



Ordinary Meeting of Council

Thursday 28 March 2024

4.00pm

Council Chambers

209 Comur Street, Yass

Citizenship Ceremony

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

April 2024

Wednesday 24th

5.00pm

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

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Close of Meeting Time

Chris Berry
CHIEF EXECUTIVE OFFICER



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 Pothan, 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 Pothen, 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.



Minutes of the Extraordinary Meeting of Council

Wednesday 28 February 2024

4.00pm

Council Chambers

209 Comur Street, Yass

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4.1 2023/24 Second Quarterly Budget Review Statements2

Extraordinary Council Meeting - The Mayor declared the meeting open at 4.00 pm.

Present

Councillors Allan McGrath, Mayor, in the chair, Adrian Cameron, Jasmin Jones, C Pothan, and Mike Reid.

Also present were the Chief Executive Officer – Chris Berry, Director of Planning & Environment – Julie Rogers, Director of Infrastructure & Assets – Nathan Cooke and Director of Corporate & Community – Lynette Safranek.

Acknowledgement of Country

1. Prayer

2. Apologies

RESOLVED that apologies be received from Councillors Abbey, Burgess, Butler and Turner and leave of absence be granted.

(Cameron/Pothan) 45

FOR: Councillors A Cameron, J Jones, A McGrath, C Pothan and M Reid

AGAINST: Nil

2. Declaration of Interest/Disclosures

Nil

4. Reports to Council

4.1 2023/24 SECOND QUARTERLY BUDGET REVIEW STATEMENTS

SUMMARY

This report outlines the 2023/24 Second Quarterly Budget Review Statements (QBRS) for the period 1 October to 31 December 2023. As a result of the in-depth review and adjustments in our system, we advise that Council's 2023/24FY adjusted forecast for ***Operating Result from Continuing Operations*** from surplus of \$2.9M to a surplus of \$7.6M; and a ***Net Operation Result before Grants and Contributions provided for Capital Purposes*** from a deficit of \$12.8M to a deficit of \$8.7M.

RESOLVED that :

- 1. The 2023/24 Second Quarterly Budget Review Statements and adjustments, as detailed in the report be approved.***
- 2. It be noted that in accordance with the Local Government (General) Regulation (NSW) Clause 203 (2)(a), Council's financial position as at 31 December 2023 is satisfactory, having regard to revised projected estimates of income and expenditure, and the original budgeted income and expenditure.***

(Reid/Pothan) 46

FOR: Councillors J Jones, A McGrath, C Pothan and M Reid

AGAINST: Councillor A Cameron

The meeting closed at 4.24pm

6.1 BINALONG AND BOWNING MASTERPLAN

SUMMARY

To present a report on the preparation of the draft Binalong and Bowning Masterplans and recommend the plans be placed on public exhibition.

RECOMMENDATION

That the draft Binalong and Bookham Masterplans be placed on public exhibition for 28 days.

FINANCIAL IMPLICATIONS

The 23/24 Operational Plan allocated \$50 000 for the Binalong and Bowning Masterplans and the Binalong Recreation Ground Masterplan and the first quarter budget review reallocated \$10 722.70 from the Yass Mainstreet Masterplan to these projects.

POLICY & LEGISLATION

- *Local Government Act 1993*
- *Roads Act 1993*
- *AS 1428 Australian Standard – Design for Access and Mobility*
- *Yass Valley Local Environmental Plan 2013*
- *Community Engagement Strategy*

REPORT

1. Background

Mainstreet masterplans were completed for Yass, Bookham and Wee Jasper at the end of 2022.

The 2023/24 Operational Plan included funding to prepare a village masterplan for Binalong and Bowning.

The masterplans aim:

- Bowing: to enhance the village centre and the main road through the village (Bowing Road) by recommending improvements to promote the town's unique heritage buildings and character. This is likely to include recommendations relating to entry points, the streetscape and public realm activation, enhancing vistas to surrounding agricultural lands, accessibility, amenity, as well as linkages with surrounding open space.
- Binalong: to enhance the village centre and connection to Burley Griffin Way, with a particular emphasis on providing for visitors travelling on the Burley Griffin Way. This is likely to include expanding on the unique history and heritage of the village taking account of the village character and existing niche artisan offerings. It is expected that the plan will make recommendations for improvements to entry points, streetscape, recreation and open space areas, linkages to surrounding landscapes, accessibility, amenity and wayfinding.

2. Community Consultation

Consultants were engaged to undertake this project. This has included site visits, desktop review of current and past plans, strategies and meetings with key internal stakeholders.

There were two organised community consultation and design workshops held on Saturday 25 November 2023. The first session was held in the morning at the Binalong Mechanics Institute Hall while the second session was held at Bowning Public School in the afternoon. Members from the community progress associations and the wider community attended.

The input received from the community informed the development of the draft Masterplans.

Additionally, the community progress associations had the opportunity to provide further feedback when a draft version was prepared, before it was reported to Council for public exhibition.

3. Masterplans

The draft Binalong and Bowning Masterplans include indicative plant and material palettes and are representative of the stylistic preferences the community expressed in the consultation sessions. The plans are designed to be used by Council, the community or individual groups to plan works and to seek funding from other sources.

A prioritised schedule of works has been developed as part of the draft Masterplans where individual projects have been prioritised using a scoring tool ranking each project against a range of criteria. This method maintains transparency between Council, stakeholders and the community.

The criteria used to score projects includes the Guiding Principles for Design and best practice urban design guidelines including the “Planning Institute of Australia, Creating Places for People, an Urban Design Protocol for Australian Cities” (2011).

Projects located within the ‘Project Focus Area’ will be given priority with funds directed towards the most effective solutions.

The Binalong and Bowning Masterplans are included in **Attachments A** and **B**.

4. Public Exhibition

The project has sought to engage the community at different stages of the project to maximise input from various user and community groups, as well as local businesses and landowners.

It is proposed to place the plans on public exhibition for a period of 28 days. This would involve the following:

- Placing the draft Binalong and Bowning Masterplans on Council’s website.
- Promoting the draft Binalong and Bowning Masterplans on Council’s Facebook page.
- Emailing a copy of the draft Binalong and Bowning Masterplans to those who provided their contact details through previous consultation stages.

STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO3: Our Community is connected, safe and proud
Strategies	CO3.5 -Community pride is encouraged through the beautification and maintenance of our villages and towns
Delivery Program Action	Complete the Binalong Masterplan

ATTACHMENTS: A. Binalong Masterplan [⇒](#)
B. Bowning Masterplan [⇒](#)

6.2 DEVELOPMENT APPLICATION DA230073 - DWELLING HOUSE (CREATING DUAL OCCUPANCY) WITH GARAGE/WORKSHOP, EARTHWORKS AND STORMWATER REALIGNMENT WORKS, AND IMPORTATION OF FILL MATERIAL - 6 DISCOVERY DRIVE, YASS

SUMMARY

To present the assessment of Development Application DA230073 for the construction of a building for use as a dwelling house (creating a dual occupancy) and garage/workshop, earthworks and stormwater drainage realignment works, and importation of approximately 980m³ of fill material. The application attracted three submissions. Relevant concerns relating to the form and design of the building, especially by way of size and scale, and in relation the maximum building height, cannot be addressed by conditions. Refusal is recommended.

RECOMMENDATION

That:

1. *Development Application No 230073 for a dwelling house (creating a dual occupancy) and garage/workshop, earthworks, stormwater realignment works, and importation of approximately 980m³ fill material at 6 Discovery Drive, Yass, be refused on the following grounds:*
 - *The form and the design of the proposed building, especially by way of size and scale, is inconsistent and incompatible with the surrounding development and character of the locality. The proposed development will therefore have an adverse and unacceptable impact on the streetscape and landscape of the locality.*
 - *There is insufficient information shown on the elevation drawings to conclusively determine the maximum building height above existing ground level for the purposes of clause 4.3 Yass Valley Local Environmental Plan 2013. Based on the information available from the elevation drawings and the bulk earthwork plans, it would suggest that the building exceeds the maximum permitted building height of 8m.*
2. *The 'Leighton Green' conifers/pines (Cupressocyparis leylandii) that have been planted within and in proximity to the easements for services be removed and relocated a minimum of 6m from the centre line of the easement in order to reduce potential damage to infrastructure and to ensure ongoing access for maintenance purposes.*

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 (Hazards and Resilience) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Yass Valley Local Environmental Plan 2013*
- *Application Assessment and Decision Making Policy*
- *Road Standards Policy*
- *Building Line – Urban Policy*
- *Community Engagement Strategy*
- *Yass Valley Development Contribution Plan 2018*
- *Yass Valley Heavy Haulage Development Contribution Plan 2021*
- *Local Government Act 1993*
- *Biodiversity Conservation Act 2016*
- *Biodiversity Conservation Regulation 2017*

- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales

REPORT

1. Application Details

Date Received	- 3 April 2023
Land	- Lot 7 DP 1071431, 6 Discovery Drive, Yass
Area	- 2.7ha
Zoning	- R1 General Residential

2. Site Description and Locality

The site is located in an area characterised by primarily residential development on the edge of the Yass urban area.

The site is a large lot of 2.7ha adjoining a traditional residential setting of the Discovery Drive/Settlers Court subdivision to the north. The land to the immediate south is the Oak Hill reserve. Primary access is from Discovery Drive.

An existing dwelling house is located in the southeast corner of the lot. There is a large dam located on the site as well as a drainage line. An easement covers approximately one third of the site for stormwater drainage purposes, reflective of why the lot was created at time of the adjoining subdivision. The site generally falls along the drainage line towards the southwest corner where there is an existing stormwater pit. Scattered remnant eucalyptus trees are located across the site and more recently 'Leighton Green' conifers/pines have been planted along boundaries to the north and northwest.

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

3. Proposal

The submitted application involves:

- Erection of a two-storey building used for purposes of a two bedroom dwelling house (creating a dual occupancy) with mezzanine, veranda/balcony, and garage/workshop
- Earthworks and stormwater drainage realignment works
- Importation of approximately 980m³ of fill material
- Tree removal

Details of the proposal are included in [Attachment B](#).

4. Public Exhibition

Public exhibition included notice to 19 adjoining and nearby landowners and three submissions have been received (refer [Attachment C](#)).

6. 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 should not be supported for the reasons outlined here and in the Assessment Report (refer [Attachment D](#)).

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

6.1 Built Form – Size, Scale, and Compatibility with Surrounding Development

The building is based on colorbond shed but with a verandah, skillion roof, and external stairs to the western elevation.

The proposed building has a square footprint of 784m², being 28m in length by 28m in width. The maximum height of the elevation is shown as 7.8m, however, it is unclear based on the

information available how high this is above natural ground level due to the extent of the proposed earthworks as discussed further below.

Concerns have been raised in the submissions received and identified during the assessment that there are concerns in relation to the form of this building, especially with the size and scale, and how this fits with the surrounding development in the locality.

The site itself is unique in that the lot is approximately 2.7ha in size, which is generally more likely to be found within a rural-residential setting. However, the site is zoned R1 General Residential, is within the urban footprint of Yass, and immediately adjoins the residential subdivision of Discovery Drive and Settlers Court to the north-northwest. It is understood that the lot was created as part of the adjoining residential subdivision, providing stormwater drainage function through the large dam and approximately a third of the site being subject to an easement for this purpose.

The location of the proposed development does not have direct frontage to an existing formed street. However, the development site is clearly visible within the streetscape and landscape from the end of the Discovery Drive/Settlers Court, from Orion Street, and from the Oak Hill reserve.

The unique characteristics of the site presented opportunity for a development that may be outside of traditional residential design, subject to it remaining compatible with the surrounding development. The proposed development as presented however is at a size and scale which is significantly greater than anything nearby, especially in the adjoining residential subdivision. The building does not provide any transition of scale or form between the adjoining and nearby development. The building could be described as of industrial form and proportions with limited architectural features or articulation.

In this regard, the proposed development is not considered to be compatible with the surrounding development and character of the locality and should not be supported.

These concerns were discussed with the Applicant and opportunity provided for a redesign or revision. The Applicant indicated that the design of the proposed development best reflected their personal considerations, including for the storage of a collection of vehicles.

6.2 Maximum Building Height - LEP

Clause 4.3 *Yass Valley LEP 2013* stipulates that the height of any building must not exceed the maximum height specified, which in this case is 8m. The building height is defined by the LEP as the vertical distance from the existing ground level to the highest point. The elevation drawings of the building submitted do not show the height of the building in relation to existing ground levels, rather shows the height from an assumed finished ground level. A review of the bulk earthwork plans submitted show that areas of fill within the building footprint exceed 1m in depth on the western side. In this regard, 1m of fill under the proposed building would potentially see the maximum height from existing ground level exceed the maximum 8m (i.e. 7.8m building elevation + approx. 1m fill = 8.8m above existing ground level). The information shown on the elevation drawings is not clear but based on the information available, it would suggest that the building exceeds the maximum height of the LEP and therefore could not be approved.

