

Snowy Valleys Council



SNOWY VALLEYS COUNCIL MEETING BUSINESS PAPER 22 JUNE 2017

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

Disclosure of Pecuniary Interests at meetings

- Item from Bluet 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 A Councillor who has declared a pecuniary interest in a matter before the council but has withdrawn from the meeting because of that declaration is not counted in considering whether the meeting is quorate for that matter.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 June 2017
Snowy Valleys Council Chambers
76 Capper Street, Tumut
2.00pm

AGENDA

1. ACKNOWLEDGEMENT OF COUNTRY

2. APOLOGIES AND LEAVE OF ABSENCE

3. DECLARATIONS OF PECUNIARY INTEREST

Pursuant to Section 451 of the Local Government Act (1993), Councillors are required to declare any direct or indirect pecuniary interest in any matters being considered by Council.

4. PUBLIC FORUM

5. CONFIRMATION OF MINUTES

- 5.1 ORDINARY MEETING - 25 MAY 20173
- 5.2 BUSINESS ARISING

6. CORRESPONDENCE/PETITIONS

7. NOTICES OF MOTION/NOTICES OF RESCISSION

8. GOVERNANCE AND FINANCIAL REPORTS

- 8.1 STATEMENT OF INVESTMENTS AS AT 31 MAY 2017 11

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- 9.5 REQUEST TO PURCHASE PART OF CARPARK - LOT 4 DP705658 – FULLER STREET SOUTH CARPARK, TUMUT 29
- 9.6 REQUEST FOR COUNCIL TO ACQUIRE CROWN ROAD, CURRAWONG ROAD, TUMUT 33

10. MINUTES OF COMMITTEE MEETINGS

NIL

11. COMMITTEE OF THE WHOLE

11.1 TENDER 2017/01 - PROVISION OF CASUAL LABOUR HIRE SUPPLY 39

12. MEETING CLOSURE

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting - 25 May 2017

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 25 May 2017 be received and confirmed as an accurate record.

THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMBARUMBA COUNCIL CHAMBERS, BRIDGE STREET, TUMBARUMBA, ON THURSDAY 25 MAY 2017 COMMENCING AT 2.02pm

PRESENT: Administrator Paul Sullivan

IN ATTENDANCE: Interim General Manager Kay Whitehead, Executive Director Environmental Services Gus Cox, Interim Acting Executive Director Engineering Services Matt Christensen, Director of Financial Services John Proctor, and Executive Assistant Leanne Elliott

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the Traditional Custodians of the Land was delivered by Council's Administrator, Paul Sullivan.

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Nil

4. PUBLIC FORUM

Nil

5. CONFIRMATION OF MINUTES

M60/17 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 27 April 2017 be received and confirmed as correct.

Paul Sullivan

M61/17 RESOLVED:

That the Minutes of the Extraordinary Council Meeting held on 10 May 2017 be received and confirmed as correct.

Paul Sullivan

5.1 BUSINESS ARISING

Nil

6. CORRESPONDENCE/PETITIONS

Nil

7. NOTICES OF MOTION/NOTICES OF RESCISSION

Nil

8. GOVERNANCE AND FINANCIAL REPORTS

8.1 STATEMENT OF INVESTMENTS AS AT 30 APRIL 2017

M62/17 RESOLVED:

That Council receive the Statement of Investments as at 30 April 2017.

Paul Sullivan

8.2 BUDGET REVIEW AS AT 31 MARCH 2017

M63/17 RESOLVED:

That the budget review as at 31 March 2017 be received and the alterations to votes contained therein be adopted.

Paul Sullivan

8.3 DRAFT INTEGRATED PLANNING AND REPORTING DOCUMENTS 2017/2018

M64/17 RESOLVED:

1. That Council adopt the following draft reports:

- Draft Delivery Program incorporating the Operational Plan 2017/2018
- Draft 2017/2018 Operational Budget
- Draft 2017/2018 Schedule of Fees & Charges and Revenue Policy

2. That in accordance with Sections 402(6), 404(4) and 405(3) of the Local Government Act, the adopted draft reports be placed on public exhibition for a period of not less than 28 days before consideration of any submissions received and adoption by Council.

Paul Sullivan

9. MANAGEMENT REPORTS

9.1 SNOWY VALLEYS COUNCIL DISABILITY INCLUSION ACTION PLAN

M65/17 RESOLVED:

That Council adopt the draft Snowy Valleys Council Disability Inclusion Action Plan and place it on public exhibition for consultation for a period of 28 days before formal adoption at the June Council meeting.

Paul Sullivan

9.2 TUMUT LOCAL ENVIRONMENTAL PLAN 2012 (DRAFT AMENDMENT NO. 4)

M66/17 RESOLVED:

1. That, pursuant to Section 54 of the Environmental Planning and Assessment Act 1979, Council prepare a Planning Proposal to rezone Lots 1 and 3 DP 506932 Tumut Plains Road and Lots 1 and 2 DP 836586 and Lots 2, 3 and 4 Section 2 DP 759004 Blowering Road, Tumut, from R5 – Large Lot Residential to R2 – Low density Residential with a minimum lot size for erection of a dwelling house of 600 m².
2. That Council not take any further action to rezone land in Rimmers Lane, Adelong, until such time as a need for additional zoned land can be justified in accordance with Tumut Shire Growth Strategy 2013-2033.

Paul Sullivan

9.3 ADMINISTRATOR'S MINUTE – LATE REPORT – PROPOSED ICT STRATEGY

M67/17 RESOLVED:

That the Late Report, Proposed ICT Strategy, being deemed to be of an urgent nature, be received and dealt with in the Committee of the Whole section of the meeting.

Paul Sullivan

10. MINUTES OF COMMITTEE MEETINGS

10.1 MINUTES OF THE INTERNAL AUDIT COMMITTEE MEETING HELD ON WEDNESDAY 10 MAY 2017

M68/17 RESOLVED:

That the Minutes of the Internal Audit Committee meeting held on 10 May 2017 be received and the resolutions contained therein be noted.

