

Snowy Valleys Council



SNOWY VALLEYS COUNCIL MEETING

LATE REPORTS

22 NOVEMBER 2018

THE MEETING WILL BE HELD AT 2.00PM
IN THE SNOWY VALLEYS COUNCIL CHAMBERS, 76 CAPPER STREET, TUMUT

Disclosure of Pecuniary Interests at meetings

- Item from Bluett Local Government Handbook

[14.125] A Councillor or a Council Committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable. The person must not be present at, or in the sight of, the meeting either at any time during which the matter is being considered or discussed or at any time during which a vote is being taken on any question relating to the matter (s 451). A Councillor who has declared a pecuniary interest in a matter before the council but has withdrawn from the meeting because of that declaration is not counted in considering whether the meeting is quorate for that matter.

Disclosure of Political Donations and Gifts

The Environmental Planning and Assessment Act 1979 places obligations on Councillors, staff, applicants and any person who makes a public submission, to disclose information relating to political donations and gifts during the environmental plan making or development assessment process.

Furthermore, for each planning decision made at a Council or Committee Meeting, the names of Councillors who supported the decision and those that oppose the decision must be recorded.

The fact that political donations or gifts have been made by applicants / proponents of a planning application should not affect whether an application is approved or refused. Political donations or gifts should not be relevant in making a determination. The matter should be determined on its merits. Nor do they provide grounds for challenging the determination of any applications.

For further information, visit www.planning.nsw.gov.au/donations

Public Recording of Meetings prohibited without Council authority

A person may use any recording device, including audio and visual recording and any device capable of recording speech, to record the proceedings of a meeting of a council or a committee of a council only by the resolution of the council or committee.

A person may, be expelled from a meeting of a council or a committee of a council or using or having used a tape recorder without consent.

Photography

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the General Manager.

Public Forum (extract from the Code of Meeting Practice)

a) All prospective public forum speakers must advise the General Manager of their wish to address Council by the Monday prior to a Council meeting.

They must also provide a verbal or written précis of the subject matter at that time.

b) The public forum section shall only operate for a period of thirty (30) minutes immediately after apologies have been formally received.

c) Preference shall be given to addressees who wish to speak to any item before Council at that particular meeting.

d) The maximum time allowed for each speaker will be 5 minutes.

e) Not more than two members of a group may speak.

f) All persons addressing the meeting shall speak to the Chair.

g) The Chairperson may curtail the public participation where the information being presented is considered repetitive or irrelevant.

h) Councillors may ask questions of the person/s addressing Council only if so approved by the Chair.

i) Councillors will not enter into general debate with the speakers.

j) The Mayor is to approve of variations to this procedure in urgent / compelling circumstances.

k) All people / organisations who wish to address Council be made aware of the above condition.



Thursday 22 November 2018
Snowy Valleys Council Chambers
76 Capper Street, Tumut
2.00pm

LATE REPORTS

7. NOTICE OF MOTION/NOTICE OF RESCISSION

7.2 URGENT NOTICE OF MOTION - TUMUT POLLUTION PROBLEM..... 2

12. CONFIDENTIAL

12.3 PROCUREMENT OF ROAD BASE - RESCISSION OF MOTION..... 4

7. NOTICE OF MOTION/NOTICE OF RESCISSION

Item 7.2 URGENT NOTICE OF MOTION - TUMUT POLLUTION PROBLEM

Author: Phil Stone
CLR GEOFF PRITCHARD

RECOMMENDATION:

THAT COUNCIL:

1. Enquire with the Environmental Protection Agency the reasons for, and the mitigating measures being taken to protect and reduce the localities included in postcode 2720 from pollution.

Notes:

Nil

Officers Comment:

On 19th November 2018, the ABC published a story on its website entitled "Australia's pollution mapped by postcode reveals nation's 'dirty truth'" (<https://www.abc.net.au/news/2018-11-16/australian-pollution-mapped-by-postcodes/10478620>). The story provided information gathered from a report titled *The Dirty Truth*, by the Australian Conservation Foundation (ACF), which has reportedly mapped Australia's pollution by postcode.

The story provides the reader with a table in which to enter a postcode to discover the amount of reported pollution, the relative level of pollution and the number of "polluting facilities" within the location. The story reports that the ACF's report relies on data from the National Pollutant Inventory; run by the Federal Department of Environment and Energy. The ACF's "total emissions in the air" values are the sum of five key pollutants, which according to the ACF, represent the majority of emissions.

The response from the website for the Tumut area and the Tumbarumba area, postcodes 2720 and 2653 respectively, is as follows:

Postcode	Number of polluting facilities	Total emissions in the air (kg)	Level of pollution
2720	3	683602.1256	High
2653	1	472739.7926	Low

It would be understandable for there to be a level of concern from the community about this data. Therefore it is considered reasonable for Council to make enquiries on behalf of its community to the Environmental Protection Authority.

Attachments

- 1 Notice of Motion - Tumut Pollution Problem - Clr G Pritchard

NOTICE OF MOTION

As provided by Clause 241 (1) (a) of the Local Government (General) Regulation 2005, I give notice that the following motion be placed on the Council Agenda for the Ordinary Meeting of Council, to be held on Thursday 22 November 2018

SUBJECT: Tumut Pollution Problem

Motion - "That Council:

- 1. Enquire with the Environmental Protection Agency the reasons for, and the mitigating measures being taken to protect and reduce the localities included in postcode 2720 from pollution.

Councillor	Geoff Pritchard
Signature
Date:
Councillor
Signature
Date:

* * * * *

12. CONFIDENTIAL

The Local Government Act provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature. Section 10(2) lists such matters.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

Recommendation:

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified.

12.3 PROCUREMENT OF ROAD BASE - RESCISSION OF MOTION

Item 12.3 is confidential under the Local Government Act 1993 Section 10A 2 (d)ii and (d)iii as it relates to information that would, if disclosed, confer a commercial advantage on a competitor of the council and information that would, if disclosed, reveal a trade secret and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.