6.3 Subdivision Covenants/Restrictions

It was identified in submissions received that a number of covenants or restrictions apply to the land. These include, notably:

- No building to be used as a dwelling shall be erected with external walls or materials other than brick or stone.
- No garage or shed erected on the lot shall have an area greater than 100m².

The developer imposed the restrictions at time of subdivision. Generally these carry limited weight in the assessment of Development Applications as clause 1.9A *Yass Valley LEP 2013*

allows them to be 'set aside' where they were not originally imposed by Council – i.e. the provision Council's planning controls under the LEP prevail in event of inconsistency to facilitate permissible development.

6.4 Earthworks and Stormwater Realignment Works

The proposed development involves earthworks and stormwater realignment works in order to achieve a level building pad for the 784m² footprint of the building.

Concern was raised within the submissions received that the proposed dwelling is located within a natural drainage way, suggesting that this may cause adverse impacts by way of flooding to neighbouring properties.

The proposed development encroaches within an easement across a large part of the site which is for stormwater drainage purposes.

Detailed concept design drawings prepared by a qualified civil engineer have since been prepared. The proposed earthworks and stormwater realignment works are acceptable from a technical engineering perspective. However, the work required to accommodate the large footprint of the building with the site characteristics and the drainage considerations are reasonably significant. It is considered that a more suitable development of the site could be undertaken with reduced amount of earthworks and stormwater realignment works.

6.5 Flood Impacts and Considerations

Concern has been raised in the submissions in relation to the earthworks and stormwater realignments works and whether this may result in an adverse impact on neighbouring properties through the redirection of flood waters.

Concept engineering design plans have been provided and indicate that it is intended to redirect overland flow through use of a swale drain. The details indicate that the swale drain can accommodate the estimated flow through the site for the 1% annual exceedance probability (AEP) event without adverse impacts on either the proposed building or neighbouring properties.

However, it is unclear from the information submitted how the proposed finished floor level (FFL) of the building (at 526.5mAHD) has been determined, and whether that meets the required flood planning level of +0.3m freeboard above the 1% AEP flood level under revised site conditions. This would need to be confirmed if Council were of the mind to consider granting Development Consent especially noting the issues already identified with the maximum building height. If necessary, a further change in height of the building may have additional implications for earthworks required, volume of fill material, and flood considerations which require attention.

6.6 Importation of Fill Material

The proposed development involves the importation of approximately 980m³ of fill material as detailed in the concept engineering design plans. This equates to approximately 1,470 tonnes or 45 to 55 truck and dog deliveries, depending on assumed payload and compaction factors. This is a reasonably substantial volume of fill material for a single residential dwelling.

The importation of fill material is not necessarily considered to have a detrimental impact on neighbouring properties or the environment, subject to completion in accordance with the concept engineering design plans and appropriate measures being in place during works. It is considered that the size and footprint, as well as the siting, results in the need for the material. The volume of fill material could be reduced or eliminated through consideration of other design options for the development as detailed further above.

If Council was to support the proposed development involving the importation of fill material, heavy haulage development contributions would be payable for haulage along Council's road network from the source.

6.7 Privacy Impacts

Concern has been raised in the submissions received that the proposed development may result in an adverse privacy impact by way of overlooking onto adjoining properties.

The proposed building is orientated with the balcony facing to generally the west, with the outer edge at approximately the boundary line between 5 and 7 Settlers Court. The internal upper storey of the building is set in from the lower storey. The windows in the northern elevation of the upper level (facing towards 5 and 7 Settlers Court) are high set, with the room located on that side being a bedroom. The predominant view from the balcony is to the west, however when viewing to the north there could be potential for some overlooking into 5 and 7 Settlers Court but at a distance of approximately >15m. This could potentially be addressed through installation of privacy screens or similar treatment on the northwest corner of the balcony.

6.8 Number of Dwellings

A submission questions how another dwelling can be proposed when there is already a dwelling located on the land. The proposal is to create a 'dual occupancy (detached)' which is permissible with Development Consent in the R1 General Residential zone under the *Yass Valley LEP 2013*. There is no subdivision proposed.

6.9 Aboriginal Cultural Heritage

A submission received notes that the proposed development is located adjoining to land that is a place of Aboriginal cultural heritage significance, being the Oak Hill. It further questions whether there has been appropriate consultation with the local Aboriginal community.

The Applicant has responded by providing details of the 'due diligence' process they have undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (the Code of Practice). This identifies known places and objects of Aboriginal significance nearby, however relies on the assessment undertaken at time of the subdivision to determine the low likelihood for additional objects to be located on the development site, as well as there being no additional site features which trigger the need for further assessment. This is generally consistent with the requirement with the Code of Practice. Standard conditions could be applied in relation to the management of unexpected finds in accordance with legislative requirements.

6.10 Tree Removal

A submission received has identified that the application form states that there is no tree removal proposed, however site plans clearly indicate that tree removal is required in the area of development. This appears to include approximately three mature eucalyptus trees. A review of Council's records indicates that two of these trees were approved for removal in 2018. However, there is an additional mature eucalyptus tree that is proposed to be removed as a part of this development. There have been no details provided in relation to this tree, such as for health and retention value, or for habitat values such as inspection for hollows or nests.

6.11 Leighton Green Trees

The Applicant has planted 'Leighton Green' (*Cupressocyparis leylandii*) confiners/pines along the property boundaries, suggesting that this will assist in providing screening of the proposed development and privacy with neighbouring properties. Concern has been identified during the assessment that the plantings along the northern boundary are located within easements for services, notably for sewer. Concern was also raised in submissions about the proximity and suitability of the plantings to boundaries, and the potential loss of views once mature.

Assessment has indicated that the planting of the Leighton Greens within and in proximity to the sewer easement is unacceptable. The root systems are considered to be invasive and presents the potential for significant risk to the sewer infrastructure. Furthermore, the potential size of the trees will result in an obstruction to the sewer easement for access and maintenance and purposes. Sydney Water and Queanbeyan-Palerang Regional Council both suggest these are a species to avoid in or near easements and should be located minimum 6m away from location

of the pipe. It is recommended that regardless of the determination for the Development Application that Council commences measures for ensuring the removal of the Leighton Greens from the sewer easement (and if replanted, to be located at least 6m from the centre line of the easement).