Paul Sullivan

11. COMMITTEE OF THE WHOLE

M69/17 RESOLVED:

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

11.1 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 98B073015

Item 11.1 is confidential under the Local Government Act 1993 Section 10A 2 (a) as it relates to personnel matters concerning particular individuals (other than councillors) and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.2 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER R01002027

Item 11.2 is confidential under the Local Government Act 1993 Section 10A 2 (a) as it relates to personnel matters concerning particular individuals (other than councillors) and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.3 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 16W050773

Item 11.3 is confidential under the Local Government Act 1993 Section 10A 2 (a) as it relates to personnel matters concerning particular individuals (other than councillors) and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.4 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 09B031592

Item 11.4 is confidential under the Local Government Act 1993 Section 10A 2 (a) as it relates to personnel matters concerning particular individuals (other than councillors) and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.5 LITTLE RIVER ROAD

Item 11.5 is confidential under the Local Government Act 1993 Section 10A 2 (g) as it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

11.6 PROPOSED ICT STRATEGY

Item 11.6 is confidential under the Local Government Act 1993 Section 10A 2 (c) as it relates to information that would, if disclosed, confer a

commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Paul Sullivan

At this stage, the time being 2.22pm, Council went into Committee of the Whole.

M70/17 RESOLVED:

That at this stage, the time being 2.35pm Council returned to Open Council.

Paul Sullivan

M71/17 RESOLVED:

That the General Manager's report on the resolutions made while in Committee of the Whole meeting be adopted.

Paul Sullivan

11.1 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 98B073015

M72/17 RESOLVED:

That Council reduce the water account for meter 98B073015 for the November to February quarter, quarter 3 by \$143.68 and also any interest that has accrued.

Paul Sullivan

11.2 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER R01002027

M73/17 RESOLVED:

1. That Council reduce the water account for meter R01002027 for the period November 2016 to February 2017 by \$1,000.
2. That Council write off interest charged on the overdue amount.

Paul Sullivan

11.3 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 16W050773

M74/17 RESOLVED:

That Council reduce the water account for meter 16W050773 for the November to February quarter by \$391.29 plus any interest that has accrued.

Paul Sullivan

11.4 REQUEST FOR REDUCTION IN WATER ACCOUNT - METER 09B031592

M75/17 RESOLVED:

That Council reduce the water account for meter 09B031592 for the November to February quarter by \$184.32 and write off any interest that has accrued.

Paul Sullivan

11.5 LITTLE RIVER ROAD

M76/17 RESOLVED:

That Council:

1. instruct Kell Moore Lawyers to assist Council to draft a letter to Mr Inglis detailing Council's obligations and intentions in relation to Little River Road and access to his property, and
2. erect appropriate signage.

Paul Sullivan

11.6 PROPOSED ICT STRATEGY

M77/17 RESOLVED:

That Council:

1. Adopt the Snowy Valleys Council Information, Communication and Technology (ICT) Amalgamation Strategy and undertake the initiatives contained within at an estimated cost of \$2.055 million to implement.
2. Establish an ICT Steering Committee with membership as per the recommendations contained in the report and that Votar Partners be engaged on a short term basis at a contract rate of \$1,600 per day.
3. Adopt PDK's communication proposal as part of the ICT strategy Network Uplift and allocate funds of \$80,873 for components and \$10,000 for labour from the Implementation Fund.

Paul Sullivan

There being no further business to discuss, the meeting closed at 2.39pm.

8. GOVERNANCE AND FINANCIAL REPORTS

8.1 STATEMENT OF INVESTMENTS AS AT 31 MAY 2017

Author: TANYA WILESMITH

Responsible Manager: JOHN PROCTOR

Purpose of Report:

Following is the Statement of Investments held as at 31 May 2017. The investments listed have been made in accordance with the Local Government Act (1993), the regulations and Council's policy.

Recommendation:

That Council receive the Statement of Investments as at 31 May 2017.

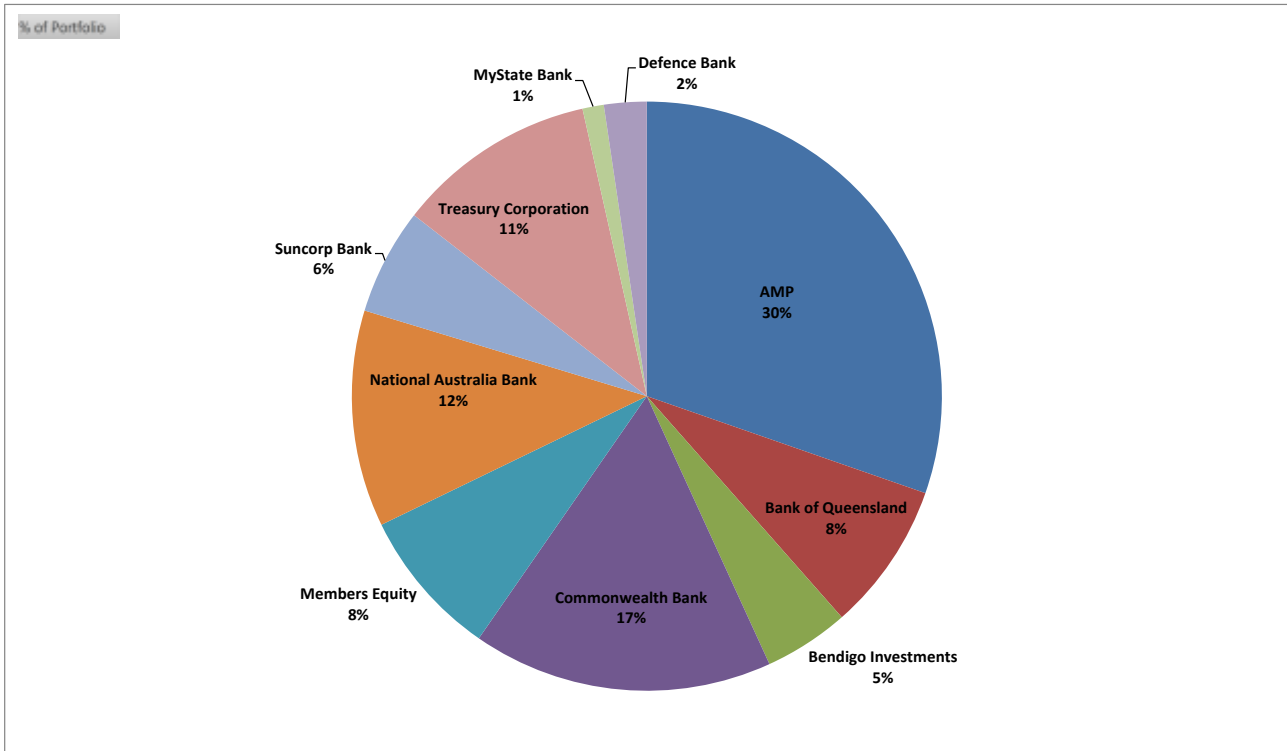
Report:

In accordance with Clause 212 of the Local Government (General) Regulation 2005, a monthly report is required to be submitted to Council detailing all investments of Council.

Cash & 11am at call Accounts	Branch	Balance Invested \$	Investment Date	Interest Rate%	% of Total Portfolio	% of Category	Rating
Treasury Corporation	SCF - CF	509,414	At Call	1.40%	1.2%	4.0%	A-1+
Commonwealth Bank	Snowy Works	1,328,681	SWS Gen	1.40%	3.1%	10.4%	A-1+
Commonwealth Bank	Snowy Works	1,485,870	SWS BSA	2.05%	3.5%	11.6%	A-1+
Commonwealth Bank	Snowy Works	1,194	SWS BOS	1.50%	0.0%	0.0%	A-1+
AMP	Snowy Works	2,000,000	At Call	2.20%	4.7%	15.6%	A-1+
National Australia Bank	Tumbarumba	2,702,209	W/Acct		6.3%	21.1%	A-1+
Treasury Corporation	SCF - SCF	1,019,761	At Call	2.20%	2.4%	8.0%	A-1+
Commonwealth Bank	Tumut	1,603,091	W/Acct	1.40%	3.7%	12.5%	A-1+
Commonwealth Bank	IF- 3 & 4	967,177	At Call (BOS)	1.50%	2.3%	7.6%	A-1+
Commonwealth Bank	SCF-6	859,164	At Call (BOS)	1.50%	2.0%	6.7%	A-1+
Commonwealth Bank	Tumut	310,174	At Call (BOS)	1.50%	0.7%	2.4%	A-1+
Sub Total Cash & Call Accounts		12,786,736			29.8%	100.0%	

Term Deposits & Commercial Bills	Branch	Balance Invested \$	Investment Date	Interest Rate%	Maturity Date	% of Portfolio	% of Category	Rating
Bank of Queensland	IF-1	2,000,000	16/01/2017	2.80%	16/07/2017	4.7%	6.7%	A-2
AMP	IF-2	1,000,000	20/07/2016	3.00%	20/07/2017	2.3%	3.3%	A-1+
Bendigo Investments	SCF-1	1,000,000	12/07/2016	2.95%	12/07/2017	2.3%	3.3%	A-2
Bendigo Investments	SCF-2	1,000,000	12/07/2016	2.95%	12/07/2017	2.3%	3.3%	A-2
Members Equity	SCF-3	1,000,000	27/02/2017	2.70%	24/11/2017	2.3%	3.3%	A-2
Suncorp Bank	SCF-4	2,500,000	19/04/2017	2.60%	18/04/2018	5.8%	8.3%	A-1+
AMP	SCF-5	1,000,000	16/01/2017	3.00%	16/07/2017	2.3%	3.3%	A-1+
Treasury Corporation	Tumut	1,556,552	30/09/2016	2.06%	At Call MT	3.6%	5.2%	A-1+
Treasury Corporation	Tumut	1,614,604	30/09/2016	4.51%	At Call LT	3.8%	5.4%	A-1+
AMP	Snowy Works	2,000,000	5/04/17	2.95%	9/01/18	4.7%	6.7%	A-1+
Bank of Queensland	Tumbarumba	1,000,000	8/03/17	2.65%	8/12/17	2.3%	3.3%	A-1
AMP	Tumbarumba	750,000	28/02/17	2.75%	28/02/17	1.8%	2.5%	A-1+
AMP	Tumbarumba	500,000	26/09/16	2.75%	26/09/17	1.2%	1.7%	A-1+
National Australia Bank	Tumbarumba	750,000	4/04/17	2.61%	4/10/17	1.8%	2.5%	A-1
MyState Bank	Tumbarumba	500,000	27/02/2017	2.75%	24/11/2017	1.2%	1.7%	A-2
AMP	Tumbarumba	750,000	24/05/17	2.60%	24/05/18	1.8%	2.5%	A-1+
National Australia Bank	Tumbarumba	500,000	23/09/16	2.69%	23/06/17	1.2%	1.7%	A-1+
AMP	Tumbarumba	750,000	29/09/16	2.75%	29/09/17	1.8%	2.5%	A-2
National Australia Bank	Tumbarumba	750,000	21/11/16	2.80%	20/09/17	1.8%	2.5%	A-2
AMP	Tumbarumba	750,000	17/03/2017	2.75%	12/12/2017	1.8%	2.5%	A-1+
Bank of Queensland	Tumbarumba	500,000	31/03/2017	2.65%	30/09/2017	1.2%	1.7%	A-1+
AMP	Tumbarumba	500,000	3/04/2017	2.75%	3/10/2017	1.2%	1.7%	A-1+
AMP	Tumut	1,000,000	23/03/17	2.95%	18/12/17	2.3%	3.3%	A-1+
Defence Bank	Tumut	1,000,000	13/12/16	2.95%	13/12/17	2.3%	3.3%	A-2
Members Equity	Tumut	1,000,000	3/03/17	2.65%	28/11/17	2.3%	3.3%	A-2
AMP	Tumut	2,000,000	19/09/16	2.75%	19/09/17	4.7%	6.7%	A-1+
Members Equity	Tumut	1,500,000	19/01/17	2.80%	18/07/17	3.5%	5.0%	A-2
National Australia Bank	Tumut - TDCT	389,947	28/06/16	3.05%	28/06/17	0.9%	1.3%	A-1+
Sub Total Term Deposits & Bills		29,561,104		2.83%		69.0%	98.3%	
Floating Rate Notes	Branch	Balance Invested \$	Investment Date	Interest Rate%	Maturity Date	% of Portfolio	% of Category	
Commonwealth Bank	Tumbarumba	500,000	1/08/15	2.74%	1/08/18	1.2%	1.7%	A-1+
Sub Total Term Deposits & Bills		500,000		2.74%		1.2%	1.7%	
Total Cash & Invested Funds		42,847,840		2.82%		100%	100%	

