred from the Contributions Reserve to fund the completion of the Yass Skatepark Project.*

---

### FINANCIAL IMPLICATIONS

Refer to the details in the report.

### POLICY & LEGISLATION

Nil.

### REPORT

#### 1. Background

At its meeting on 25 August 2022 Council resolved that:

*Council prioritises the following projects to include Murrumbateman Recreation Grounds in the SCCF Round 5 grants:*

- *Yass Community Centre Upgrade - \$250K*
- *Wee Jasper Park and playground upgrade - \$200K*
- *Yass Skate and Dog Parks upgrade (lighting etc) - \$500K*
- *Murrumbateman storage shed and access roads - \$150K*
- *Murrumbateman main field irrigation and supporting infrastructure - \$150K*

This report is requesting additional funding from Council to complete the Victoria Park Skate Park carpark remediation.

#### 2. Additional Funding Required

To date Council has expended \$482,008 of the \$500,000 allocation on the Victoria Park Skate Park Extension leaving \$17,992 to complete the carpark remediation. The carpark remediation work is estimated to cost \$115,000.

Council allocated a combined \$300,000 for the two Murrumbateman projects (storage sheds and field irrigation) and these projects have been completed with \$30,200 unspent. Council allocated \$200,000 for the Wee Jasper projects and to date has expended \$8,043 and \$140,000 is required for the project completion. The unspent portion of this allocation will be \$51,957. This provides Council with a total of \$82,157 that could be reallocated to the carpark remediation.

The balance of funds required (\$14,851) could be allocated from the Contributions Reserve.

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.3 - Seek out and pursue grant funding opportunities
Delivery Program Action	Apply for grants for operation, maintenance, upgrade and new infrastructure

**ATTACHMENTS:** Nil

## 6.8 FASTRACK AUSTRALIA & AUSTRALIAN HIGH SPEED RAIL ASSOCIATION - HIGH SPEED RAIL SUBMISSION

### SUMMARY

To present a proposal for high speed rail in the Canberra region by Fastrack Australia and Australian High Speed Rail Association and seeking support for a pre-budget submission to the 2024/25 Federal budget.

### RECOMMENDATION

*That the Fastrack Australia and Australian High Speed Rail Association pre-budget submission to the 2024/25 Federal budget be supported.*

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

- Yass Valley Community Strategic Plan 2042

### REPORT

Under the *Yass Valley Community Strategic Plan 2042* there is a strategic objective for transport links that connect towns within the region and increase access to significant centres.

Fastrack Australia and the Australian High Speed Rail Association are seeking Council support to encourage the Commonwealth Government Minister for Transport to adopt their broader approach to implement high speed rail. An outline of their proposal is included in **Attachment A** and their 2024/25 pre-budget submission is included in **Attachment B**.

Fastrack Australia are seeking to focus attention on the corridor between Sydney and Canberra with a focus on linking Canberra to Goulburn and Yass (i.e. the Canberra Spur). The following plan highlights this focus:



While there have been many proposals for high speed rail in Australia none have progressed to implementation.

The Fastrack Australia proposal is based on 10 recommendations i.e.

- National Settlement Strategy
- Economic Case
- National Rail Plan
- Extend Planning Works
- Direct Route Through Sydney
- Asset Freight Implications
- National Rail Governance
- Funding via Land Value Capture
- National Rail Passenger Operator
- Build the Canberra Spur

The proposal is consistent with Council’s strategic objectives for transport links to connect towns and cities within the region. On this basis it is recommended that the Fastrack Australia pre budget submission to the Federal Minister for Transport be supported.

**STRATEGIC DIRECTION**

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN1: We have transport links that connect towns within the region and increase access to significant centres
Strategies	IN1.6 - Support infrastructure that enables sustainable transport options
Delivery Program Action	Identify, encourage and support initiatives from private companies and government agencies for increasing community access to infrastructure that supports sustainable transport

- ATTACHMENTS:**
- A. High Speed Rail to the Canberra Region [⇒](#)
  - B. High Speed Rail Pre-Budget Submission [⇒](#)

## 6.9 YASS WATER TREATMENT PLANT UPGRADE PROJECT UPDATE

### SUMMARY

The Yass Water Treatment Plant Upgrade Project is an important and challenging project for Council. Bimonthly update reports are a requirement of Council.

### RECOMMENDATION

*That the update report and work completed on the Water Treatment Plant Upgrade Project be noted.*

### FINANCIAL IMPLICATIONS

Budgets are allocated for Design and Business Case development in the Operational Plan FY2023/24.

### POLICY & LEGISLATION

- *Local Government Act 1993*

### REPORT

#### 1. Background

The project to prepare a Design and Business Case for the upgrade of the Yass Water Treatment Plant commenced in November 2019. The Housing Acceleration Fund (HAF) funded this project at a cost of \$1.2million. During the course of this project, stakeholders required that Stage 1 - Early Works be carried-out in advance in December 2020. Stage 1 Works included installation of bubble plume aeration at the Yass Dam, upgrade of the Raw Water Pump Station (RWPS), and urgent works at Yass Water Treatment Plant. Stage 1 Works were completed at the end of February 2023.

A roadmap to prepare a business case to inform the investment to upgrade the WTP based on a high-level concept design was agreed in March 2023 and on a revised Scope of Works.

Purchase of land for extension of the WTP was concluded on 4 April 2023. Council owns Lot 1 DP1290121 (formerly part of 32 Cooks Hill Road).

#### 2. Business Case for Yass WTP Augmentation

INSW/Treasury approved a review of the deed reflecting the revised Scope of Works based on the high-level concept design and business case.

Work to develop a Business Case (BC) to confirm the preferred option for additional investment at the Yass Water Treatment Plant (WTP) commenced in April 2023 and consists of:

- a) High-level concept design and options assessment
- b) Business Case conforming to NSW Government Business Case Guidelines (TPP18-06)

Timeline for major deliverables are as follows:

- |    |   |            |
|----|---|------------|
| 1) | Options Selection Briefing Paper          | - Aug 2023 |
| 2) | High-level Concept Design and Site Layout | - Sep 2023 |
| 3) | Draft Business Case                       | - Oct 2023 |
| 4) | Final Business Case                       | - Dec 2023 |

The Final Business Case is required to go through a HAF Assurance process prior to the funding being made available to Council.

**3. Progress: April - September 2023**

Work on the Business Case commenced on 12 April 2023. The following tasks were completed:

- Performance review of WTP until May 2023
- Mechanical and Electrical Condition Assessment Report
- Location of additional clear water storage
- The Options Identification Memorandum was discussed on 9 June 2023 and process components of each option were agreed.
- Three options assessed are as follows:

**Option 1 - Base Case**

Minimal improvements (filter media and backwashing and soda ash dosing)

**Option 2 - Risk Mitigation Upgrade**

(New chemical storage, handling and dosing assets, replacement of ageing electrical assets and power supply and standby generator, inlet outlet modification of existing reservoirs and additional clear water storage that requires demolition of old WTP, UV treatment to address *cryptosporidium* risk from the catchment, filter improvements, and amenities).

**Option 3 - WTP Augmentation**

New treatment processes including inclined plate settling tanks, DAF/Filters, and softening.

- Benefits realisation framework for each option was discussed at a workshop on 7 August 2023 and agreed.
- Options were developed further with high-level concept design, site layout, and cost estimation for the Options Assessment Workshop.
- Options Assessment Workshop: This workshop was conducted on 14 September 2023. At this workshop, DPE Water required that Option 2 be modified to achieve the same benefits as Option 3 and assessed. Council staff and consultants were working on it.
- Customer Survey: A customer survey was posted and emailed to those connected to Council's water supply. The last day for survey responses was on 1 September 2023 and all responses received until 11 September 2023 are being analysed. A total of 3,435 surveys were sent out and the responses received was 491 (14.5%). Analysis on the survey responses is presented in a separate report to November Council meeting. Regular and improved surveys are planned in the future as part of the customer engagement.
- Financial Analysis: This analysis is being carried-out to understand the impact of different investment options on customer bills and affordability. It is assessed as Typical Residential Bill (TRB) for water.

**4. Progress: September 2023 – February 2024**

- **Option 4 – WTP Optimisation**: This option was developed to respond to DPE Water comments on 14 September 2023.

Option 4 is an augmentation of the existing WTP utilising the existing flocculation, dissolved air flotation and filtration assets. Option 4 includes new process units to manage treatment challenges during floods, provides units for operational redundancy and to comply with future environmental protection licence requirements. Provisions are made for future water softening to reduce treated water hardness and for additional filters. Softening is deferred until a sustainable residuals (concentrated water and chemicals) disposal strategy is developed.