Most of the trees already been planted rather than being proposed as works as part of the Development Application. Tree disputes along common boundaries are generally dealt within the *Trees (Disputes Between Neighbours) Act 2006*, including in relation to damages to fences and property. This remains a matter between the neighbouring property owners and will can require mediation. In this regard, the potential impact of the Leighton Greens on neighbouring properties is generally outside of the consideration for the Development Application.

If Council were of the mind to support the proposed development, this should not be conditional or on the basis of the Leighton Greens being retained due to the issues outlined above.

6.12 Access – Discovery Drive/Orion Street

The subject land is known as 6 Discovery Drive, with primary access handle to Discovery Drive. A secondary access is informally being used to Orion Street, crossing unformed sections of Ford Street and Reddall Street road reserve, as well as across Oak Hill Reserve (Lot 7010 DP 1026236) which is Crown Land under Council control. This informal access does not constitute a corresponding legal and physical access. If Council are of the mind to support the Development Application, appropriate conditions of Development Consent would be required to restrict this informal access arrangement, unless otherwise appropriately approved.

A submission received also notes an ongoing issue relating to shared access for 8B Discovery Drive which also utilises the access handle over 6 Discovery Drive. The issues with the access arrangements for 8B Discovery Drive is outside the scope of consideration under this Development Application.

6.13 Storage of Vehicles and Materials

One of the submissions received does note that they hope the construction of this building allows the landowner to clean up the site and move equipment and vehicles (currently stored outside near the existing dwelling) into a more suitable space. It is noted in representations from the Applicant that they have a large collection of vehicles and the size of the shed/workshop has been proposed with the aim of increasing enclosed storage.

Another submission received raises concern that a similar level of equipment and vehicles may end up located in proximity to the new dwelling, resulting in unsightliness and a fire hazard. This is generally outside the scope of consideration for the Development Application. There would be adequate enclosed parking available for the number of vehicles assumed for a residential dwelling house and matters of unsightliness is subjective and would have to be considered under Council's Enforcement Policy if concerns were raised. Fire hazards because of storage of vehicles and materials are also managed through separate processes.

7. Conclusion

From the assessment of the proposal and consideration of issues raised in submissions it is recommended that the application be refused.

If the Applicant sought to lodge another Development Application, options that could be considered as part of a redesign to address these concerns could include (potentially a combination of):

- Constructing a separate dwelling house and garage/workshop. This could result in a reduced footprint for the garage/workshop structure and provide distinction between the residential dwelling and an ancillary outbuilding.
- Reducing the size and scale of the building. There may be opportunity to still have a combined dwelling house and storage shed/workshop, however, it should present at a scale that is compatible with the adjoining residential development.

- Reconsidering the siting of the development within the lot, such as in closer proximity to the existing dwelling where it may be less visible from the public domain/streetscape and neighbouring properties. It may also assist in providing greater transition between form and scale with surrounding development.
- Considering architectural design elements, such as using an appropriate mix of building materials.

If Council wish to further consider the proposed development as currently presented, it would be necessary for the Applicant to first provide additional information relating to:

- Elevation drawings showing the maximum building height above existing ground level for the purposes of clause 4.3 *Yass Valley LEP 2013*
- Details of how the finished floor level has been determined in relation to the required flood planning level, and any associated changes to earthworks, volume of fill material, or flood/stormwater considerations.
- Clear details in relation to proposed tree removal. Where additional tree removal is proposed, details are to be provided by suitably experienced person which consider the health and retention value of the tree, and for habitat values such as evidence of hollows or nests.

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 Documents ⇒
	C. Submissions ⇒
	D. s4.15 Assessment ⇒

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

SUMMARY

In February 2024 Council determined for the second time 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 that Crown Lands representatives be invited to address Council on the issues relating to Swinging Bridge Reserve. Crown Land representatives addressed a Councillor Workshop on 12 March 2024.

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

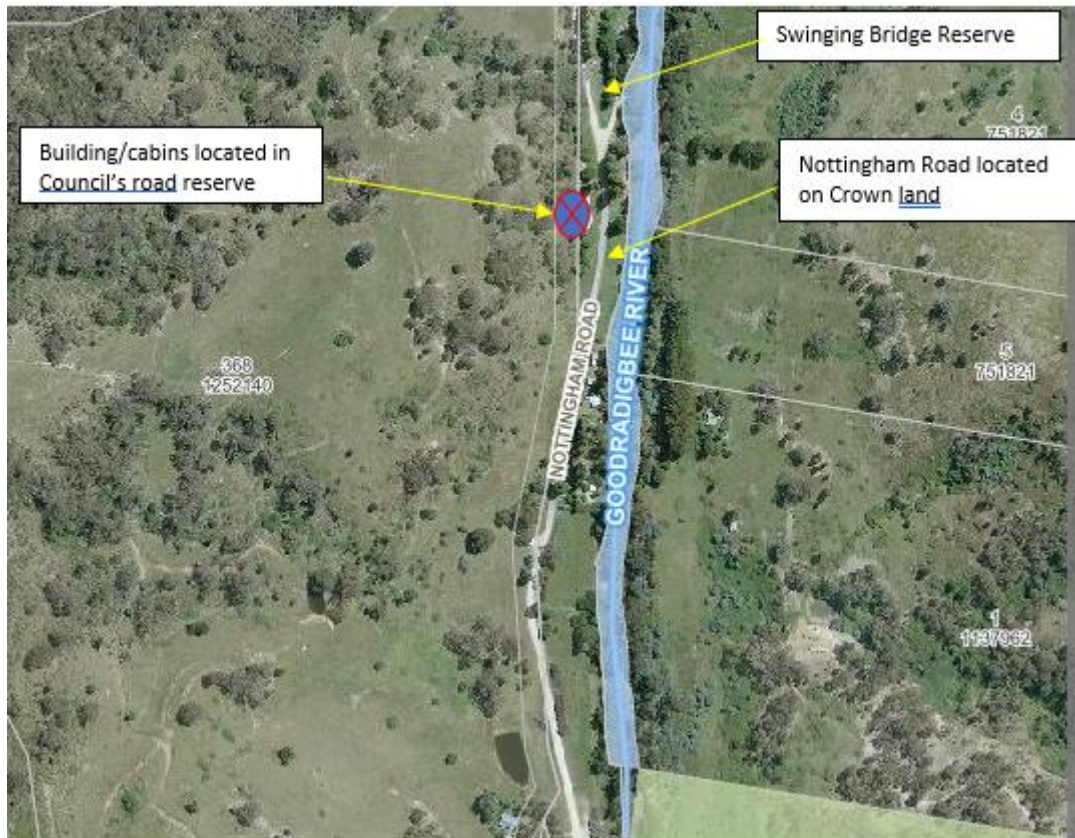
In November 2023 Council considered a report in relation to a partial road closure near the Swinging Bridge Reserve, Wee Jasper. Council resolved that:

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 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.
4. 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 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 was outlined in the presentation and a summary of legal advice provided.

