



Minutes of the Ordinary Meeting of Council

Thursday 22 February 2024

4.00pm

Council Chambers

209 Comur Street, Yass

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Open Forum

Presentations to Council – Items on the Meeting Agenda

Auditor Presentation -

- **6.4 DA230457 – Dwelling House (Dual Occupancy), 1100 Wallaroo Road, Wallaroo**
Louie Sartor
- **6.10 Partial Road Closure of Nottingham Road Near Swinging Bridge Reserve, Wee Jasper**
Lisa Robinson

Council Meeting - The Mayor declared the meeting open at 4.33 pm.

The Mayor congratulated the Yass Rotary Club on their 70th year anniversary acknowledging the service they have provided to the community.

The Mayor acknowledged and paid respect to former Councillor and long term resident Brian O'Connor on his recent passing.

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 of Planning & Environment – Julie Rogers, Director of Infrastructure & Assets – Nathan Cooke, Director of Corporate & Community – Lynette Safranek and Corporate Planning & Executive Support Officer – Shirree Garland.

Acknowledgement of Country

1. Prayer

2. Apologies

Nil

3. Declaration of Interest/Disclosures

Councillor Abbey declared a non-significant, non-pecuniary conflict of interest in Item 6.16 – Hartigan Centre Request to be Exempt from Rates and stated that he believed his interest would preclude him from voting.

Reason: Councillor Abbey declared an interest as due to his long association with St Augustines.

4. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 20 December 2023 covered by resolution numbers 256-287 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

(Reid/Pothan) 1

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

AGAINST: Nil

Motion

RESOLVED that the late report – Item 6.26 Compulsory Land Acquisitions for Road Purposes, be accepted into the meeting and considered following Item 6.25.

(Jones/Turner) 2

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

5.1 MAYORAL MINUTE - COST SHIFTING

SUMMARY

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

RESOLVED 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.***

(Pothan/Reid) 3

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 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.*

Alternate Motion

RESOLVED 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 56 days.*
3. *A community briefing on the Draft Yass Valley Development Control Plan be held during the exhibition period.*

(Jones/Butler) 4

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 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.

RESOLVED 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.*

(Jones/Turner) 5

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

AGAINST: Councillor A Cameron

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.

RESOLVED 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.**

(Abbey/Reid) 6

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

AGAINST: 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.

RESOLVED 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.

(Jones/Pothan) 7

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 APPLICATIONS - JANUARY 2024

SUMMARY

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

RESOLVED that the report on development applications for January 2024 be noted.

(Turner/Pothan) 8

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 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 be funded by the Contributions Reserve.

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

(Pothan/Turner) 9

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 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.*

Alternate Motion

RESOLVED that :

1. ***A total of \$112,008 be allocated from the Contributions Reserve to fund the completion of the Yass Skatepark Project and the installation of a watering station at the off leash dog park.***
2. ***A report be presented to the March 2024 Council meeting on the unspent portions of funding from the Stronger Country Communities Funding Round 5 from the Wee Jasper and Murrumbateman projects for additional projects that would be suitable for funding in these villages.***

(Jones/Abbey) 10

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 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.

Alternate Motion

RESOLVED that the Fastrack Australia and Australian High Speed Rail Association pre-budget submission to the 2024/25 Federal budget is not supported due to the lack of engagement with Council on the project details and implications for Yass Valley.

(Jones/Reid) 11

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 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.

Alternate Motion

RESOLVED that :

- *The update report and work completed on the Water Treatment Plant Upgrade Project be noted.*
- *A Councillors Briefing be held following receipt of the feedback on the grant application under the National Water Grid Fund.*
- *Water testing be conducted for cryptosporidium, not usually monitored, similar to the testing conducted by Council after the 2020 Boil Water Alert to increase consumer confidence in the safety of Yass drinking water.*
- *A report be presented to the March 2024 Council meeting of previous refunds or rebates applied to residential and business water usage bills by Council.*

(Jones/Butler) 12

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

AGAINST: 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 General Manager 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.*

Alternate Motion

RESOLVED that :

1. *The report on the partial road closure of Nottingham Road near Swinging Bridge Reserve, Wee Jasper be deferred to the March 2024 Council meeting.*
2. *Crown Lands representatives be invited to address Council on the issues relating to Swinging Bridge Reserve.*

(Jones/Turner) 13

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 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.