While it will be challenging to incorporate new process units to existing infrastructure, utilisation of existing infrastructure reduces the overall cost of the upgrade and improves the environmental performance. Option 4 earned the support of DPE Water, NSW Health and HAF.

- **Final Business Case**:

The Draft Business Case was submitted to stakeholders on 7 November 2023 for review and their comments were incorporated and Final Business case was submitted to HAF on 20 December 2023.

HAF organised an independent consultant for project assurance of the Business Case as required by Infrastructure NSW. An inception meeting was held on 25 January 2024 and interviews with project stakeholders are scheduled from 13 February 2024 through to end of February 2024. Council staff, DCCEEW Water staff (formerly DPE Water), NSW Health and DPHI staff will be interviewed. Draft Report on Project Assurance is scheduled to be submitted to HAF by mid-March 2024. Council will need to address any issues raised in that report. Final Business Case after project assurance will provide a sound basis for seeking funding.

Council made an application to National Water Grid Fund and it was not successful and a briefing session with the funding body is scheduled on 15 February 2024.

## 5. Consultation with DPE (Water) and NSW Health

Council continues to consult with HAF, DPE Water and NSW Health on WTP Upgrade works and extensive inputs were obtained to develop the Scope of Works for the Business Case and through subsequent workshops. HAF, DPE Water and NSW Health are part of Project Steering Group that meets monthly with Council staff and consultants (BecaHunterH2O). An Infrastructure NSW (INSW) representative also joined the Steering Committee from September 2023. DPE Water and NSW Health officials inspected facilities in Yass WTP and bubble plume aeration at Yass Dam during 21-22 August 2023. They also provided guidance to the development of Option 4.

## 6. Next Steps

Following activities are scheduled:

- Continue to participate in the business case assurance process and address any issues raised.
- Utilise the business case to secure grant funding to reduce the impact on customer bills.

## STRATEGIC DIRECTION

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

**ATTACHMENTS:** Nil

## 6.10 PARTIAL ROAD CLOSURE OF NOTTINGHAM ROAD NEAR SWINGING BRIDGE RESERVE, WEE JASPER

### SUMMARY

In November 2023 Council determined to defer consideration of a report on the partial road closure and land exchange to ensure the current alignment of Nottingham Road was placed within a Council road reserve. Council determined to hold a forum to allow persons with structures within the Council road reserve to address Councillors.

### RECOMMENDATION

*That:*

1. *The partial road closure of Nottingham Road, Wee Jasper (adjacent to Lot 7008 DP96171) be approved*
2. *The road closure process be commenced and notification be undertaken in accordance with the Roads Act 1993*
3. *The closed road be dedicated as Operational Land under the Local Government Act 1993 and be transferred to Crown Lands at no cost*
4. *The Chief Executive Officer and Mayor be authorised to sign documentation associated with the partial road closure*
5. *Council acquire a portion of land from Crown Lands (part Lot 7008 DP 96171) at no cost and dedicate this land as public road*

### FINANCIAL IMPLICATIONS

The cost of the road closure will be funded from Council's existing 2023/24 Operational Plan budget. No land acquisition costs are required due to land swaps.

### POLICY & LEGISLATION

- *Roads Act 1993*
- *Crown Lands Management Act 2016*

### REPORT

In November 2023 Council considered a report in relation to a partial road closure near the Swinging Bridge Reserve, Wee Jasper. Council resolved that:

1. *Consideration of the report on the partial road closure of Nottingham Road near Swinging Bridge Reserve for a land exchange between Council and Crown Lands be deferred*
2. *A forum be organised for the three impacted occupiers to address Councillors and allow the occupiers up to 30 minutes to address Councillors and an invitation be sent to Crown Lands to attend.*

A forum with the three owners for the structures within the Council road reserve was held on 5 February 2024 and the following background information (refer **Attachment A**) was provided:

- Nottingham Road is a public road reserve where Council is the road authority. Significant sections of the road formation of Nottingham Road are located outside the dedicated public road reserve
- Three structures have been identified as being within the Nottingham Road public road reserve and not on the adjoining Crown Land
- Where the alignment of the road pavement is outside the designated public road reserve, the usual approach is for Council to negotiate a land exchange with the adjoining landowner to place the existing road alignment within a public road reserve

- If the road alignment is not changed then the three structures within Council’s public road reserve could remain in place. The *Roads Act 1993* allows structures to be placed within a public road reserve but this is discretionary so there is no guarantee the structures can remain in place. However, not realigning the road would result in the owners of the three structures not having any access to the current alignment of Nottingham Road over the adjoining Crown Land



The implications for Council are that:

1. Crown Lands could direct Council to realign Nottingham Road so that it is within Council’s public road reserve which would negatively impact on the three structures. Crown Lands may also require the restoration of the Crown Land/Reserve used by the current alignment of Nottingham Road. This would be a considerable cost to Council.
2. If the land exchange is achieved between the Council and Crown Lands then the three structures currently within Council’s public road reserve would then form part of the Crown Land/Reserve and subject to any requirements of Crown Lands.
3. If there is no land exchange between Council and Crown Lands the three structures would remain in Council’s public road reserve without any access rights to the current alignment of Nottingham Road. Without a land exchange the current status of Nottingham Road remains unresolved and a potential legal minefield for all parties.

The *Roads Act 1993* permits structures to be placed within road reserves but this is usually restricted to minor structures (e.g. roadside delivery boxes). For more substantive structures Council would need to consider if this creates an undesirable precedent.

The owners of the three structures made a presentation (refer **Attachment B**) that:

- Provided a summary of events
- The historical leasing arrangements
- Community support
- A possible solution
- Compliance matters

- Their long tenure with the land for recreational use
- Potential loss of heritage structures

A summary of a possible solution is outlined in **Attachment C** and the legal advice summary is in **Attachment D**.

The structures at Swinging Bridge Reserve are largely matters for Crown Lands other than the three structures within the unformed Council road reserve.

Council's primary concern has to be the protection of the existing road asset on its current alignment. Council's usual approach is to negotiate a land exchange to place the existing road alignment within a public road reserve. The alternative of seeking a Crown Licence over the existing alignment of the road has been declined by Crown Lands. Crown Lands prefer a land exchange to resolve this issue.

Council can approve applications under the *Roads Act 1993* for structures within a road reserve. In this case Council needs to consider whether the structures are suitable for temporary occupation without suitable facilities or access.

The heritage listing within the *Yass Valley LEP 2013* of the structures within the Council road reserve and the adjoining Crown Land reserve can still be pursued by the owners regardless of the land exchange negotiations. As previously advised to Council it is up to the owners to initiate a Planning Proposal for the heritage listing.

While the land exchange to resolve the road alignment issues is being negotiated Council can elect to not take compliance/enforcement action in relation to the three structures in the existing unformed Council road reserve. Once the land exchange has been completed the owners will need to negotiate with Crown Lands as to whether the structures can remain in place.

It is recommended the process to undertake a land exchange between Council and Crown Lands be commenced to place the existing alignment of Nottingham Road within a Council road reserve. The recommendation from the November 2023 Council report is represented for consideration.

## STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.3 - Manage assets in a proactive way across their lifespan
Delivery Program Action	Updating and maintenance of Council's Geospatial Information

- ATTACHMENTS:**
- A. Council Presentation [⇒](#)
  - B. 'Shack' Owners Presentation [⇒](#)
  - C. Swinging Bridge Shack Holders Proposal [⇒](#)
  - D. Summary of Legal Advice [⇒](#)

**6.11 PRESENTATION OF AUDITED FINANCIAL STATEMENTS 2022/23**

**SUMMARY**

The Audit Office report on the Annual Financial Statements for the year ended 30 June 2023 have been received. Council is now required to adopt the financial statements and to authorise the presentation of the audited statements to the Office of Local Government, and the public.

**RECOMMENDATION**

*That the audited 2022/23 Annual Financial Statements be adopted.*

**FINANCIAL IMPLICATIONS**

Financial results determine Council’s ability to provide goods, services, and facilities to carry out activities appropriate to the current and future needs of the local community and of the public.