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 must 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 to 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. A Planning Proposal has now been received.

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.

It was again 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 was represented for consideration at the 22 February 2024 Council meeting.

At the February 2024 Council determined 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.

Representatives from Crown Lands participated on line in the 12 March 2024 Councillor Workshop. The representatives from Crown Lands were Kirsti Sampson, Area Manager SE Region and Martin Brown, Group Leader Property.

Crown Lands indicated that the privately owned shacks on the Crown Reserve were inconsistent with the public use of the site. The privately owned shacks restricted the wider public from using the entire site. This is the basis for Crown Lands seeking the removal of the shack and returning the area to a camping ground.

It was noted that the shacks did not meet current requirements for temporary occupation and there was no evidence the shacks were being used for permanent occupancy.

Crown Lands indicated they had engaged a heritage assessment of the shacks and the preliminary advise received suggested the structures do not have heritage value. The question was raised in relation to the social values of the owners and their families' long connections with the shacks and the locality contributing to the heritage significance. Crown Lands indicated they would be guided by the final heritage assessment.

The question of 'squatters rights' or 'adverse possession' was raised which allows occupants to make a claim on the land if it has been in possession for continuous period of 12 years. In the case of Crown Land, the continuous period extends to 30 years. The issue of licences to the shack owners appears to have superseded the options for any adverse possession claims.

Crown Lands recognised the importance of the current alignment of Nottingham Road on Crown Reserve and made it clear that they are willing to continue land exchange negotiations with Council to resolve this issue. Crown Lands also indicated they were not interested receiving any of the Council road reserve area if it contained the three structures.

It is again 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 February 2024 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: Nil

6.4 WATER REBATE - YASS WATER SUPPLY NETWORK

SUMMARY

To consider the issue of water rebates for the Boil Water Alert between 14 February and 1 March 2024.

RECOMMENDATION

That water rebates for the recent 16-day Boil Water Alert not be provided on the basis the amount per user is minimal (i.e. \$3.46), residents had the opportunity to boil water for drinking water purposes, food preparation and brushing teeth.

FINANCIAL IMPLICATIONS

Any rebates can be made through the 2023/24 Operation Plan budget allocation.

POLICY & LEGISLATION

- *Local Government Act 1993*

REPORT

At its meeting on 22 February 2024 Council determined that 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.

In May 2019 Council received and noted a petition seeking a reduction in the cost of water, rebates for water usage and rebates for appliances and damaged clothing/fabrics. Council also requests a report in relation to financial relief previously provided in regards to water quality.

In July 2019 Council considered a report on rebates offered to residents connected to the Yass Water Supply Network in 2014 as a result of quality concerns associated with the supply of potable water.

The 2014 rebates related to the construction of raising the Yass Dam wall. Complaints were received in relation to the quality of water due to the disturbance of silt on the dam floor due to construction work.

Rebates were provided for the following billing period based on average of 14kl per household (or \$42) for those households who complained directly to Council. Sixteen rebated were made totalling \$674 which was absorbed in the water supply budget.

At its meeting in July 2019 Council resolved that:

1. *The information regarding rebates offered to residents connected to the Yass Water Supply network in 2014 as a result of quality concerns associated with the supply of potable water be noted.*
2. *In response to concerns raised by the community in regard to the aesthetic quality of water from the Yass Water Supply network:*
 - a. *\$5,000 be allocated for rebates associated with the aesthetic quality of water from the Yass Water Supply network during the period 1 January 2019 and 30 April 2019.*
 - b. *Rebates be available only to properties connected to the Yass Water Supply network that registered a water quality complaint with Council between 1 January 2019 and 30 April 2019.*
3. *Only one water quality rebate is available per property.*
4. *The value of the rebate to each registered property being equal to the \$5,000 allocation divided by the number of registered properties, with a maximum rebate equivalent to 15kL of water use.*

The 2014 and 2019 events related to dirty water incidents not a Boil Water Alert. Rebates were provided largely for laundry costs.

The Boil Water Alerts and the causes are as follows:

- 4 December 2012 – detection of E. Coli
- 10 August 2020 - turbidity of water exiting filters exceeds 1 NTU (10 days)
- 14 February 2024 - turbidity of water exiting filters exceeds 1 NTU (16 days)

Boil Water Alerts are not related to dirty water, in which rebates were previously provided for laundry costs. Boil Water Alerts apply to water used for drinking, brushing teeth and food preparation. Water used for drinking, brushing teeth and food preparation is the least amount of water for household use and therefore is a minor amount of the total water supply (e.g. laundry use, bathing, toilet, garden use).

Council's water metering only measures the total amount of water used by each household and is not separated into measures for the different activities for which water is used.

The following table details typical household use of water:

Activity	Amount	Comments
Toilet	3 litres half flush 6 litres full flush	
Shower	9 litres per minute 27 litres for a 3 minute shower	Water efficient showerhead
Bath	50-100 litres	
Dishwashing by hand	15-18 litres	
Dishwasher	20 litres	Normal Cycle
Washing	50 litres 120-150 litres	Front loader normal cycle Top loader normal cycle
General use (drinking, handwashing, brushing teeth, cooking, household cleaning)	18 litres per person per day	
Gardens	1,000 litres per hour	Sprinkler
Leaking Tap	200 litres per day	

Source: Grampians Wimmera Mallee Water

Using the above figures and assuming the use of efficient appliances, for a three-person household the estimated daily water use is 1,241 litres i.e.

Toilet	36 litres
Shower	81 litres
Dishwasher	20 litres
Washing (front loader)	50 litres
General use	54 litres
Gardens	1,000 litres
Total	1,241 litres

The amount of water for drinking, food preparation, brushing teeth is 54 litres a day or less than 4% of total daily use. The cost of the rebate would be approximately \$3.46 per household.