RESOLVED that the audited 2022/23 Annual Financial Statements be adopted.

(Abbey/Reid) 14

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 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.

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

(Turner/Abbey) 15

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

AGAINST: Councillor A Cameron

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.

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

(Pothan/Reid) 16

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 - 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.

RESOLVED that the Investment & Borrowings Report for January 2024 be noted.

(Pothan/Reid) 17

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 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 %.

RESOLVED that the rates arrears report be noted.

(Abbey/Turner) 18

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

AGAINST: Nil

At 05:40 pm Councillor Abbey left the Chambers.

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.

Alternate Motion

RESOLVED that :

- 1. The request for an exemption for the Hartigan Centre from paying Council rates be declined***
- 2. Yass Valley Council gives in principle support for the retention of Child Psychology and OT services in Yass Valley and will consider writing supportive letters to other levels of government or private entity for grant submissions or sources of subsidy.***

(Jones/Cameron) 19

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

AGAINST: Nil

At 05:42 pm Councillor Abbey returned to the Chambers.

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***

Alternate Motion

RESOLVED that :

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

(Turner/Abbey) 20

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 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.

RESOLVED 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.**

(Pothan/Jones) 21

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 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.

RESOLVED that the Community Christmas Parade Event Report be noted.

(Turner/Reid) 22

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 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.

RESOLVED that the Southern Tablelands Arts Delegate Report be noted.

(Reid/Burgess) 23

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

AGAINST: Nil

6.21 REGIONAL DROUGHT RESILIENCE PLANNING PROGRAM - ROUND 2

SUMMARY

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

RESOLVED that the report on the Regional Drought Resilience Planning Program – Round 2 be noted.

(Turner/Burgess) 24

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

AGAINST: 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.

RESOLVED that the April 2024 Council meeting date be 5pm Wednesday 24 April 2024 due to the scheduled meeting clashing with ANZAC Day.

(Abbey/Jones) 25

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

AGAINST: Nil

Procedural Motion

RESOLVED that Item 7.1 Notice of Motion – Steering Committee Crago Mill Precinct Plan be brought forward to be considered in conjunction with Item 6.23 Proposed Crago Mill Precinct Committee.

(Reid/Abbey) 26

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

AGAINST: Nil

Motion

RESOLVED that Council move into Committee of the Whole.

(Jones/Cameron) 27

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

AGAINST: Nil

Motion

RESOLVED that Council move back into Open Council.

(Jones/Turner) 28

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

AGAINST: 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.

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.

RESOLVED that :

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

(Jones/Abbey) 29

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

AGAINST: Councillors K Butler and A Cameron

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.

RESOLVED 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.

(Abbey/Pothan) 30

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

AGAINST: Councillor A Cameron

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.

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.

(Burgess/Pothan) 31

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

AGAINST: Nil

6.26 LATE REPORT - COMPULSORY LAND ACQUISITIONS FOR ROAD PURPOSES

SUMMARY

To obtain approval to compulsory acquire land for road purposes.

Following legal advice a number of specific references to the requirements of the *Land Acquisition (Just Terms Compensation) Act* were excluded and the required references to the legislation are included in the recommendation.

RESOLVED that :

- 1. Council resolves to acquire the land adjacent to, or in the vicinity of the low level crossings on Greenwood Road over Murrumbateman Creek and Yass River being, as detailed in this report by agreement or compulsory process in accordance with the Part 12, Division 1 of the Roads Act 1993 (Roads Act 1993) and Land Acquisition (Just Terms Compensation) Act 1991 (Just Terms Act 1991) for the purpose of a public road.***
- 2. Council resolves to authorise the Chief Executive Officer to negotiate with each person with an interest in the Land for the purpose of completing the acquisition by agreement and otherwise agreeing on any relevant matter in connection with the acquisition.***
- 3. If agreement is reached, the Council acquire that land, provided that such agreement will be subject to a further resolution of Council.***
- 4. If in the opinion of the Chief Executive Officer no such agreement has been reached following any required minimum period of negotiation, Council resolves that the Land be acquired by compulsory process in accordance with Part 12, Division 1 Roads Act 1993 and the Just Terms Act 1991, and that Council:***
 - (a) Make application for approval from the Minister for Local Government in accordance with s178 Roads Act to give all necessary Proposed Acquisition Notices (PAN) in accordance with the Just Terms Act 1991***