**POLICY & LEGISLATION**

- *Local Government Act 1993*
- Australian Accounting Standards and Professional Pronouncements
- Local Government Code of Accounting Practice and Financial Reporting

**REPORT**

**1. Summary**

There was additional work required in finalising the Financial Statements this year, due to work required to balance the asset revaluations. The Audit Office requested that we apply for an extension to allow EY and Council time to undertake the audit. Council provided the audited Financial Statements to the Office of Local Government within the extension timeframe of 21 December 2023.

The audited 2022/23 financial statements, incorporating the Audit Office reports, are provided as **Attachment A**.

As indicated in the Independent Auditor’s report (page 65), Council’s audit is Qualified due to “as non-disclosed in Note E3-1 ‘Contingencies’ to the financial statements, the Council has not recognised rural fire-fighting equipment in the Statement of Financial Position at 30 June 2023”. This was a conscious decision that Council resolved to not include, along with almost all NSW Councils.

A representative from EY will provide a presentation at this meeting and will be available to answer questions from Councillors.

A summary of the Financial Statements is provided below:

	<b>2023</b>	2022
	<b>\$000</b>	\$000
<b><i>Income Statement</i></b>		
Total income from continuing operations	<b>55,151</b>	54,472
Total expenses from continuing operation	<b>40,885</b>	34,891
<b>Operating result from continuing operations</b>	<b>14,266</b>	19,581
<b>Net operating result for the year</b>	<b>14,266</b>	19,581
<b>Net operating result before grants and contributions provided for capital purposes</b>	<b>(3,418)</b>	1,131

**Statement of Financial Position**

Total current assets	<b>47,659</b>	45,512
Total current liabilities	<b>(15,885)</b>	(18,202)
Total non-current assets	<b>544,896</b>	485,168
Total non-current liabilities	<b>(13,809)</b>	(14,993)
<b>Total equity</b>	<b>562,861</b>	497,485

**Other Financial Information**

Unrestricted current ratio (times)	<b>2.52</b>	2.39
Operating performance ratio (%)	<b>(2.72)%</b>	4.07%
Debt service cover ratio (times)	<b>5.45</b>	5.30
Rates and annual charges outstanding ratio (%)	<b>9.27%</b>	5.59%
Infrastructure renewals ratio (%)	<b>230.76%</b>	343.15%
Own source operating revenue ratio (%)	<b>49.84%</b>	49.40%
Cash expenses cover ratio (months)	<b>11.78</b>	16.41

**2. Audit Issues and Observations**

**2.1 Non-recognition of Rural Fire-Fighting Equipment**

This is a decision of Council, due to the fact that Council does not control of the RFS equipment.

**2.2 Income Statement**

Council’s operating result from continuing operations (\$14.3M including depreciation, amortisation, and impairment of non-financial assets) was \$5.3M lower than the 2021/22 result. This is mainly due to the increase in materials and services expense of \$4.8M as more rectification works were required due to flooding.

**2.3 Statement of Cash Flows**

Net cash inflows from operating activities (\$21.5 million) decreased by \$6.9 million (24.3 per cent) when compared with the prior period majorly due to increase in payment for material and services by \$8.2 million which was offset by an increase in grants and contributions receipt of \$6.1 million.

Net cash outflows from investing activities (\$23.8 million) were \$1.3 million (5.9 per cent) higher than the prior year (\$22.4 million) primarily due to higher net acquisition of investments.

Net cash inflows from financing activities (\$0.9 million) were \$0.1 million (14.9 per cent) lower than the 2022-23 financial year mainly due to decrease in net repayments to borrowings of million.

**2.4 Cash and Investments**

External restrictions include unspent specific purpose grants, developer contributions, domestic waste management charges, water, sewer, and stormwater management charges.

In 2023, there has been an increase in the externally restricted cash, cash equivalents and investments of \$3.2 million, which is mostly attributable to the current year increase in the developer contributions of \$3.8 million and decrease in unspent specific purpose grants – general fund of \$0.6 million.

Internal allocations are determined by council policies or decisions, which are subject to change.

Through Council resolution, internal allocations can be adjusted to enable the use of these funds to provide liquidity for general operational use as required.

The reduction in internal allocations is primarily due to the decrease in allocated funds for replacement of plant and vehicle and financial assistance grants.

a

**2.5 Income Statement**

Council’s operating result from continuing operations (\$14.3M including depreciation, amortisation, and impairment of non-financial assets) was \$5.3M lower than the 2021/22 result. This is mainly due to the increase in materials and services expense of \$4.8M as more rectification works were required due to flooding.

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** A. Audited 2022/23 Annual Financial Statements [⇒](#)

---

## 6.12 DELIVERY PROGRAM SIX MONTH PROGRESS REPORT

---

### SUMMARY

In line with the Integrated Planning and Reporting (IP&R) Framework, Council is required to report on progress against the actions and activities identified in its Delivery Program. This report contains the status of actions and activities undertaken for the period 1 January to 31 December 2023.

### RECOMMENDATION

*That the Progress Report for the 2022 – 2026 Delivery Program, for period 1 January to 31 December 2023 be noted.*

---

### FINANCIAL IMPLICATIONS

This is a progress report against Council's adopted Key Performance Indicators for the Delivery Program and Operational Plan.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- *Local Government Regulations 2005*
- Integrated Planning and Reporting Framework

### REPORT

The report provided at **Attachment A** tracks progress against the actions and activities adopted by Council in its 2022 - 2026 Delivery Program and across the period 1 January to 31 December 2023.

Unfortunately, the 6-monthly review in July 2023 was missed due to staff resourcing at the time. Therefore, we have provided Council with an update that covers two 6-monthly periods.

The attached report highlights significant achievements against the Delivery Program actions that have are in progress, completed, or not commenced.

### STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.4 - Governance provides a sound basis for decision making
Delivery Program Action	Decisions made in accordance with Local Government Act and Regulations

**ATTACHMENTS:** A. Delivery Program Six Month Progress Report [⇒](#)

## 6.13 INVESTMENT REPORT - DECEMBER 2023

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 December 2023. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

### RECOMMENDATION

*That the Investment & Borrowings Report for December 2023 be noted.*

### FINANCIAL IMPLICATIONS

The investment portfolio assists with Council's cash flow and funding of projects identified in the Operational Plan and is in accordance with Council's Investment Policy.

### POLICY & LEGISLATION

- s625 *Local Government Act 1993*
- Clause 212 *Local Government (General) Regulation 2005*
- Investment Policy

### REPORT

#### 1. Comments on Economic Climate

The RBA decided to leave the cash rate unchanged at 4.35% at their December meeting. This announcement was largely expected by economists and markets with only 5% chance of a hike priced in. Since the November meeting, limited information on the domestic economy aligns with expectations, showing inflation moderation in the goods sector and continued easing conditions in the labour market.

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

Three investments totalling \$4M matured during December 2023. A total of \$4M has been reinvested in three new term deposits during the month of December. Council have used the net proceeds to fund council's usual operations.

#### 3. Council Loans

In December 2023, the Council paid one instalment of the Water - NAB Westpac Dam Wall as per the loan schedule. The table below provides loan details.

General Loan	Principal as at	Interest rate	Comment
Sewer - CBA Loan for Sewer Infrastructure	3,299,665.83	4.82%	20 years, repaid in 2035/36
Water - NAB Westpac Dam Wall	8,018,722.63	5.36%	20 years amortisation, 10 years term Aug 2032
Water - Yass to Murrumbateman water supply (Tcorp)	1,409,606.97	2.55%	10 years, full repaid in 2029
Water main and pump station upgrades (Tcorp)	770,197.63	2.55%	10 years, full repaid in 2029
Crago Mill funding facility (Westpac)	100,000.00	6.52%	20 years, full repaid 2043 - Variable rate (2.17%+BBSR)
<b>Total balance as at 31/12/2023</b>	<b>13,598,193.06</b>		