Council’s investments and cash on hand are invested with the following institutions.



During the month of May, two investments reached maturity.

- Bank of Queensland investment of \$500,000, was closed for cash flow purposes.
- AMP investment of \$750,000, reinvested for a further 12 months @ 2.60%.

It is hereby certified that the above investments have been made in accordance with Section 625 of the Local Government Act 1993 and the regulations thereunder, and in accordance with the Snowy Valleys Council Investment Policy.

Reserve Listing

Reserve balances as shown below for both Tumbarumba and Tumut.

Snowy Valleys – Tumbarumba Reserve Balances

RESERVE FUNDS	Balance
Externally Restricted Reserves	
Water Fund	\$1,126,979
Sewer Fund	\$2,576,229
Domestic Waste	\$434,282
Urban Stormwater	\$157,195
Unexpended Specific Purpose Grants	\$906,547
Tumbarumba Retirement Village	\$405,272
Balance Externally Restricted	\$5,606,504
Internally Restricted Reserves	
Plant Replacement	\$745,017
Capital Projects	\$2,288,830
Employees Leave Entitlements	\$400,000
Quarry Reserves	\$706,261
Community Services	\$405,352
Office Equipment Replacement	\$17,114
Private Works Contingency	\$400,000
Uncompleted Works	\$134,453
Other Minor Reserves	\$193,223
Unrestricted Funds	\$305,455
Balance Internally Restricted	\$5,595,705
Total Reserve Funds	\$11,202,209

Snowy Valleys – Tumut Reserve Balances

RESERVE FUNDS	Balance
Externally Restricted Reserves	
Water Fund	2,069,169
Sewer Fund	2,209,124
Domestic Waste	1,342,275
Developer Contributions	2,958,295
Unexpended Specific Purpose Grants	71,222
Stronger Communities Fund	8,888,340
Implementation Fund	3,967,177
Balance Externally Restricted	21,505,602
Internally Restricted Reserves	
Aboriginal Br. Reserve	44,646
Adelong Showground	10,000
Aerodrome Obstacle Lighting	60,000
Airfield General	61,707
Airfield Reseals	60,000
Asset Renewal Reserve	88,200
Batlow Literary Institute	57,091
Bridge Maintenance	57,261
Caravan Park	139,183
Carpark Improvements	95,165
Capital Projects	990,828
Dividend Reserve	538,906
Election Reserve	71,507
Emergency Services	86,271
Employee Leave Entitlement Reserve	2,067,041
Gravel Pits Reserve	202,594
Hazard Reduction	52,568
Insurance (Risk Management)	123,755
Legal	105,000
Open Space Strategy Reserve	106,800
Packards Pit	40,076
Plant Dividend	463,581
Playground Strategy Reserve	77,241
Project Development Reserve	24,570
Public Amenities	114,896
Saleyards	37,559
Scholarships	6,448
Security Deposits	8,705
Shire Signage	84,497
Swimming Pools Reserve	311,771

SWS Business Development Reserve	162,764
SWS Community Development Reserve	-
SWS Contingencies Reserve	675,851
SWS FBT Liability Reserve	107,172
SWS Plant Replacement Reserve	1,306,068
SWS Vehicle Replacement Reserve	616,731
TSC Vehicle Replacement Reserve	242,835
Talbingo Town Improvement	123,563
Telecentre	31,549
Television Services	71,359
Telstra Tower	18,089
Tree Management	39,000
Trust Reserves	247,577
Visy Emergency Works	27,065
Unrestricted Funds	282,538
Balance Internally Restricted	10,140,028
Total Reserve Funds	31,645,630

Options

Nil

Budget Implications:

Nil

Legal/Statutory Implications:

Clause 212 of the Local Government (General) Regulations 2005.

Risk Management - Business Risk:

Nil

Risk Management - WHS and Public Risk:

Nil

Council Seal:

Nil

Attachments

Nil

9. MANAGEMENT REPORTS

9.1 DRAFT COMMUNITY ENGAGEMENT FRAMEWORK

Author: SHELLEY JONES

Responsible Manager: KAY WHITEHEAD

Purpose of Report:

To seek approval for the exhibition of the draft Community Engagement Framework for Snowy Valleys Council.

Recommendation:

That the draft Community Engagement Framework be placed on public exhibition for a period of 28 days, and that the submissions received are brought back to Council for consideration and adoption.