54 Litres per day x 16 days = 864 Litres or 0.864 kL

Unit cost is \$4.00 /kL

Actual cost is \$3.46

Council has not previously provided water rebates for Boil Water Alerts and it is recommended that the same approach be used in this latest incident for consistency.

However, if Council considers a water rebate is appropriate for the recent 16-day Boil Water Alert period than a rebate of 4% (\$3.46) for the 16 days could be considered. As per previous rebate arrangements this would be based on:

- 1 rebate per property
- Only for properties connected to the Yass Water Supply Network
- Restricted to complaints made to Council between 14 February and 1 March 2024

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	Annual water distribution network operation and maintenance

ATTACHMENTS: Nil

6.5 INVESTMENT REPORT - FEBRUARY 2024

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 29 February 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 February 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. RBA Comments on Economic Climate

At its February 2024 meeting, the Reserve Bank Board decided to leave the cash rate target unchanged at 4.35 per cent. This decision supports progress of inflation to the midpoint of the 2–3 per cent target range within a reasonable timeframe and continued moderate growth in employment. The Board expects that it will be some time yet before inflation is sustainably in the target range, and the Board remains resolute to return inflation to target in a reasonable timeframe. The path of interest rates that will best ensure this will depend upon the data and the evolving assessment of risks, and a further increase in interest rates cannot be ruled out.

Inflation continues to moderate and is expected to return to the target range of 2–3 per cent in 2025 and to reach the midpoint in 2026. Goods price inflation has declined but services price inflation remains high, supported by continued 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 demand in the economy and its overall capacity to supply goods and services. The staff's assessment is that the stance of monetary policy in Australia is currently restrictive, based on financial indicators and the ongoing easing in the growth of aggregate demand. Conditions in the labour market continue to ease gradually, although they remain tighter than is consistent with sustained full employment and inflation at target. A period of subdued demand growth and moderate employment growth over the coming year or two will bring about a better balance between supply and demand.

Source: Reserve Bank of Australia, Extracts from the Statement on Monetary Policy, February 2024

2. Summary of movements in Council Investments

Three investments totalling \$3M matured during February 2024. A total of \$3M has been reinvested in three new term deposits during the month of February. Council used the net proceeds to fund council's operations.

3. Council Cash, Cash Equivalent, and Term Deposit Investments at 29 February 2024

Investment Type	Acc/Deal	Market Value \$	Credit rating	Date Lodged	Maturity date	Term (Days)	Rate
NAB Working Account1	082-939 51	3,093,284.45	A1+/AA-	n/a	n/a	at call	
Tcorp Strategic Cash Facility	778	5,198,946.45	AAA	n/a	n/a	3 day call	
		8,292,230.90					
Term Deposits < 12 Months							
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%
My State	CN070447	1,000,000.00	XX	29/02/24	29/05/24	90	5.05%
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%
NAB	10886903	1,000,000.00	A1+	26/02/24	26/08/24	182	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%
My State 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%
NAB	10886904	1,000,000.00	A1+	26/02/24	25/11/24	273	5.10%
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%
		30,200,000.00					
Total Short Term		38,492,230.90					

4. Council Loans

During the month of February 2024 Council has not drawn down the Crago Mill funding facility from Westpac to fund the Crago Mill Project. Council has five loans with a balance of \$13.3M owing on 29 February 2024. The table below provides loan details.

General Loan	Principal as at	Interest rate	Comment
Sewer - CBA Loan for Sewer Infrastructure	3,248,383.52	4.82%	20 years, repaid in 2035/36
Water - NAB Westpac Dam Wall	7,919,842.84	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)
Total balance as at 29/02/2024	13,355,419.72		

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

6.6 RURAL FIRE SERVICE ASSETS

SUMMARY

The Auditor General continues to request that all Councils include the rural firefighting equipment value in the Council's financial statements. This report is to confirm Council's current position is unchanged, to not include the Rural Fire Service (RFS) assets into Council's financials.

RECOMMENDATION

That Council:

1. Continue to exclude the Rural Fire Service assets in its financial statements, and
2. Continue to support LGNSW in their campaign on the financial accounting treatment of Rural Fire Service (RFS) assets.

FINANCIAL IMPLICATIONS

Including the rural firefighting equipment assets in Council's financial statements will have a negative impact on Council's financial position by increasing depreciation.

POLICY & LEGISLATION

- Local Government Accounting Code of Accounting Practice and Financial Reporting

REPORT

Staff are currently working through the external audit for the 2023/24 financial year and have been asked by the auditors to confirm if Council's treatment of rural firefighting assets in the financial statements remains unchanged.

Council considered this issue at its meeting in July 2022 (refer **Attachment A**) and determined not to include rural firefighting assets in Council's financial statements. It is requested that Council confirm its support is unchanged in that the rural firefighting assets will not be included in Council's financial statements, as inclusion would substantially increase the depreciation and Council does not have any control over these assets.

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. Council Report July 2022 and Auditor General Letter 23 June 2022 [↔](#)

6.7 2024 SUMMER SCHOOL HOLIDAY OVERVIEW

SUMMARY

This report provides a summary of the 2024 Summer School Holiday activities around the Yass Valley. It was a resounding success, with a diverse range of activities and events that catered to various interests and age groups from 6 to 18 years of age.

RECOMMENDATION

That the 2024 Summer School Holiday report be noted.

FINANCIAL IMPLICATIONS

These events were provided through budgeted funds, as well as a \$7,000 grant from NSW Government for the Summer School Holiday program.

POLICY & LEGISLATION

Nil

REPORT

Throughout January, a total of 20 events were organised offering something for all youth in the community.

Some of the highlights included a fishing competition at Wee Jasper, spray painting session, a behind the scenes tour at the Australian Institute of Sport, a skatepark workshop, and tennis sessions in both Yass and Murrumbateman.

Additionally, there was a screen-printing t-shirt workshop in Sutton, archery activities in Yass and Bowning, and several pool parties in Binalong and Yass. One of the standout events was an outdoor movie screening of “Barbie”, which was enjoyed by many.

One notable achievement was the attraction of homeschooled children, who are considering joining our youth council, demonstrating the inclusive nature of the programs and their appeal to a wide range of young people in the community.

The summer holiday program seamlessly transitioned into Australia Day celebrations, which were a highlight of the season. The ‘Keeping Cool by the Pool’ event on Australia Day was a success, featuring live music from a band, a DJ, and captivating circus acts by the pool providing a fun and entertaining way to enjoy the public holiday.