4. Council Cash, Cash Equivalent, and Term Deposit Investments at 31 December 2023

YASS VALLEY COUNCIL							
Cash, Cash Equivalent and Investments (Term Deposits) as at 31 December 2023							
Investment Type	Acc/Deal Ref.	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
<b>Cash Working Accounts</b>							
NAB Working Account1	082-939 51	3,645,895.93	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,303,178.75	AAA	n/a	n/a	3 day call	
		<b>8,949,074.68</b>					
<b>Term Deposits &lt; 12 Months</b>							
AMP	CN065876	1,000,000.00	A2/BBB	30/06/23	03/01/24	187	5.60%
Bandigo & Adelaide Bank	CN065878	1,000,000.00	A2/BBB+	30/06/23	28/03/24	272	5.40%
Bank of Queensland	CN065877	1,000,000.00	A2/BBB+	30/06/23	24/04/24	299	5.50%
Great Southern Bank	CN065879	1,000,000.00	A2/BBB	30/06/23	24/05/24	329	5.63%
AMP	CN065875	1,000,000.00	A2/BBB	30/06/23	26/06/24	362	5.70%
Bank of Queensland	CN066559	1,000,000.00	A2/BBB+	09/08/23	08/02/24	183	5.25%
Bandigo & Adelaide Bank	CN066659	1,000,000.00	A2/BBB+	15/08/23	15/02/24	184	5.15%
Bandigo & Adelaide Bank	CN066899	1,000,000.00	A2/BBB+	30/08/23	26/02/24	180	5.05%
Great Southern Bank	CN067016	1,000,000.00	A2/BBB	05/09/23	04/09/24	365	5.22%
Great Southern Bank	CN067017	1,000,000.00	A2/BBB	05/09/23	11/09/24	372	5.22%
Great Southern Bank	CN067018	1,000,000.00	A2/BBB	05/09/23	18/09/24	379	5.22%
NAB	3.65E+08	1,200,000.00	A1+/AA-	06/09/23	05/09/24	365	5.20%
NAB	8.21E+08	1,500,000.00	A1+/AA-	06/09/23	05/09/24	365	5.20%
MyState Bank	CN067069	1,500,000.00	A2/BBB+	06/09/23	05/09/24	365	5.15%
NAB	2.96E+08	1,000,000.00	A1+/AA-	13/09/23	12/09/24	365	5.20%
NAB	8.98E+08	1,000,000.00	A1+/AA-	20/09/23	19/09/24	365	5.25%
Judo Bank	CN067715	1,000,000.00	A3/BBB-	09/10/23	08/01/24	91	4.90%
Bank of Queensland	CN068866	1,000,000.00	A2	01/12/23	11/06/24	193	5.35%
MyState Bank	CN068865	1,000,000.00	XX	01/12/23	04/09/24	278	5.35%
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
AMP	CN069038	1,500,000.00	A2	11/12/23	11/09/24	275	5.30%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
AMP	CN069228	1,000,000.00	A2	20/12/23	19/06/24	182	5.10%
		<b>28,200,000.00</b>					
<b>Total Short Term</b>		<b>37,149,074.68</b>					

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Actively manage investments

**ATTACHMENTS:** Nil

## 6.14 INVESTMENT REPORT - JANUARY 2024

---

### SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 January 2024. In accordance with paragraph (1) (b), it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

### RECOMMENDATION

*That the Investment & Borrowings Report for January 2024 be noted.*

---

### FINANCIAL IMPLICATIONS

The investment portfolio assists with Council's cash flow and funding of projects identified in the Operational Plan and is in accordance with Council's Investment Policy.

### POLICY & LEGISLATION

- s625 *Local Government Act 1993*
- Clause 212 *Local Government (General) Regulation 2005*
- Investment Policy

### REPORT

#### 1. Comments on Economic Climate

*At its meeting today, the Board decided to leave the cash rate target unchanged at 4.35 per cent and the interest rate paid on Exchange Settlement balances unchanged at 4.25 per cent.*

*Inflation continued to ease in the December quarter. Despite this progress, inflation remains high at 4.1 per cent. Goods price inflation was lower than the RBA's November forecasts. It has continued to ease, reflecting the resolution of earlier global supply chain disruptions and a moderation in domestic demand for goods. Services price inflation, however, declined at a more gradual pace in line with the RBA's earlier forecasts and remains high. This is consistent with continuing excess demand in the economy and strong domestic cost pressures, both for labour and non-labour inputs.*

*Higher interest rates are working to establish a more sustainable balance between aggregate demand and supply in the economy. Accordingly, conditions in the labour market continue to ease gradually, although they remain tighter than is consistent with sustained full employment and inflation at target. Wages growth has picked up but is not expected to increase much further and remains consistent with the inflation target, on the assumption that productivity growth increases to around its long-run average. Inflation is still weighing on people's real incomes and household consumption growth is weak, as is dwelling investment.*

*While there are encouraging signs, the economic outlook is uncertain, and the Board remains highly attentive to inflation risks. The central forecasts are for inflation to return to the target range of 2–3 per cent in 2025, and to the midpoint in 2026. Services price inflation is expected to decline gradually as demand moderates and growth in labour and non-labour costs eases. Employment is expected to continue to grow moderately, and the unemployment rate and the broader underutilisation rate are expected to increase a bit further.*

*Returning inflation to target within a reasonable timeframe remains the Board's highest priority. This is consistent with the RBA's mandate for price stability and full employment. The Board needs to be confident that inflation is moving sustainably towards the target range. To date, medium-term inflation expectations have been consistent with the inflation target, and it is important that this remains the case.*

Source: Statement by Michele Bullock, Governor: Monetary Policy Decision – RBA -06/02/2024

## 2. Summary of movements in Council Investments

Two investments totalling \$2M matured during January 2024. A total of \$2M have been reinvested in one new term deposits during the month of January. Council have used the net proceeds to fund council's usual operations.

## 3. Council Cash, Cash Equivalent, and Term Deposit Investments at 31 January 2024

YASS VALLEY COUNCIL							
Cash, Cash Equivalent and Investments (Term Deposits) as at 31 January 2024							
Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
<b>Cash Working Accounts</b>	<b>Ref.</b>						
NAB Working Account1	082-939 51	3,226,664.08	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,174,044.30	AAA	n/a	n/a	3 day call	
		<b>8,400,708.38</b>					
<b>Term Deposits &lt; 12 Months</b>							
Bank of Queensland	CN066559	1,000,000.00	A2	09/08/23	08/02/24	183	5.25%
Bendigo & Adelaide Bank	CN066559	1,000,000.00	A2	15/08/23	15/02/24	184	5.15%
Bendigo & Adelaide Bank	CN066899	1,000,000.00	A2	30/08/23	26/02/24	180	5.05%
Bendigo & Adelaide Bank	CN065878	1,000,000.00	A2	30/06/23	28/03/24	272	5.40%
Bank of Queensland	CN065877	1,000,000.00	A2	30/06/23	24/04/24	299	5.50%
Great Southern Bank	CN065879	1,000,000.00	A2	06/07/23	24/05/24	323	5.63%
Bank of Queensland	CN068866	1,000,000.00	A2	01/12/23	11/06/24	193	5.35%
AMP	CN069228	1,000,000.00	A2	20/12/23	19/06/24	182	5.10%
AMP	CN065875	1,000,000.00	A2	30/06/23	26/06/24	362	5.70%
AMP	CN069404	1,000,000.00	A2	03/01/24	03/07/24	182	5.00%
Judo Bank	CN069780	1,000,000.00	XX	29/01/24	24/07/24	177	5.10%
Judo Bank	CN069781	1,000,000.00	XX	24/01/24	07/08/24	196	5.10%
Judo Bank	CN069782	1,000,000.00	XX	24/01/24	28/08/24	217	5.10%
Great Southern Bank	CN067016	1,000,000.00	A2	04/09/23	04/09/24	366	5.22%
MyState Bank	CN068865	1,000,000.00	XX	01/12/23	04/09/24	278	5.35%
MyState Bank	CN067069	1,500,000.00	XX	06/09/23	05/09/24	365	5.15%
NAB	10860338	1,200,000.00	A1+	06/09/23	05/09/24	365	5.20%
NAB	10860337	1,500,000.00	A1+	06/09/23	05/09/24	365	5.20%
Great Southern Bank	CN067017	1,000,000.00	A2	04/09/23	11/09/24	373	5.22%
AMP	CN069038	1,500,000.00	A2	11/12/23	11/09/24	275	5.30%
NAB	10861610	1,000,000.00	A1+	13/09/23	12/09/24	365	5.20%
Great Southern Bank	CN067018	1,000,000.00	A2	04/09/23	17/09/24	379	5.22%
NAB	10862901	1,000,000.00	A1+	20/09/23	19/09/24	365	5.25%
Bank of Queensland	CN068867	1,000,000.00	A2	01/12/23	02/10/24	306	5.35%
Bank of Queensland	CN068868	1,000,000.00	A2	01/12/23	09/10/24	313	5.35%
AMP	CN069039	1,500,000.00	A2	11/12/23	06/11/24	331	5.30%
MyState Bank	CN068869	1,000,000.00	XX	01/12/23	04/12/24	369	5.40%
MyState Bank	CN068870	1,000,000.00	XX	01/12/23	11/12/24	376	5.40%
		<b>30,200,000.00</b>					
<b>Total Short Term</b>		<b>38,600,708.38</b>					

## 4. Council Loans

During the month of January 2024 Council has not drawn down the Crago Mill funding facility from Westpac to fund the Crago Mill Project. Council now has five loans with a balance of \$13.3M owing on 31 January 2024. The table below provides loan details.