- (b) *Make each other application take each further action as is necessary to obtain approval from the Minister, the Governor, the Office of Local Government or any other person or public authority as may be necessary*
- (c) *Serve each PAN as may be required to be served*
- (d) *Take all actions as may be necessary, to carry out the acquisitions by compulsory process.*
- 5. *Council authorises the Chief Executive Officer to complete and execute all documentation necessary to finalise and bring into force Council's acquisition of the Property and if necessary to fix the Council seal to the application to the Minister, the Governor, the Register General or any public authority for the compulsory acquisition.*
- 6. *Council resolves that upon acquisition the Land be classified as operational land.*

(Burgess/Turner) 32

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

8. Questions with Notice

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?

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

Motion

RESOLVED that as a pilot project, Yass Valley Council immediately purchase a suitable traffic counter and trial its effectiveness in measurement of traffic movements in the Weemilah/Mont Streets area with the view to bringing recommendations for action on preferred safety measures for this area to the May 2024 Local Traffic Committee as well as reporting on the pilot project to the YVC staff.

(Cameron/Butler) 33

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

AGAINST: Nil

9. Minutes and Recommendations of Council Committees

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

RESOLVED that the minutes of the Canberra Region Joint Organisation meeting held on 9 December 2023 be noted.

(Reid/Burgess) 34

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 SUSTAINABILITY ADVISORY COMMITTEE HELD ON 6 FEBRUARY 2024

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 work with the CRJO to conduct 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 the Steering Committee for the Crago Mill Precinct 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.

(Cameron/Butler)

Amendment

RESOLVED that the minutes of the Sustainability Advisory Committee meeting held on 6 February 2024 be noted and the following recommendation be adopted:

Item 4.2 – FOGO Collection Service – Outstanding Data Request

That it is recommended that Council work with the CRJO to conduct 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.

That the following item be noted:

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.***

(Jones/Pothan) 35

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

AGAINST: A Cameron

Amendment becomes Motion

Motion

RESOLVED that the minutes of the Sustainability Advisory Committee meeting held on 6 February 2024 be noted and the following recommendation be adopted:

Item 4.2 – FOGO Collection Service – Outstanding Data Request

That it is recommended that Council work with the CRJO to conduct 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.

That the following item be noted:

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.***

(Jones/Pothan) 36

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

AGAINST: Nil

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

RESOLVED 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.*

(Cameron/Reid) 37

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 YASS SOLDIERS MEMORIAL HALL ADVISORY COMMITTEE HELD ON 8 FEBRUARY 2024

RESOLVED 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.

(Turner/Pothan) 38

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

AGAINST: Nil

10. 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 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.

(Turner/Pothan) 39

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 7.11 pm.

RESOLVED that the meeting move into Open Council.

(Turner/Reid) 40

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 7.23 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Jones/Pothan) 41

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 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.

RESOLVED that the information on the offer from the Riverview Group to fund a planning resource within Council to work on the Parkwood development be noted.

(Pothan/Reid) 42

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

AGAINST: Councillor A Cameron

Motion

RESOLVED that the Motion be put.

(Reid) 43

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

AGAINST: Councillor A Cameron

10.2 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.

RESOLVED that :

- 1. The tender submitted by Lentro Earthworks Pty Ltd, under Contract YVC.IA.23.2023 for the upgrading and sealing of Back Creek Road Stage 2 between Yass River Road and CH5200 of Back Creek Road be accepted for a total cost of \$2,880,300.25 (Ex GST).***
- 2. The remaining funding from the project budget allocation be utilised as a contingency allowance for latent conditions and/or for undertaking additional schedule of rates works.***

(Turner/Reid) 44

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 7.23pm.