The above activities were made possible by grant funding of \$15,000 through the Office of Regional Youth allocated for the Summer School Holidays and an additional \$10,000 from the National Australia Day Committee for the Australia Day celebrations.

This funding played a crucial role in ensuring the success and accessibility of these events for the community.

Overall, the 2024 summer school holidays in Yass Valley were a vibrant and engaging time, showcasing the community’s spirit, and providing memorable experiences for all who participated.





STRATEGIC DIRECTION

CSP Theme	Our Community
CSP Strategy Objective	CO4: We celebrate our diverse cultural identify and heritage
Strategies	CO4.1 - Traditional Owners and First Nations people historic and ongoing connection to Country is recognised and supported
Delivery Program Action	Participation in community events

ATTACHMENTS: Nil

6.8 2024/25 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

SUMMARY

This report is to consider all applications for 2024/25FY Community Section 356 Financial Assistance by community groups and organisations, or individuals.

RECOMMENDATION

That this item be classified CONFIDENTIAL in accordance with Section 10A(2)(b and c) of the Local Government Act 1993, which permits the meeting to be closed to the public business relating to the personal hardship of a resident or ratepayer and 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

A draft budget allocation of \$90,950 is proposed for the draft 2024/25FY Operational Plan.

POLICY & LEGISLATION

- Community Financial Assistance, Donations, and Heritage Grants Policy

REPORT

A total of 25 applications for community financial assistance have been received at Council, for requests worth \$183,820.

The applications have been reviewed by staff to ensure each application is eligible for this type of financial assistance, how the funding has a community benefit, the amount requested, and a suggested allocation by Council.

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

STRATEGIC DIRECTION

Key Pillar	Our Community
CSP Strategy	CO1 - Our health and wellbeing are supported by equitable access services
Delivery Program Action	CO1.1 - Our community is able to access information, health and services that support physical health and mental wellbeing
Operational Plan Activity	Support community groups with mental health wellbeing events and activities

ATTACHMENTS: Nil

6.9 BOWNING HALL ASSOCIATION RATE EXEMPTION REQUEST

SUMMARY

This report considers and provides advice in relation to the request for Rate Exemption by the Bowning Hall Association.

RECOMMENDATION

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.

FINANCIAL IMPLICATIONS

In 2020, Council discontinued paying for community facility rates. If it returns to paying community facility rates it will require council to reduce services elsewhere.

POLICY & LEGISLATION

- Financial Hardship Policy
- Financial Assistance, Grants and Donations Policy

REPORT

Bowing Association have submitted a request for the decision to decline their request rates associated with the Hall to be waived, be reversed.

As this request is related to commercial information of a confidential nature to the Association and likely to prejudice their commercial position it is recommended that the matter be considered in Closed Session.

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: Nil

6.10 CRAGO MILL BUSINESS CASE

SUMMARY

This report is to provide Councillors with an update on the Crago Mill Business Case.

RECOMMENDATION

That this item be classified CONFIDENTIAL in accordance with Section 10A(2)(dii) 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, confer a commercial advantage on a competitor of the council.

FINANCIAL IMPLICATIONS

Implications are included in Council's Operational Plan and will also be included in the Long Term Financial Plan currently being reviewed.

POLICY & LEGISLATION

- OLG Capital Expenditure Guidelines - 2010

REPORT

Council drafted a business case in April 2022, which was not finalised.

Council's consultants, APP Corporation, were requested to review their original draft Crago Mill Business Case. The report has now been finalised and a copy provided to the Office of Local Government.

One of the appendices in the report includes 'commercial in confidence' material.

It is intended the business case without the 'commercial in confidence' section will be placed on Council's website for the public to view.

The full business case is included in the Closed Session of this meeting for noting.

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: Nil

7.1 NOTICE OF MOTION - YASSFM - LEASE POOL HOUSE VICTORIA PARK

Councillor Kim Turner has given notice that at the Ordinary Council Meeting on 28 March 2024, he will move the following motion.

MOTION

That

1. *Noting the site specific advantages of the Victoria Park area for the location of a studio complex, Yass Valley Council reaffirm its support for the provision of local community radio in Yass Valley by way of a long-term lease for the Pool House building at Victoria Park.*
2. *The lease to be on similar terms to the current lease but requiring the radio station to make improvements to the current building that will allow:*
 - *Access to building from the eastern side*
 - *Improvements to the building to make it more suitable as a radio studio complex whilst not curtailing any future development planned for the pool.*
3. *In the event of Council not being in a position to offer such a lease, Council agree to Yass FM erecting a purpose built radio studio building on land adjacent to the existing site, under similar conditions to the previous proposal for the abandoned building project at the Community Centre.*

Councillor: Kim Turner, Councillor

13 March 2023

Background

Some 25 years ago Council agreed to the newly established Yass FM operating from the old waterworks building on Cooks Hill Road. After considerable upgrading of the facility, the station established its studios on the site and operated from there for some 20 years. In 2021 an inspection of the building determined that the building was unsafe and that the station would have to move from the site.

After much searching by the radio station and Council officers for a new permanent site a temporary arrangement was agreed by Council in late 2021 for the station to rent the Pool House building at Victoria Park to meet short term needs. This agreement is still in place and Yass FM operates from the site.

Noting that the Pool House is scheduled for demolition to make way for the development of a heated swimming complex as part of the Victoria Park Masterplan, a long term site adjacent to the Men's Shed at the Community Centre was identified. It was agreed that Yass FM would build on this site and once completed, the new building would become a Council asset and leased back to the station at nominal rent for a period of 30 years.

This plan was put into action, a DA was obtained, Yass FM gained a grant of \$55,000 from the NSW Government and undertook significant fundraising to supplement it. Building costs increased with difficulties encountered with sewer connection, flooding levels and the possibility of contamination on the site. The sewer connection and flooding levels issues were addressed with modifications to the building design. The contamination issue was referred back to Council as owner of the land. Council employed a specialist company which, after several months, concluded that there was contamination on the site and that therefore the station building could not go ahead.

Current Position

Yass FM currently operates from the Pool House studio in Victoria Park on a month by month lease.

Victoria Park has proven to be an ideal location for the station. It allows the very important direct link to the station's current transmitter site on Mt Manton and will also permit a direct link to their preferred long term transmitter point on Bowning Hill. This reduces the complexity required in the transmission train, reducing faults and making it less susceptible to internet and electricity failures.

The site has a pleasant environment, adequate parking and is close to the Yass CBD. Its juxtaposition on publicly owned land close to other recreational facilities is in accord with the Victoria Park Masterplan and the location gives an appropriate mix of privacy and visibility for a community station. Yass FM has looked at many potential locations across the district and none of them are as suitable for our needs as Victoria Park.