General Loan	Principal as at	Interest rate	Comment
Sewer - CBA Loan for Sewer Infrastructure	3,196,484.95	4.82%	20 years, repaid in 2035/36
Water - NAB Westpac Dam Wall	7,939,198.69	5.36%	20 years amortisation, 10 years term Aug 2032
Water - Yass to Murrumbateman water supply (Tcorp)	1,349,718.37	2.55%	10 years, full repaid in 2029
Water main and pump station upgrades (Tcorp)	737,474.99	2.55%	10 years, full repaid in 2029
Crago Mill funding facility (Westpac)	100,000.00	6.52%	20 years, full repaid 2043 - Variable rate (2.17%+BBSR)
<b>Total balance as at 31/01/2024</b>	<b>13,322,877.00</b>		

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL2: Council is a financially sustainable organisation that can meet community needs
Strategies	CL2.1 - Manage resources in a responsible manner that supports the ongoing viability of Council
Delivery Program Action	Actively manage investments

**ATTACHMENTS:** Nil

## 6.15 RATES ARREARS

### SUMMARY

This report is to provide an update to Council on rate arrears to the end of the second quarter of the 2023/24 financial year. Rate arrears totalled \$1,472,547.22 at 30 June 2023 and has now been reduced to \$1,025,761.22 as of 31 December 2023. This represents an improvement of \$446,786.00 or 30.34 %.

### RECOMMENDATION

*That the rates arrears report be noted.*

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- Debt Recovery Policy

### REPORT

#### Arrears as of 31 December 2023

	Rates and Charges Levied (inc. interest)	Paid 1 July to 30 September	Balance Outstanding	Percent Paid 1 July to 30 Sept
Arrears to 30/6/2023	\$1,472,547.22	\$446,786.00	\$1,025,761.22	30.34%
Current Years Rates, Charges and Interest billed since 1/7/2023	\$22,242,324.77	\$11,518,545.93	\$10,723,778.84	51.79%
<b>TOTAL</b>	<b>\$23,714,871.99</b>	<b>\$11,965,331.93</b>	<b>\$11,749,540.06</b>	<b>50.45%</b>

Council deals with hardship applications on a case-by-case basis. For the second quarter of 2023/24, Council did not receive any Hardship applications.

### STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.4 - Governance provides a sound basis for decision making
Delivery Program Action	Decisions made in accordance with Local Government Act and Regulations

**ATTACHMENTS:** Nil

**6.16 HARTIGAN CENTRE REQUEST TO BE EXEMPT FROM RATES**

---

**SUMMARY**

A request has been received from St. Augustine’s Parish Yass to exempt the Hartigan Centre from Council Rates. The Hartigan Centre is a small office operating in St Augustine’s Parish grounds.

**RECOMMENDATION**

*That the request for an exemption for the Hartigan Centre from paying Council rates be declined.*

---

**FINANCIAL IMPLICATIONS**

Business Rates - \$2,900

**POLICY & LEGISLATION**

- *Local Government Act 1993*

**REPORT**

The St Augustine Parish Yass has requested that Council classify the Hartigan Centre as non-Rateable. St Augustine’s Parish is categorised as non-Rateable.

After a review of the rating category for the Hartigan Centre, located in the St Augustine’s Parish grounds, it is determined that the Hartigan Centre should be categorised as Business in accordance with s518 *Local Government Act 1993*.

The Parish advises in its letter (refer **Attachment A**) that:

*Over most of the period since the late 1990’s, the Hartigan Centre has had only limited use, mostly as a venue for occasional Parish meetings and functions. In more recent years, several rooms on the ground floor have been rented, on a concessional basis, to a Arts Health Business and Yass Valley Occupational Therapy).*

The Arts Health Business and Yass Valley Occupational Therapy operate offer a service to the community in occupational therapy and child psychology, at a fee.

According to s518 *Local Government Act 1993*, land is to be categorised as Business if it cannot be categorised as residential, farmland, or mining. Therefore, the Rating category for the Hartigan Centre should be changed to Business and it is recommended that Council not exempt the Centre from paying rates.

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** A. Letter of Request [⇨](#)

---

## 6.17 AUSTRALIA DAY EVENT

---

### SUMMARY

Council held several successful events as part of the 2024 Australia Day celebrations. This report is to confirm Council will continue to celebrate Australia Day in 2025.

### RECOMMENDATION

*That:*

1. *Council continues to celebrate Australia Day with an Award Nominee evening at the Yass Railway Museum, Formal Citizenship and Award Ceremony at Riverbank Park, and a community pool event (if grant funding can be sourced)*
  2. *An allocation of \$10,000 be included in the 2024/25 budget*
- 

### FINANCIAL IMPLICATIONS

The events were conducted within Council and Grant funding budgets.

### POLICY & LEGISLATION

Nil

### REPORT

The Yass Valley Community came out to celebrate the Australia Day awards this year. Our Australia Day Ambassador, Tiffany Thomas Kane, Councillors and the Executive team hosted a wonderful “Nominees Evening” for the 16 award nominees at Cooma House on 25 January.

On Australia Day, Yass Rotary and CWA provided a free community breakfast prior to the official Australia Day Ceremony at Riverbank Park. The Yass Concert Band entertained the crowd of approx. 160 prior to the start of the proceedings and played the National Anthem for the service.

We celebrated 5 new residents receiving their Citizenship on the morning, and the Mayor presented six Australia Day Awards, including a Mayoral Special Award. The awards winners are:

- Citizen of the Year: Ruth Thompson
- Volunteer of the Year: Edward Alley
- Event of the Year: Murrumbateman 2023 Field Days
- Community Group of the Year: Yass Railway Heritage Centre
- Sports Person of the Year: Sally Townsend
- Special Mayoral Award: Yass Police and Ambulance Services

Council was approached by the Yass Railway Museum who offered their facility for the Nominees evening in 2025.

Staff held a debrief and decided that we will release the application for nominees for Australia Day Awards in July and close them in September 2024. This timeframe is moving to similar timeframes for nominations of other local councils. It is believed that this time frame will enable the community the opportunity to consider nominating fellow community members in a period that is not as hectic as the end of the year.

There were a couple of complaints from community members regarding the grass being so long. Council should note that the grass was cut 3 days prior to the event but with favourable conditions grew faster than staff expected.

The Yass Concert Band were so well received at the formal ceremony by the community, that we have already booked them for the 2025 event.

Staff are also looking at improving the promotion of the event, nominees, and winners by introducing an Australia Day page on Council's website. This page will have the nominees, why they were nominated, and the winners. This information will be saved, and new information added each year.

**STRATEGIC DIRECTION**

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.1 - Events celebrate the identity of our towns and villages, heritage and culture
Delivery Program Action	Assist community with events or activities that celebrate identity, heritage and culture

**ATTACHMENTS:** Nil

## 6.18 ALIVE IN THE STREET SUBMISSION

### SUMMARY

Buena Vibra Inc is a non-profit association with a vision to create live music event and performance opportunities for the younger demographic in and around the Yass Valley. Buena Vibra’s mission is “Bringing People Together to Feel Alive Through Music and the Arts”. In 2024, Buena Vibra is looking to continue to shape and invigorate our live music festival event by curating a new Alt-Country/Americana themed event that we think has a great and natural fit with the rural town aspect of Yass and the Yass Valley. We are proposing to move the event, which we are calling “Alive in the Street”, to November 2024 to align with the local spring event calendar and take advantage of the longer days and warmer weather at that time of year.

### RECOMMENDATION

*That:*

1. *In principle support for Buena Vibra’s Alive in the Street event be provided.*
2. *A bid for funding assistance as part of the 2024/25 Operational Plan be considered.*
3. *Staff will assist to apply for grant funding, where applicable, to assist with traffic management and musician fees.*
4. *Staff will discuss possible assistance for the event once funding is secured.*

### FINANCIAL IMPLICATIONS

This will require a bid from the 2024/25 Operational Plan for in-kind assistance, as well as assistance from staff with grant funding applications.