Report:

The draft Community Engagement Framework commits Snowy Valleys Council to maintaining a high level of community engagement to ensure that residents and key stakeholders have an opportunity to be involved in our decision making process.

Recent research and consultations* have confirmed that community engagement is a key driver of overall satisfaction with Council and needs to be an important aspect of the decision making process.

The development of a Community Engagement Framework is a critical part of maintaining business as usual during the transition process and is considered integral to the success of the organisation post Council elections in September 2017.

The draft Community Engagement Framework comprises a Policy, Strategy and Action Plan, all of which are based primarily on the International Association of Public Participation (IAP2) principles and proven methodologies which are considered to be best practice.

The attached Community Engagement Framework documents have been developed to build on the strengths of the different approaches of the former Councils whilst embracing new ideas and methodologies.

It is proposed that the draft Framework be placed on public exhibition for a minimum of 28 days from the 22nd June, 2017.

As a minimum, the consultation process will include:

- Information on the Snowy Valleys Council website under the 'Have Your Say' menu
- Hardcopy documents available at Council offices and libraries

- Advertisements in the Talbingo Community Newsletter, Khancoban Echo, Corryong Courier, Tumbarumba Times and Tumut and Adelong Times newspapers and through Council's dedicated social media channels
- Community information sessions
- Community feedback during the election candidate information engagement activities
- Direct emails to existing town progress associations and attendance at those organisation's meetings by agreement

** JWS Community Satisfaction Survey 2016; Destination Marketing Store corporate identity consultations 2016; Linqage International community priorities consultations January 2017.*

Options

Nil

Budget Implications:

Any financial impact of implementing this Framework is to be factored into current and future project planning and operational budgets.

Legal/Statutory Implications:

Local Government Act 1993 contains provision to ensure that community input is a part of the decision making process.

Risk Management - Business Risk:

Nil

Risk Management - WHS and Public Risk:

Nil

Council Seal:

No

Attachments

- 1 Draft Community Engagement Policy (under separate cover) ➡
- 2 Draft Community Engagement Strategy (under separate cover) ➡
- 3 Draft Community Engagement Action Plan (under separate cover) ➡

9. MANAGEMENT REPORTS**9.2 ENDORSEMENT OF REGIONAL STRATEGIC WEED MANAGEMENT PLANS - RIVERINA AND MURRAY**

Author: MEL WILKERSON

Responsible Manager: KAY WHITEHEAD

Purpose of Report:

To seek Council endorsement of the Riverina and Murray Regional Strategic Weed Management Plans 2017 - 2022

Recommendation:

That Council endorse the Regional Strategic Weed Management Plans 2017-2022 for the Murray and Riverina Local Land Services Regions.

Report:**Summary:**

1. Regional Strategic Weed Management Plans (RSWMP) for both the Murray and Riverina Regions have been reviewed and are now submitted for Council endorsement.
2. Council is a member of both Local Land Service (LLS) regional areas. Council staff have been part of the development process of both RSWMPs.
3. The RSWMPs replace the former Weed Advisory Group Management Plans (ERNWAG / WRNWAG) and local management plans into a regional document with priority weeds identified.

Details

Biosecurity protects the economy, environment and community from the negative impacts of pests, diseases and weeds. It is vital for the health, wellbeing and prosperity of the state. The RSWMPs focus on managing weeds to improve regional biosecurity. The vision is to protect the environment, landscape, livelihood, cultural and lifestyle values from weeds by strengthening the sustainability of the natural environment, primary industries, and local communities in the region.

Snowy Valleys Council straddles both Local Land Service Regions (Murray and Murrumbidgee). The RSWMPs have been prepared by the respective Murray and Riverina Regional Weed Committees, with guidance from the State Weeds Committee. Endorsement by the stakeholders is now required to finalise the Plans.

Plan Goals

The plans outlines how government, industry and the community will share responsibility to identify, minimise, respond to, and manage weeds. It relates to all lands and waters in the respective Local Land Service . The Plans focus on managing weeds that impact:

- animal and plant industries, including agriculture, horticulture, forestry, aquaculture and recreational fishing in freshwater systems
- ecological communities and biodiversity, including natural urban and peri-urban environments
- human health, livelihood, lifestyle, cultural values, recreation and landscape amenity
- infrastructure and service industries, including energy, transport and water supplies.

The Plans set the vision and goals for weed management and outline strategies and actions to achieve outcomes based on principles of shared responsibility.

Goal 1: *Responsibility for weed biosecurity is shared by the community*

Actions focus on a whole of community approach to weed management, with an emphasis on:

- building community capacity
- building stronger partnerships
- fostering a shared responsibility
- promoting behavioural change

Goal 2: *Weed biosecurity supports profitable, productive and sustainable primary industries and*

Goal 3: *Weed biosecurity supports healthy, diverse and connected natural environments*

Actions of both goals 2 and 3 focus on weed biosecurity to protect the environment and foster sustainable economic growth. The emphasis is on:

- preventing new weeds from entering the region
- eradicating or containing the spread of new weeds that do establish
- managing widespread weeds on priority sites.