Issues

The extended time taken on the Community Centre site has left Yass FM with the real possibility of having to return the grant. If Yass FM are to obtain an extension it will need to be for a specific project that can be delivered in a timely fashion and produce long term benefits to the community. Without the grant, the station has inadequate resources to undertake a new building project and do not know of any viable alternate sites.

Proposals

- A. The preferred option is that the station stay in the existing main building and seek reallocation of the grant, which together with its own funds will allow the station to upgrade the building. Noting the current Masterplan indicates the building is to be replaced with Change Rooms, the station would seek to have the current building retained and the new Change Rooms moved to another part of the site. This would allow the current brick building to be modified to:
1. Provide access to the building from the eastern (tennis court) side to allow access to the building that does not interfere with the proposed swimming centre.
 2. Better meet the needs of the station through
 - a. Relocating wiring, access and developing the current storeroom to a second studio
 - b. Repairs and maintenance on the roof, gutters, internal and external walls to reinvigorate and improve the look of the building.

Please note that the station can only commit its limited resources to this project if it has guaranteed long term tenancy of the building.

- B. If the modification and reuse of the existing building is not possible the station asks Council to support modification of the Victoria Park Masterplan to allow the siting of a new building on Crown Land to the south of the tennis Courts. This land has the advantages of the existing site and is outside the proposed Swimming Complex. The building we designed for the Community Centre can be built on this site in a timely manner.

Conclusion

Yass FM would like to thank Council for its cooperation to date with finding our station a long term home. Staff and Councillors have been courteous and diligent and we commend them for their efforts. Yass FM hope that their proposals will meet with Council's approval. Yass FM believe that they provide a positive outcome for the station and the community. Yass FM ask the Council to act swiftly to ensure that these benefits are attained. Please feel free to seek further information regarding the proposals from our President, Geoff Frost 0403 521 079.

Chief Executive Officer Comments

The proposed Option A above is not a viable option. The area currently utilised by the Pool House is required for the proposed heated pool development.

However, Council is happy for Yass FM to continue to lease of the Caretaker's House (Old Pool House), on a 6 month on going basis, noting that the building has been earmarked to be demolished in the future as outlined in the adopted Plan of Management for Victoria Park (refer <https://www.yassvalley.nsw.gov.au/Our-Services/Strategic-Planning/Plans-of-Management>). Yass FM will then be required to vacate the building when demolition has been scheduled.

Possible New Locations for Yass FM

Please note, Council has no legal obligation to provide Yass Community Radio Association Incorporated (Yass FM) with land for the proposed new building but acknowledge the community service provided by the organisation and staff are willing to work with Yass FM to find a more permanent and long-lasting home.

Possible options

1. As per Option B above - Construction of a new building at Victoria Park.

Yass FM will need to demonstrate to Council, that the proposed new Yass FM building and its use, complies with the adopted Plan of Management for Victoria Park (refer <https://www.yassvalley.nsw.gov.au/Our-Services/Strategic-Planning/Plans-of-Management>)

If the Victoria Park precinct is the preferred option, the current Plan of Management would need to be revised to include the Yass FM building. This process would include redrafting the current masterplan, public consultation and adoption by Council. This process is likely to take 3-6 months to complete and require additional Council resources not currently allowed for in the current budget.

2. Additional Option - Faulder Avenue

Council has started investigating the possibility of developing Council Land in Faulder Avenue, located next to the Yass Transfer Station. This will take several years to finalise. This is a potential long-term solution.

ATTACHMENTS: Nil

9.1 MINUTES OF THE BANGO WIND FARM ENHANCEMENT COMMITTEE MEETING HELD ON 14 MARCH 2024

REPORTS

The minutes of the Bango Wind Farm Enhancement Committee meeting held on 14 March 2024 are included in **Attachment A**.

From these minutes there are recommendations from funding applications.

RECOMMENDATION

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

ATTACHMENTS: Nil

9.2 MINUTES OF THE RESCUE AND LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETINGS HELD ON 8 FEBRUARY 2024

REPORT

The minutes of the Rescue and Local Emergency Management Committee meetings held on 8 February 2024 are included in **Attachments A** and **B**.

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 Rescue and Local Emergency Management Committee meetings held on 8 February 2024 be noted.

ATTACHMENTS: A. Rescue Committee Minutes 8 February 2024 [↗](#)
 B. Local Emergency Management Committee Minutes 8 February 2024 [↗](#)

9.3 MINUTES OF THE ABORIGINAL CONSULTATIVE ADVISORY COMMITTEE HELD ON 21 FEBRUARY 2024

REPORT

The minutes of the Aboriginal Consultative Advisory Committee meeting held on 21 February 2024 are included in **Attachment A**.

From these minutes there was 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

The item that needs a determination relates to Council making a grant application.

RECOMMENDATION

That the minutes of the Aboriginal Consultative Advisory Committee meeting held on 21 February 2024 be noted and the following recommendation be adopted

Item 4.3 - National Road Safety Action Plan Grant Funding

That Council staff make an application for a DLAP program as part of the grant funding on offer.

ATTACHMENTS: A. Aboriginal Consultative Committee Minutes 21 February 2024 [⇒](#)

9.4 MINUTES OF THE CANBERRA REGION JOINT ORGANISATION BOARD MEETING HELD ON FRIDAY 1 MARCH 2024

REPORT

The minutes of the Canberra Region Joint Organisation Board (CRJO) meeting held on 1 March 2024 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 Board meeting held on 1 March 2024 be noted.

ATTACHMENTS: A. CRJO Board Meeting Minutes 1 March 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 2024/25 Community Financial Assistance Applications

Item 10.1 is confidential in accordance with section s10(A)(2)(b) of the Local Government Act because it contains the personal hardship of a resident or ratepayer and 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 Minutes of the Bango Wind Farm Enhancement Fund Committee held on 14 March 2024

Item 10.2 is confidential in accordance with section s10(A)(2)(b) of the Local Government Act because it contains the personal hardship of a resident or ratepayer and 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.

10.3 Bowning Hall Rates Exemption Request

Item 10.3 is confidential in accordance with section s10(A)(2)(b) of the Local Government Act because it contains the personal hardship of a resident or ratepayer and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.4 Crago Mill Business Case

Item 10.4 is confidential in accordance with section s10(A)(2)(dii) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.