



Minutes of the Ordinary Meeting of Council

Wednesday 24 April 2024

5.00pm

Council Chambers

209 Comur Street, Yass

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

Present

Councillors Allan McGrath, Mayor, in the chair, Jim Abbey, Cecil Burgess, Adrian Cameron, Jasmin Jones (remotely via Teams), 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

Prayer

Councillor Request for Attendance via Audio-Visual

RESOLVED that the request for remote attendance by Councillor Jones be approved due to her absence from the local area due to prior commitments.

(Pothan/Abbey) 75

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

AGAINST: Nil

1. Apologies

RESOLVED that apologies be received from Councillor Butler and leave of absence be granted.

(Reid/Abbey) 76

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

AGAINST: Nil

2. Declarations of Interest/Disclosures

Chris Berry, Chief Executive Officer declared a pecuniary conflict of interest in Item 5.1 Mayoral Minute – Chief Executive Officer's Request for Contract Renewal and stated that he would be leaving the Chambers.

Reason: Chris Berry declared an interest as the report relates to his employment at Council.

Julie Costa, Director Planning & Environment declared a non-significant, non-pecuniary conflict of interest in Item 10.1 – Additional 2024/24 Community Financial Assistance Applications and stated she would remain in the Chambers.

Reason: Julie Costa declared an interest as she attends classes at the Valley Boxing Gym.

3. Confirmation of Minutes

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 March 2024 covered by resolution numbers 47-74 inclusive, copies of which had been circulated to all Councillors, be taken as read and confirmed.

Note: *The addition of the foreshadowed motion in relation to Item 10.5 –Minutes of the Chief Executive Officer's Performance Review Committee, be included in the Confidential Minutes.*

(Reid/Burgess) 77

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

AGAINST: Councillor Cameron and Turner

At 05:08 pm Chris Berry, Chief Executive Officer left the Chambers.

5. Mayoral Minute

5.1 MAYORAL MINUTE - CHIEF EXECUTIVE OFFICER'S REQUEST FOR CONTRACT RENEWAL

SUMMARY

To provide an update in relation to the Chief Executive Officer's request for a contract renewal.

RESOLVED that the new 3 year contract for the Chief Executive Officer with a \$300,000 per year salary package (comprising of salary and superannuation) be noted.

(McGrath/Reid) 78

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

AGAINST: Councillors A Cameron and K Turner

At 05:20 pm Chris Berry, Chief Executive Officer returned to the Chambers.

6. Reports to Council

6.1 OPEN SPACE STRATEGY - CONSIDERATION OF SUBMISSIONS

SUMMARY

To present the outcomes of the exhibition of the draft Yass Valley Open Space Strategy. It is recommended that the Strategy be adopted subject to minor amendments.

RESOLVED that :

1. *The Yass Valley Open Space Strategy be adopted subject to the following:*

- ***Reference to Sutton Common should be amended to Sutton Reserve***
- ***Include reference to Sutton District Community Association and Sutton Landcare as providing maintenance services in the Open Space Strategy***
- ***Include BBQ areas for Sutton Recreation Ground in item ACTP7***

- *The strategy note the informal use of areas for equestrian trails throughout Yass Valley under “Equestrian”*
 - *The Strategy be corrected to indicate that the fitness stations at Murrumbateman are not yet complete and there is no dedicated space for fitness and exercise activities at Murrumbateman*
 - *Recommendation MD26 be split into two separate actions being:*
 - (1) *Establish a dedicated sporting precinct on new greenfield site in Hawthorn land owned by Council of at least double rectangular equivalent sporting field and full size oval; and*
 - (2) *Plan and construct new sporting fields and ovals, potentially co-located near future schools.*
 - *Include the words ‘or near ’ the two public open space areas in recommendation MD27 relating to the location of pedestrian and cycleways*
 - *The recommendations as they related to Murrumbateman be renumbered*
 - *The ratios of open space that are currently undersupplied and will be undersupplied in the future should both be highlighted*
 - *Include a general recommendation that the culture of the Aboriginal Community is important in the Yass Valley and the continued engagement of the Local Aboriginal Land Council and the local Aboriginal Community is necessary in implementing the actions and recommendations of the Strategy*
 - *Open Space shall be located, designed and constructed to withstand extreme weather events*
 - *The vision of the Strategy be amended to recognise that open space has multi faceted benefits*
 - *Wherever possible biodiversity considerations should be taken into account in the management and maintenance of open space*
 - *Amend MD34 to include cultural themes and include an overall guiding principle at the beginning of the Strategy in regard to the preservation of open space around cultural and heritage items and areas.*
 - *BBRW 7 be amended to retain the playground at the community hall and that Council investigate options to enter into a Memorandum of Understanding for the maintenance of the playground.*
2. *Staff commence the investigation to obtain approval for camping at the Bowning Recreation Ground*
 3. *Council investigates the feasibility of establishing a walking trail near Reddall Street and establishing habitat links between the rail trail and Cooks Hill as well as in Hovell Street between Pollux and Castor Streets*
 4. *A request for an assessment of traffic safety, particularly the intersection of Barton Highway and Wallaroo Road be made to the Traffic Committee*
 5. *A request for consideration of a pedestrian crossing at Sutton Road/Camp Street/Victoria Street be made to the Traffic Committee*