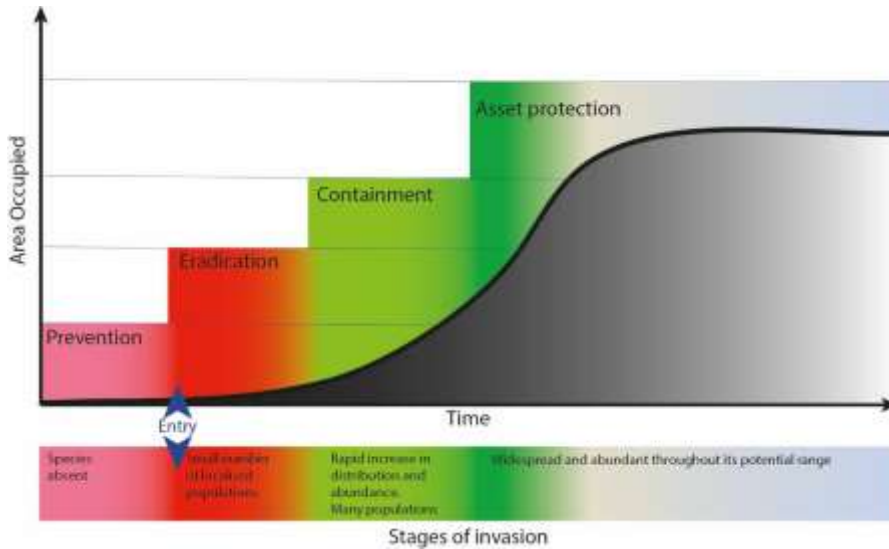
Goal 4: *Weed biosecurity is supported by coordinated, collaborative and innovative leadership*

Actions focus on a consistent approach to implementing this plan, with emphasis on:

- providing good governance and leadership to support a collaborative approach
- supporting and delivering the weed biosecurity reforms for NSW
- implementing risk based systems across all tenures in a co-ordinated manner
- using information and mapping systems, current research and adaptive management to improve effectiveness of weed control.

Weed Priorities

An expert panel used best available knowledge and an internationally-recognised risk-assessment process to identify the high-priority weed species in the Regions. Weed prioritisation is guided by the principle that *managing weeds earlier rather than later is more cost effective* (see Figure). The weed management objectives listed support this principle and prioritises outcomes which can be achieved during the early stages of the invasion process.



Options

Not endorse the Plans. If this was the case then Council would have to develop its own Plan to meet its obligations under the Biosecurity Act and potentially not receive weed funding

Budget Implications:

Comment: Budget requirements are determined by Weeds Action Plan agreement which is a separate issue from the Strategic Weed Management Plans.

Legal/Statutory Implications:

Both Plans are in direct response to the strategic and legislative reform on Biosecurity in NSW

In line with new Commonwealth biosecurity measures, NSW has reformed its weed, pest and disease legislation. Together, the NSW Biosecurity Strategy 2013-2021 and NSW *Biosecurity Act 2015* (which repeals the *Noxious Weeds Act 1993*) provide a streamlined, clear framework for safeguarding primary industries, natural environments and communities from a range of pests, diseases and weeds. Community-wide shared responsibility for biosecurity and a tenure-neutral approach are crucial to a sustainable and prosperous future.

The NSW *Biosecurity Act 2015* is tenure neutral, as it applies equally to all land in the region, whether public or private. The Act contains a range of new regulatory tools and a General Biosecurity Duty that support this tenure neutral approach to managing weed biosecurity risk. These tools include Prohibited Matter, Biosecurity Zones, Mandatory Measures and Control Orders and the plan outlines how they might be applied.

Risk Management - Business Risk:

Weed Management is part of Council's core operational business. There is no additional risk in endorsing the Plans.

Risk Management - WHS and Public Risk:

Nil

Council Seal:

No

Attachments

- 1 Riverina Regional Strategic Weed Management Plan 2017-2022 (under separate cover) [⇒](#)
- 2 Murray Regional Strategic Weed Management Plan 2017-2022 (under separate cover) [⇒](#)

9. MANAGEMENT REPORTS

9.3 FUNDING FOR TUMBOOSH DEMOUNTABLE BUILDING

Author: MARK KIRTON

Responsible Manager: GUS COX

Purpose of Report:

To request additional funding for the installation of a new demountable building to relocate the Before and After School Care (Tumboosh) from the Tumbarumba Showground to the Carcoola Children's Centre.

Recommendation:

That Council approve the allocation of an additional \$25,000 from the general fund for the installation of a new demountable building for the Tumboosh Before and After School Care.

Report:

Council was successful in obtaining a grant from the Hyne Community Trust for \$86,000 to install a demountable building at the Carcoola Children's Centre site in Bridge Street to use for the Before and After School Care Service (Tumboosh). Tumboosh is currently located at the basketball stadium at the Tumbarumba Showground. Having both activities on the one site will address ongoing issues with staffing and will improve efficiencies.

The lowest quote received for the building is \$97,000 ex GST, excluding the connection of water, sewer, electricity and the access to the site. These site works have been estimated at \$14,000.

Staff are currently exploring other grant funding, however the funding needs to be allocated to allow the project to proceed.

Options

1. Approve the funding
2. Not approve the funding

Budget Implications:

If Council endorses the recommendation, \$25,000 will need to be allocated to complete the project.

Legal/Statutory Implications:

Nil

Risk Management - Business Risk:

Nil

Risk Management - WHS and Public Risk:

Nil

Council Seal:

No

Attachments

Nil

9. MANAGEMENT REPORTS

9.4 LAND SALE - LOT 4 DP758009 - LYNCH STREET, ADELONG

Author: MATT CHRISTENSEN

Responsible Manager: KAY WHITEHEAD

Purpose of Report:

To report on the progress of sale of Lot 4 DP758009 at Lynch Street, Adelong

Recommendation:

That Council:

1. **note the report on the sale of surplus land referenced as Lot 4 DP758009 at Lynch Street, Adelong**
2. **endorse the acceptance of offer for the sale of Lot 4 DP758009 as a matter of urgency with the following conditions of sale:**
 - a. **Purchase price \$35,000**
 - b. **Council will construct water infrastructure and water meter to the property**
 - c. **Council will construct a sewer riser for the property to connect to the sewer network**
 - d. **Council will provide a rebate of \$5,000 to the owner if the land is built on and occupied within two (2) years from the date of the sale of contract**
3. **Direct the proceeds of sale, minus agent fees, legal costs and sale considerations towards the construction of barbeque facilities at the Adelong Pool**

Report:

Council has received an offer for the purchase of surplus land at Lot 4 DP758009 on Lynch Street which has been on the market since 2014.