### POLICY & LEGISLATION

Nil

### REPORT

Our inaugural live music festival, Alive in the Park, was held at Riverbank Park in May 2022. The event was presented in partnership with Yass Valley Council, with 10 bands focussed on local performers, and food stalls, market stalls and activities. The success of the event was that it was very well received by the community, and this was also evidenced by Yass Valley Council receiving the NSW Local Government 2022 Most Innovative Youth Event Award.

Buena Vibra presented Alive in the Park in March 2023 again at Riverbank Park, bigger and better, with a higher-tier and stronger band line-up, a bigger stage, new professional lighting, a bar, and food and market stalls. Again, the event was very well received and attended by the community and picked up the Southern Tablelands Arts (STARTS) President’s Award for Creative Merit.

Buena Vibra has consistently involved young members of our community in the staging and production of the event, to allow them opportunities to get hands-on experience in delivering a professional live music festival.

It is proposed to run Alive in the Street in Comur Street, between the traffic lights and the Rossi Street roundabout – this will create a terrific atmosphere in the main street and will be a drawcard as a music festival that Yass has in the main street. Running the event in the main street also takes account of the community and local business feedback that we have received from the last two Alive in the Park events that have been run.

It is believed that there is great potential to draw in punters from the surrounding country towns to come to an Alt-Country/Americana themed music festival. The following is a summary of the key features of the event for 2024:

- Time: November 2024, rough timing will be 2pm to 9pm

- Location: Comur St Yass - road closed between lights and Rossi St roundabout
- The Soul Defender stage will be positioned across the street near the Mobil service station, without blocking driveways. This will be a great visual opportunity for Yass and the event
- Line the street with hay bales, to create the country feeling and give people a place to sit
- Invite food vendors to come and operate from some of the angle parking bays
- Invite market stalls to set-up, e.g., Railway Market organisers, off the main street, e.g., Banjo Patterson Park, to create and extend the atmosphere to link the main street to a Yass park and play area and shade for kids
- Local businesses along the whole of Comur St will be invited (through the Business Chamber) to stay open and benefit economically from the crowd drawn to the main street
- An open microphone session will be run at 2pm-2pm to allow local and young performers to have a go

Buena Vibra proposes to run Alive in the Street 2024 in partnership with Yass Valley Council and seeks the following main points of support from Council:

- Manage any DA and insurance requirements
- Street closure and traffic management signs
- Electronic signage at north and south sides of town
- Toilet facilities readied for use at Library and Riverbank Park
- Additional bins along the street
- Advertising and promotion on Council channels, including in villages at least 3 weeks out from the date
- Funding of \$60,000 (ex. GST), no increase from 2023 contribution (Council and Grant funding)
- Apply for live music grants, e.g., Live Music Australia (Round eight of the program will open in February 2024 to support venue-based live music activity from mid-2024, program webpage). Buena Vibra is very happy to support a Council grant application for the event as this could provide a larger budget for the event.

Buena Vibra provides live music in the Yass Valley for the pleasure of the community and the development and support of musicians. Entry fees are not charged for the event as it is focused on making live music accessible to all. It takes 6 months of volunteer effort to plan and stage the event. Buena Vibra are very grateful for the funding and support that Council has provided to date, without which the event would not go ahead.

Buena Vibra is very excited about the opportunity to bring a headline act and supporting bands to the main street of Yass in 2024. We request Council consideration and support of our submission.

## STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.1 - Events celebrate the identity of our towns and villages, heritage and culture
Delivery Program Action	Assist community with events or activities that celebrate identity, heritage and culture

**ATTACHMENTS:** Nil

## 6.19 COMMUNITY CHRISTMAS PARADE EVENT

### SUMMARY

Thanks to funding provided by Council, staff were able work with community members to hold a very successful Yass Valley Community Christmas Parade and Late Night Shopping events in December 2023. The purpose of this report is to confirm the name change and date of the 2024 event.

### RECOMMENDATION

*That the Community Christmas Parade Event Report be noted*

### FINANCIAL IMPLICATIONS

The economic benefit to the Yass retail and small business community is still be calculated.

### POLICY & LEGISLATION

Nil

### REPORT

The Committee for the Yass Valley Community Christmas Parade and Late Night Shopping events in December 2023 are very pleased with the outcome of the Parade held on 15 December, but were disappointed at a poor participation rate once again by the community at the Late Night shopping event on 22 December.

It is anticipated that approximately 4,000 people attended the event on 12 December 2024. Given the continued success of this event, Council are asked to continue to provide funding toward this event when it determines its 2024/25 Operational Plan.

The Committee met to debrief from the December 2023 events and set dates for the Committee in the lead up to the 2024 event (refer **Attachment A**). During this meeting, the following items were agreed upon:

- To change the name of the event to **Yass Valley Community Christmas on Comur**. After discussion, this name was decided upon in an attempt to shorten the name of the event.
- To hold the parade, late night shopping, markets, and other elements of the event on **12 December 2024**.
- To only hold one event (the Parade) and to provide a promotional campaign rather than a physical event, to promote late night shopping in Comur Street on 19 December 2024. Santa will walk the street with lollies for the children during the late night shopping.

### STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.1 - Events celebrate the identity of our towns and villages, heritage and culture
Delivery Program Action	Assist community with events or activities that celebrate identity, heritage and culture

**ATTACHMENTS:** A. 2023 Event Debrief [⇒](#)

## 6.20 SOUTHERN TABLELANDS ARTS DELEGATE REPORT

---

### SUMMARY

Council is an active member of Southern Tablelands Arts. This report provides activities for 2024 that align with the Southern Tablelands Arts Strategic Plan 2022-24.

### RECOMMENDATION

*That the Southern Tablelands Arts Delegate Report be noted.*

---

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

Nil

### REPORT

Councillor Cayla Pothan and Council's Director Corporate & Community are Council's delegates. The 2024 program is building capacity among cultural sector practitioners and organisations for professional and volunteer-led arts organisations towards their own sustainability, the delivery of quality artistic programming, audience development, and financial sustainability.

The Southern Tablelands Arts (STA) Report for December 2023 is included in **Attachment A**. The contents within the report align with the STA Strategic Plan 2022-24.

### STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO2: We have a vibrant, inclusive, and creative community life
Strategies	CO2.2 - Creative expression through arts and culture is encouraged
Delivery Program Action	MOU with Southern Tablelands Art (STA)

**ATTACHMENTS:** A. Southern Tablelands Arts Delegates Report [⇨](#)

---

## 6.21 REGIONAL DROUGHT RESILIENCE PLANNING PROGRAM - ROUND 2

---

### SUMMARY

Regional Drought Resilience Planning Program – Round 2 – Funding success.

### RECOMMENDATION

*That the report on the Regional Drought Resilience Planning Program – Round 2 be noted.*

---

### FINANCIAL IMPLICATIONS

Nil

### POLICY & LEGISLATION

Nil

### REPORT

#### REPORT

In partnership with the delegated consortium of Snowy Monaro Regional and Queanbeyan-Palerang Regional Councils, Yass Valley Council has been successful, obtaining funding of \$200,000 to develop a Regional Drought Resilience Plan (RDRP). An additional \$250,000 will be available subject to conditions to implement the plan. Queanbeyan-Palerang Regional Council is the project lead and consortium chair.

The RDRP program is jointly funded by the Australian Government and NSW Government under the Future Drought Fund.

The program is managed by the Department of Regional NSW. The program supports identified regions in NSW to develop regional drought resilience plans that can be implemented by Councils and their communities to manage future drought risks.

Rounds One and Two of the program will support 59 Local Councils and regional areas to prepare 22 Regional Drought Plans. The NSW model for Regional Drought Resilience Planning program involves neighbouring Councils working together in the delegated consortiums to develop regional drought resilience plans.

The program acknowledges that we can learn from previous droughts and plan for broader community implications. The plans will present:

- Historical and predicted impacts of drought in each region
- An evidence-based, triple bottom line strategy to mitigate or adapt to future drought impacts
- A prioritised list of actions and pathways to build drought resilience, specific to our region and that addresses the needs of the community

The primary objective of these plans is to develop practical solutions to support communities to prepare for, and respond to, regional drought. The development of these plans is underway and will involve stakeholder and community consultation as a key element.

Regional Drought Resilience plans will be provided to CSIRO for independent approval and review, completed plans from across the country will be published on the Department of Agriculture, Fisheries and Forestry website: <https://www.agriculture.gov.au/agriculture-land/farm-food-drought/drought/future-drought-fund/regional-drought-resilience-planning>

Once plans are finalised, funding may be made available to 'kick-start' implementation of identified actions.