6. *The final report be prepared incorporating the amendments and be considered to be adopted once the amendments are made in accordance with the recommendations in item 1.*
7. *Council acknowledge the work of the Yass Valley Open Space Project Committee and extend their thanks for providing oversight on this project.*

(Jones/Reid) 79

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

AGAINST: Nil

6.2 WEE JASPER FISHERMEN'S SHACKS - HERITAGE LISTING IN THE YASS VALLEY LOCAL ENVIRONMENTAL PLAN 2013

SUMMARY

Council has received an applicant-initiated Planning Proposal to include 9 cabins located on Lot 7008 DP 96171 and adjacent Nottingham Road reserve, in Schedule 5, Items of Environmental Heritage of *Yass Valley LEP 2013*. A Heritage Statement supports the application to include the cabins and assesses their significance to the local, regional and national heritage values.

RESOLVED that :

1. *The Planning Proposal to include 9 cabins at Swinging Bridge Reserve, Nottingham Road, Wee Jasper in Schedule 5 of the Yass Valley Local Environmental Plan 2013 be referred to the Department of Planning, Housing & Infrastructure (DPHI) for a gateway determination.*
2. *The Department of Planning, Housing & Infrastructure be advised that Council does not wish to utilise delegations as the Local Plan Making Authority (LPMA) for the Planning Proposal.*

(Turner/Pothan) 80

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

AGAINST: Nil

6.3 APPLICATIONS UPDATE - FEBRUARY & MARCH 2024

SUMMARY

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

RESOLVED that the report on applications for February and March 2024 be noted.

(Reid/Abbey) 81

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

AGAINST: Nil

6.4 PUBLIC EXHIBITION - INTEGRATED PLANNING & REPORTING DOCUMENTS

SUMMARY

This report provides an overview of the draft 2024-25 Operational Plan, draft 2024-2034 Long Term Financial Plan, draft 2024-25 Revenue Statement, reviewed 2022-26 Delivery Program, draft Workforce Management Plan, and reviewed Asset Management Strategy, for placement on public exhibition for at least 28 days. During public exhibition Council will receive feedback in the form of written submissions no later than 4.00pm on Monday 27 May 2024. The documents will be reviewed in line with submissions and presented to Council for adoption at the June Council Meeting.

RESOLVED that:

- 1. the draft 2024-25 Operational Plan with the amended Ad Valorem, draft 2024-2034 Long Term Financial Plan, draft 2024-25 Revenue Statement, reviewed 2022-26 Delivery Program, draft Workforce Management Plan, and reviewed Asset Management Strategy be placed on public exhibition until 27 May 2024 for public feedback.***
- 2. A report be prepared for Council on the most suitable Yass Mainstreet Masterplan projects for consideration.***

(Reid/Turner) 82

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

AGAINST: Nil

6.5 INVESTMENT REPORT - MARCH 2024

SUMMARY

In accordance with clause 212 *Local Government (General) Regulation 2005*, this report provides a summary of Council's investments as of 31 March 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 March 2024 be noted.

(Abbey/Reid) 83

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

AGAINST: Nil

6.6 YASS VALLEY BUSINESS CHAMBER AWARDS 2024

SUMMARY

Member for Goulburn, Wendy Tuckerman MP officially declared the Awards open at the Yass Valley Business Chamber Breakfast on Friday 5 April 2024, urging the community to “get on board and celebrate the amazing businesses in the Yass Valley”. This report is for Council to consider a sponsorship to support the Awards.

RESOLVED that a Gold Award Sponsor for the Yass Valley Business Chamber Awards 2024 be purchased.

(Turner/Abbey) 84

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

AGAINST: Nil

6.7 ADDITIONAL 2024/25 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

SUMMARY

At the March 2024 Council Meeting, applications for 2024/25FY Community s356 Financial Assistance by community groups and organisations, or individuals were considered. Unfortunately, there were three applications that were overlooked and are presented to this meeting for consideration.

RESOLVED that item is classified CONFIDENTIAL in accordance with Section 10A(2)(b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the personal hardship of a resident or ratepayer.

(Turner/Abbey) 85

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

AGAINST: Nil

6.8 MURRUMBATEMAN STP IRRIGATION SUPPLY AND INSTALLATION

SUMMARY

This report provides advice on the submission of tenders for the Murrumbateman STP Irrigation System Supply and Installation.

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

the person who supplied it and commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council

(Turner/Abbey) 86

FOR: Councillors J Abbey, C Burgess, 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.

RESOLVED that the update report and work completed on the Water Treatment Plant Upgrade Project be noted.

(Pothan/Burgess) 87

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

AGAINST: Nil

6.10 SAFETY IMPROVEMENTS STEPHENS STREET BINALONG - CLOSURE OF RICHMOND STREET INTERSECTION TO TRAFFIC

SUMMARY

To provide details of TfNSW safety improvements proposed for Stephens Street, Binalong and the associated TfNSW request to close the Richmond Street intersection with Stephens Street to traffic.

RESOLVED that :

- 1. The TfNSW safety improvements proposed for Stephens Street Binalong be supported in principle.***
- 2. The TfNSW proposal to close the Richmond Street intersection with Stephens Street to traffic be supported.***

(Turner/Reid) 88

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

AGAINST: Nil

7. Notice of Motion

7.1 NOTICE OF MOTION - YASS WATER TREATMENT PLANT

MOTION

That Yass Valley Councillors and Yass Valley CEO and other staff as needed make the fixing of the Yass Valley Water Treatment Plant to meet the best standard and meeting community expectations for our water supply their top priority until it's fixed.

Note: The mover and seconder both accepted the changes to the motion.

RESOLVED that Yass Valley Councillors and Yass Valley CEO and other staff continue to make the fixing of the Yass Water Treatment Plant as their top priority.

(Cameron/Turner) 89

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

AGAINST: Councillor J Jones

8. Questions with Notice

Nil

9. Minutes and Recommendations of Council Committees

9.1 MINUTES OF THE CRJO JOINT AUDIT RISK & IMPROVEMENT COMMITTEE HELD ON 12 MARCH 2024

RESOLVED that the minutes of the CRJO Joint Audit Risk & Improvement Committee meeting held on 12 March 2024 be noted.

(Reid/Pothan) 90

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

AGAINST: Nil

9.2 MEETING NOTES OF THE YASS VALLEY OPEN SPACE STRATEGY PROJECT COMMITTEE HELD ON 25 MARCH 2024

RESOLVED that the Meeting Notes of the Yass Valley Open Space Strategy Project Committee meeting held on 25 March 2024 be noted.

(Turner/Cameron) 91

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

AGAINST: Nil

9.3 MINUTES OF THE EXTRAORDINARY MEETING OF SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP HELD ON 28 MARCH 2024

RESOLVED that the minutes of the South West Regional Waste Management Group Extraordinary Meeting held on 28 March 2024 be noted.

(Reid/Pothan) 92

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

AGAINST: Nil

9.4 MINUTES OF THE SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP HELD ON 3 APRIL 2024

RESOLVED that the minutes of the South West Regional Waste Management Group meeting held on 3 April 2024 be noted.

(Turner/Pothan) 93

FOR: Councillors J Abbey, C Burgess, 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 Additional 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 discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

10.2 Murrumbateman STP Irrigation System Supply and Installation

Item 10.2 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, 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 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.

(Turner/Pothan) 94

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

AGAINST: Nil

Closed Council commenced at 6.19 pm.

RESOLVED that the meeting move into Open Council.

(Abbey/Reid) 95

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

AGAINST: Nil

Open Council resumed at 6.22 pm.

RESOLVED that the recommendations in Closed Council be adopted.

(Pothan/Turner) 96

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

AGAINST: Nil

10.1 ADDITIONAL 2024/25 COMMUNITY FINANCIAL ASSISTANCE APPLICATIONS

SUMMARY

At the March 2024 Council Meeting, applications for 2024/25FY Community s356 Financial Assistance by community groups and organisations, or individuals were considered. Unfortunately, there were three applications that were overlooked and are brought back to this meeting for consideration.

RESOLVED that :

- 1. An additional amount of \$3,499 be added to the \$85,526 2024/25 s356 Community Financial Assistance grants approved in March 2024, for inclusion in the draft 2024/25FY Operational Plan.***
- 2. All successful applicants be placed on public exhibition as part of the draft 2024/25FY Operational Plan.***

(Pothan/Burgess) 97

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

AGAINST: Nil

10.2 MURRUMBATEMAN STP IRRIGATION SYSTEM SUPPLY AND INSTALLATION

SUMMARY

This report provides advice on the submission of tenders for the supply and installation of an irrigation system at the Murrumbateman Sewage Treatment Plant (STP).

RESOLVED that the tender submitted by Waterland Pty Ltd for the Murrumbateman STP Irrigation System Supply and Installation be accepted for a total cost of \$435,623.00 (GST exclusive). A Provisional Sum of \$9,654.60 (GST exclusive) is also allocated.

(Turner/Reid) 98

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

AGAINST: Nil

The meeting closed at 6.23pm.