**STRATEGIC DIRECTION**

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.6 - Council actively participates in regional bodies such as CRJO to identify innovations and opportunities for our region
Delivery Program Action	Ongoing participation in CRJO and regional interest groups to identify and action (where possible) opportunities for our region

**ATTACHMENTS:** Nil

## 6.22 APRIL 2024 MEETING DATE

---

### SUMMARY

The April 2024 meeting is scheduled for Thursday 25 April 2024 which is ANZAC Day. An alternate date is sought for the meeting.

### RECOMMENDATION

*That Council determine the meeting date for April 2024.*

---

### FINANCIAL IMPLICATIONS

Nil.

### POLICY & LEGISLATION

- Code of Meeting Practice

### REPORT

The April 2024 meeting is scheduled for Thursday 25 April 2024 which is ANZAC Day. Council will need to decide whether this meeting is held on Wednesday 24 April 2024, or another suitable date, or whether the meeting remain on the scheduled date.

### STRATEGIC DIRECTION

CSP Theme	Our Civic Leadership
CSP Strategy Objective	CL1: Council is an effective, responsible and innovate organisation
Strategies	CL1.4 - Governance provides a sound basis for decision making
Delivery Program Action	Decisions made in accordance with Local Government Act and Regulations

**ATTACHMENTS:** Nil

## 6.23 PROPOSED CRAGO MILL PRECINCT PROJECT COMMITTEE

### SUMMARY

To establish a project committee to oversee the construction of the Crago Mill Precinct Project in accordance with Council's determination in November 2023.

### RECOMMENDATION

*That:*

1. *A Crago Mill Precinct Project Committee be established.*
2. *The Terms of Reference for the Committee be endorsed.*

### FINANCIAL IMPLICATIONS

Up to \$50M be provided for in the Delivery Program and Operational Plan for delivery of the project.

### POLICY & LEGISLATION

- *Local Government Act 1993*
- Guidelines for Advisory Committees & Committees of Council
- Tender Contract

### REPORT

Councillors have expressed an interest in establishing of a steering/project committee to oversee the construction of the Crago Mill Precinct Project scheduled to commence in March 2024.

For major/specific projects Council has established steering /project committees in recent times (e.g. Yass Valley Open Space Strategy Project Committee, Murrumbateman Playground Project Committee).

For the Crago Mill Precinct Project it is suggested that a Project Committee comprising all Councillors be established for the duration of the construction phase. As the Committee are likely to be involved in discussions related to the contract and significant project variations it is considered that these matters be dealt with confidentially. Any decisions made in relation to these matters will become available through the minutes. Updates from the meetings can be provided as part of the Crago Mill Precinct page on Council's web site. The *Guidelines for Advisory Committees & Committees of Council* provide for members to submit requests for reports on specific matters relating to the project by informing the Chair or Chief Executive Officer.

Draft Terms of Reference for the Committee have been prepared and included in **Attachment A**.

It is recommended that a Crago Mill Precinct Project Committee be established as per the Terms of Reference.

### STRATEGIC DIRECTION

CSP Theme	Our Infrastructure
CSP Strategy Objective	IN3: Our existing community infrastructure is maintained, and we plan for and support the development of infrastructure that meets community need
Strategies	IN3.2 - Our community infrastructure is accessible, adaptable and suitable for multiple user groups and fosters inclusive, healthy, and active recreation opportunities
Delivery Program Action	Construction of Crago Mill Precinct

**ATTACHMENTS:** A. Draft Crago Mill Precinct Project Committee Terms of Reference [↗](#)

**6.24 PARKWOOD ADDITIONAL PLANNING RESOURCE**

---

**SUMMARY**

This report provides information to Council regarding an offer from the Riverview Group to fund a planning resource within Council to work on the Parkwood development.

**RECOMMENDATION**

*That this item is classified CONFIDENTIAL in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

---

**FINANCIAL IMPLICATIONS**

The report details the financial implications of this matter.

**POLICY & LEGISLATION**

- Environmental Planning & Assessment Act 1979
- Yass Valley Local Environmental Plan (Parkwood) 2020.

**REPORT**

At its meeting on 20 December 2023, Council resolved that:

- 1 A development control plan for the area covered by Yass Valley Local Environment Plan (Parkwood) 2020 be prepared.
- 2 A report be presented at the February 2024 meeting detailing the due diligence process undertaken to consider the offer by the developer to fund resourcing Council to undertake the preparation of the development control plan including:
  - All relevant independent legal and probity advice documents be tabled along with any proposed deed in the final draft format.
  - Identifying alternate funding options and resourcing impact on Council’s budget.

This report addresses the matters relating to the offer by the developer to resource Council to undertake the preparation of the Development Control Plan (DCP).

A detailed report on this offer is included in the Closed Session of this meeting for consideration.

**STRATEGIC DIRECTION**

CSP Theme	Our Environment
CSP Strategy Objective	EN3: We have a robust planning framework that considers our rural character and natural landscapes
Strategies	EN3.1 - Develop sustainably, integrates environmental, social and economic factors which are in the best interests of the community and the region
Delivery Program Action	Complete the comprehensive development control plan

**ATTACHMENTS:** Nil

**6.25 TENDER EVALUATION REPORT - BACK CREEK ROAD UPGRADE - STAGE 2 YVC.IA.23.2023**

**SUMMARY**

This report provides advice and recommendations on the submission of tenders for the Back Creek Road Upgrade - Stage 2, Contract YVC.IA.23.2023.

**RECOMMENDATION**

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

**FINANCIAL IMPLICATIONS**

The total budget for this project is \$3,519,222 which is jointly funded by Round 4 of the Fixing Local Roads Program (\$2,979,110) and Council’s Contribution Reserve (\$540,112).

The current actual and committed expenditure for this project is approximately \$200,000, which covers designs and preliminary works. This leaves a budget allocation for this component of the project including contingencies of \$3,319,222.

**POLICY & LEGISLATION**

- *Local Government Act 1993*

**REPORT**

**1. Background**

Council manages an extensive road network of over 1,200km throughout the Local Government Area (LGA). Council has received funding under the Fixing Local Roads Grant Program and in conjunction with internal funding intends to rehabilitate the remainder of Back Creek Road between Yass River Road and CH5200 of Back Creek Road, to improve the road surface, improve the serviceability of the road and improve safety.

**2. Tender**

Tenders were called on 22 December 2023 and closed on 5 February 2024 at 4pm. Four tenders were received from the following organisations:

Organisation	Address
Denrith Pty Ltd T/A Divalls Earthworks and Bulk Haulage	17090 Hume Highway, Goulburn NSW 2580
Hewatt Civil Pty Ltd	881 Nanima Road, Springrange NSW 2618
Lentro Earthworks Pty Ltd	342 Wallaroo Road, Wallaroo NSW 2618
Stefanutti Construction Pty Ltd	6 Prince of Wales Avenue, Unanderra NSW 2526

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

**STRATEGIC DIRECTION**

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

**ATTACHMENTS:** Nil

## 7.1 NOTICE OF MOTION - STEERING COMMITTEE CRAGO MILL PRECINCT PLAN

---

Councillor Adrian Cameron has given notice that at the Ordinary Council Meeting on 22 February 2024, he will move the following motion.

### **MOTION**

*That Yass Valley Council immediately set up a Steering Committee to oversee the implementation of the Crago Mill Precinct Plan to ensure transparency in financial management, inclusion of the most up to date sustainability measures in the built structure, the fit-out and the landscaping and regular progress reports to everyone in the Yass Valley Community, and that this committee include the Director Infrastructure and Assets, two councillors nominated by Councillors and an independent member, and chaired either by the Mayor or Deputy Mayor.*

### **REASONS**

No reasons provided.

Councillor: Adrian Cameron

12 February 2024

### **Chief Executive Officer Comments**

At its November 2023 Council resolved that a Steering Committee be established. Staff have prepared a proposal for such a Committee which is subject of a separate report in these business papers.

**ATTACHMENTS:** Nil

## 8.1 QUESTION WITH NOTICE - PURCHASE OF TRAFFIC COUNTER

---

### Question

Councillor Adrian Cameron submitted the following Question on Notice:

Will the YVC immediately hire or purchase a suitable traffic counter and begin measurements on traffic in Weemilah /Mont Streets area, followed by Riverbank Park area with the view to bringing recommendations for action to the May 2024 Local Traffic Committee for appropriate safety measures?

### Response

Council staff submitted a budget request for the purchase of new traffic counters as part of the draft 2023/24 budget, but the budget request was unsuccessful.

As part of QBR1, staff requested a budget increase for the traffic counters, but due to a spreadsheet error, the budget request was not included in the QBR1 reports.

We have now included the request for a budget increase to be included in the QBR2 process for the purchase of the traffic counters. If this is successful, staff will proceed with the purchase of 6 new traffic counters.

Engineering Services will develop an updated traffic counter program that will recommence once the new counters are procured. The two locations suggested will be considered as part of the development of this revised program.

**ATTACHMENTS:** Nil

**9.1 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION MEETING HELD ON 9 DECEMBER 2023**

---

**REPORT**

The minutes of the Canberra Region Joint Organisation meeting held on 8 December 2023 are included in **Attachment A**.

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

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

Accordingly, the minutes are presented for information.

**RECOMMENDATION**

*That the minutes of the Canberra Region Joint Organisation meeting held on 9 December 2023 be noted*

**ATTACHMENTS:** A. CRJO Board Meeting Minutes 9 December 2023 [↔](#)

---

## 9.2 MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 6 FEBRUARY 2024

---

### REPORT

The minutes of the Sustainability Advisory Committee meeting held on 6 February 2024 are included in **Attachment A**.

From these minutes there are two items which covers matters that:

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

In relation to the FOGO bin audit a joint procurement process is being undertaken by the Canberra Region Joint Organisation. The suggested data sets suggested by the Committee can be forwarded to the CRJO for consideration as part of the procurement process.

The sustainability in design issues raised by the Committee will be reviewed as part of the revised design following negotiations with the tenderers. The features to minimise environmental risks can be added to an update on the Crago Mill Precinct page on Council's web site.

### RECOMMENDATION

*That the minutes of the Sustainability Advisory Committee meeting held on 6 February 2024 be noted and the following recommendations be adopted:*

#### ***Item 4.2 – FOGO Collection Service – Outstanding Data Request***

*That it is recommended that Council expedite the conduct of a bin audit and the compilation of an accurate and current dataset. This would enable the Committee to provide meaningful advice on the design of a future FOGO collection service consistent with its responsibilities under the Sustainability Policy.*

#### ***Item 4.3 – Crago Mill – Sustainability in Design Issues***

*That Council communicate to the Yass Valley community:*

- *Whether the redesigned Crago Mill Precinct is fully responding to the recommendations made in the Climate Change and Natural Disaster Risk Assessment; and*
- *How the adopted changes to the design – including amendments to lighting, ceilings, landscaping, roof and subfloor specifications – may or may not impact on the environmental standards of the buildings and the project's overall environmental sustainability.*

**ATTACHMENTS:** A. Sustainability Advisory Committee Meeting Minutes 6 February 2024 [⇒](#)

### 9.3 MINUTES OF THE LOCAL TRAFFIC COMMITTEE HELD ON 7 FEBRUARY 2024

---

#### REPORT

The minutes of the Local Traffic Committee held on 7 February 2024 are included in **Attachment A**.

From these minutes there are six items which covers matters that:

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

#### RECOMMENDATION

*That the minutes of the Local Traffic Committee meeting held on 7 February 2024 be noted and the following recommendations be adopted:*

##### **Item 9.1 - Road Closures Anzac Day 2024 – Yass**

- *That the Yass 2024 Anzac Day Road closures and associated traffic management be supported*
- *That Council arrange all traffic management, public notification of the road closures and advise the NSW Ambulance Services and NSW Fire and Rescue*

##### **Item 9.2 - Road Closures Anzac Day 2024 Binalong**

- *That the Binalong 2024 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange all traffic management, public notification of the road closures and advise the NSW Ambulance Services and NSW Fire and Rescue*

##### **Item 9.3 - Road Closures Anzac Day 2024 - Sutton**

- *That the Sutton 2024 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange all traffic management, public notification of the road closures and advise the NSW Ambulance Services and NSW Fire and Rescue*

##### **Item 9.4 - Road Closures Anzac Day 2024 – Gundaroo**

- *That the Gundaroo 2024 Anzac Day Road closures and associated traffic management be support*
- *That Council arrange all traffic management, public notification of the road closures and advise the NSW Ambulance Services and NSW Fire and Rescue*

##### **Item 9.5 - Hayman Classic Cycle Event 2024**

*That the proposed 2024 Hayman Classic cycling event be approved to be held on 6 April 2024 be approved in relation to Yass Valley Council's road network subject to the following conditions:*

- *The organiser is to supply Council with a copy of the current Public Liability Insurance for the event with a minimum \$20,000,000 indemnity and TfNSW, NSW Police and Yass Valley Council to be shown as interested parties.*
- *The event organiser is to arrange for an appropriately certified Traffic Management Plan (TMP) and associate Traffic Guidance Scheme (TGS) to be prepared.*
- *That the event organiser implement the TMP and associated TGS.*
- *The event organiser is to arrange the supply and installation/removal of appropriate signs etc. identified in the TMP and associated TGS. All personnel involved must be appropriate accredited.*
- *Event marshals, event participants etc. will at all times obey the provisions of NSW Transport Legislation.*

- *The event organiser is to ensure any local traffic, emergency services vehicles etc can safely and efficiently access/egress any property impacted.*
- *Event organisers, event marshals, volunteers, event participants etc. are to take all possible actions to minimise the effect of the event on the non-event community, throughout the event.*
- *The event organiser obtain separate NSW Police approval from the Hume Command.*
- *Event organisers shall comply with the above conditions and the undertakings. Failure to comply will immediately void this approval.*

**Item 9.6 - FDC – Ride to Give Cycle Event 2024**

*That the proposed 2024 FDC Ride to Give cycling event to be held from 19 to 21 May 2024 be approved in relation to Yass Valley Councils' Road network subject to the following conditions:*

- *The organiser is to supply Council with a copy of the current Public Liability Insurance for the event with a minimum \$20,000,000 indemnity and TfNSW, NSW Police and Yass Valley Council to be shown as interested parties.*
- *The event organiser is to arrange for an appropriately certified Traffic Management Plan (TMP) and associate Traffic Guidance Scheme (TGS) to be prepared, if required.*
- *That the event organiser implement the TMP and associated TGS, if required.*
- *The event organiser is to arrange the supply and installation/removal of appropriate signs etc, identified in the TMP and associated TGS, if required. All personnel involved must be appropriate accredited.*
- *Event marshals, event participants etc. will at all times obey the provisions of NSW Transport Legislation.*
- *The event organiser is to ensure any local traffic, emergency services vehicles etc can safely and efficiently access/egress any property impacted.*
- *Event organisers, event marshals, volunteers, event participants etc. are to take all possible actions to minimise the effect of the event on the non-event community, throughout the event.*
- *The event organiser obtain separate NSW Police approval from the Hume Command, if required.*
- *Event organisers shall comply with the above conditions and the undertakings. Failure to comply will immediately void this approval.*

**ATTACHMENTS:** A. Local Traffic Committee Meeting Minutes 7 February 2024 [↗](#)

---

## 9.4 MINUTES OF THE YASS SOLDIERS MEMORIAL HALL ADVISORY COMMITTEE HELD ON 8 FEBRUARY 2024

---

### REPORT

The minutes of the Yass Soldiers Memorial Hall Advisory Committee meeting held on 8 February 2024 are included in **Attachment A**.

From these minutes there is one item which covers a matter that:

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

### RECOMMENDATION

*That the minutes of the Yass Soldiers Memorial Hall Advisory Committee meeting held on 8 February 2024 be noted and the following recommendation be adopted:*

#### **Item 4.1 Community Strategic Plan Survey**

*That the members of the Yass Soldiers Memorial Hall Advisory Committee complete the survey and encourage their peers and fellow residents to do the same, prior to 15 March 2024. Additionally, that Council ensures that the Yass Soldiers Memorial Hall is given due consideration as an integral part of the Community Strategic Plan as it is an iconic, centrepiece of Yass Valley.*

**ATTACHMENTS:** A. Yass Soldiers Memorial Hall Advisory Committee Minutes 8 February 2024 [⇒](#)

## 10 Confidential Matters

---

### RECOMMENDATION

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

**10.1 Parkwood Additional Planning Resource**

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

**10.2 Tender Evaluation Report - Back Creek Road Upgrade - Stage 2 YVC.IA.23.2023.**

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