Background:

During the course of 2013, the then Director Engineering Services undertook a review of surplus Council Land held in freehold with the Adelong Township. Following this review, a report was presented to Council with regards to a parcel of land on Lynch Street, referred to as Lot 4 DP758009. This report was considered at Tumut Shire Council's Ordinary Meeting of 28 May 2013, where it was resolved:

281 RESOLVED that Council;

1. Obtain a valuation for the land, Lot 4 DP 758009
2. Approve the sale of the land and the General Manager be authorised to negotiate the sale price of the land.
3. That a Section 88E Instrument for positive covenant be placed over overland flow path to ensure landowner maintenance of same.

4. That the proceeds from the sale of the land be directed to the Adelong swimming pool construction.
5. Affix the Seal of Council to relevant documents
6. A report be brought back to Council outlining evaluation, and that Council explore options to encourage the sale of the block of land

Cr P Cross/Cr S Bulger

Following the completion of the actions of Resolution 281, a further report was presented to Council detailing the outcomes of the valuation. At the Tumut Shire Council Ordinary Meeting dated 25 June 2013 it was resolved:

360 RESOLVED that Council;

1. Provide the following incentive to encourage the sale of Council land, Lot 4 DP 758009 Lynch Street Adelong;
Option 1: Provide a rebated of \$5,000 to the owner if the land is built on and occupied within two (2) years from the date of the sale of contract;
2. Offer the sale of the land by public auction.
3. That a reserve of \$50,000 be applied

Cr J Hayes/Cr M Isselmann

The land was subject to public auction in March 2014, where it was passed in due to lack of interest in the land parcel.

In May 2015, the property was listed with local real estate agents, with an asking price of \$40,000. This asking price was set on the basis that two of the agents expressed the land was likely to be sold for between \$28,000 and \$35,000.

Later in the year a proposed purchaser expressed interest however this offer fell through. Since this time no interest has been expressed on the land parcel.

Offer of purchase was received on 31 May 2015 from Council's Agent for the amount of \$35,000. Previous negotiations (Mid 2015) involved Council offering to provide connection of the land parcel to water and sewer infrastructure at no costs, as well as the rebate option within resolution 360.

To expedite the process of consideration of the offer, Council Officers drafted a memorandum to the Administrator detailing the history of the land parcel sale process and the consideration of the offer of purchase. The memorandum, on the basis of a matter of urgency, recommended the Administrator agree to the offer of sale with the following considerations:

- a. Purchase price \$35,000
- b. Council will construct water infrastructure and water meter to the property
- c. Council will construct a sewer riser for the property to connect to the sewer network
- d. Council will provide a rebate of \$5,000 to the owner if the land is built on and within two (2) years from the date of the sale of contract

On consideration of this memorandum, the sale of the land was endorsed by the Administrator, and the offer subsequently has been accepted by Council Officers in

accordance with this endorsement. The basis of the recommendation of sale was on the point that limited interest had existed on the land parcel purchase for the approximate 4 years of being on the market, and the purchase price was considered reasonable on the basis of previous advice from local real estate agents.

Consideration:

In consideration of costs, and considerations of the sale, it is estimated the following realised revenue of the sale will be approximately \$28,000. This amount may be further reduced by \$5,000, should the owner of the land build and occupy the land with two years of the date of contract.

With regards to the proceeds of the sale, Resolution 360 of Tumut Shire Council sought to direct the funds from sale to the construction of the Adelong Pool. On the basis that the pool construction has been completed, it was thought appropriate to direct the proceeds of sale to fund the Adelong Pool Barbeque facilities which have been requested by residents and the Adelong Progress Association previously.

Options

As a matter of urgency the matter has been considered, and the offer agreed too. As such no other options are available.

Council may consider directing the proceeds of sale to another project or general revenue, however it should be stressed that a previous Resolution of Council (360) exists with regard to the proceeds of sale.

Budget Implications:

The draft 2017/18 budget includes provision of construction of barbeque facilities at the Adelong Pool, and as such an alternative project will be required to be identified within the 2017/18 proposed budget.

Legal/Statutory Implications:

Council has entered into the contract of sale and has engaged legal counsel to assist in finalising the sale.

Risk Management - Business Risk:

Nil

Risk Management - WHS and Public Risk:

Nil

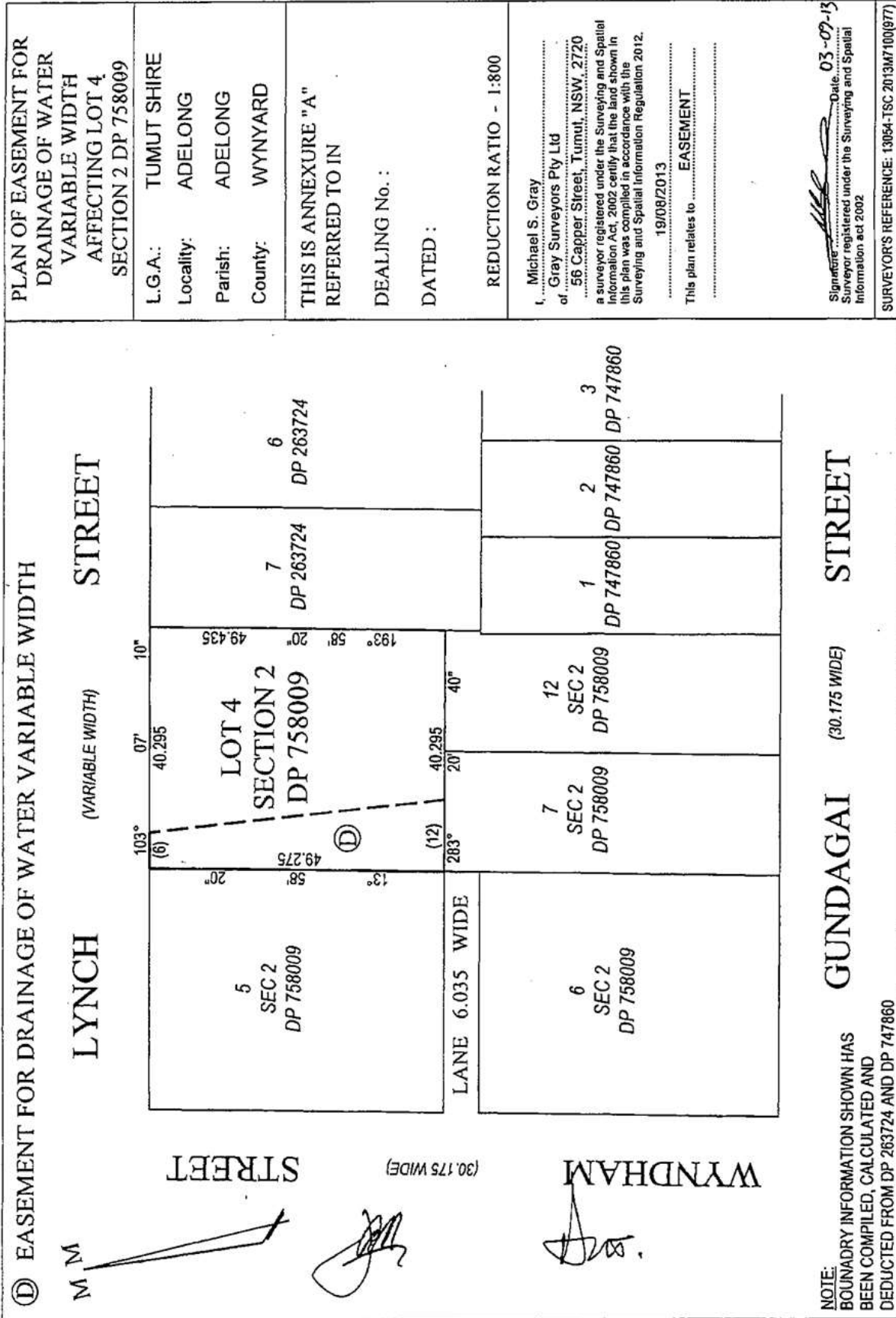
Council Seal:

No

Attachments

- 1 Reference Map – Lot 4 DP 758009, Lynch Street, Adelong [↓](#)

Req:R008562 /Doc:DL AI105503 /Rev:30-Jan-2014 /Sts:SC.OK /Prt:18-Feb-2014 09:51 /Pgs:ALL /Seq:2 of 2
 Ref:314301:TSC:DB /Src:T



ANNEXURE 'A'

①

M.M

7 of 7

9. MANAGEMENT REPORTS

9.5 REQUEST TO PURCHASE PART OF CARPARK - LOT 4 DP705658 – FULLER STREET SOUTH CARPARK, TUMUT

Author: MATT CHRISTENSEN

Responsible Manager: KAY WHITEHEAD

Purpose of Report:

To report on a request to purchase a section of the Fuller Street South Car Park in Tumut.

Recommendation:

That Council:

- 1. agree in principle to the request from St Vincent de Paul Society to purchase part of Lot 4 DP705658 from Council.**
- 2. write to St Vincent de Paul Society agreeing in principle, advising of estimated costs to facilitate the sale, and notifying consideration of donation of the land will be made following the presentation of the valuation report to Council**
- 3. following agreement with St Vincent de Paul Society of estimated costs, undertake land survey and valuation of proposal; and,**
- 4. receive a further report following the land valuation for consideration of sale price and the request for the land to be donated**

Report:

Council has received a request from St Vincent de Paul Society to consider the purchase of part of the Fuller Street South Carpark. The request indicates that proposal to purchase the part lot is to facilitate a development to expand the current St Vincent de Paul Society Centre sorting facilities given the volume of goods being processed.

A meeting was held with Mr. Paul Mullins, Mr. Matthew Christensen and Mr. John Hickson on site to discuss the proposal. This meeting clarified the extent of purchase to be only the section currently utilised for landscaping. It is noted that there is no significant vegetation within this landscape area, and the area could be considered to have little amenity value.

Operationally, there is no need for this small section of land, and therefore there are no foreseeable issues from Council Officers to decline the request.

In the request, it has been asked that the Society recognises that they will be responsible for meeting all costs associated with facilitating the request, however have asked for consideration for Council to donate the area to the Trustees of the St Vincent de Paul Society. In this regard, it could be considered prudent to obtain a valuation of the land parcel sought as part of this proposal prior to consideration of donations in kind, or transfer of ownership.

Should Council be agreeable to this proposal, Officers will engage a registered surveyor to undertake the plan of survey, and forward the matter to a consulting valuer to provide a report on land value. Following this valuation, a further report will be forwarded to Council for consideration with regards to the matter of donation of the land (or the sale value),

Options

The Council may decide to do nothing and decline the request.

Budget Implications:

This matter is contingent of the requesting party meeting all costs of the land sale, inclusive of survey, valuation and legals. Estimates will be sought and forwarded to the requesting party prior to initiation for concurrence.

Legal/Statutory Implications:

The process will be required to meet relevant subdivision certificate requirements and legal counsel will be sought to facilitate the sale/transfer.

Risk Management - Business Risk:

There is a risk identified with the transfer not being agreed to due to unforeseen land value be in excess of what is affordable to the requesting party. However, this is unlikely to occur.

Risk Management - WHS and Public Risk:

Nil

Council Seal:

No

Attachments

- 1 Request – Land Purchase – St Vincent de Paul Society #1963612 [↓](#)
- 2 Reference Map – Proposed Land Purchase – Fuller Street Car Park [↓](#)



St Vincent de Paul Society

Tumut Conference

good works

Fuller St.
TUMUT NSW 2720
Phone 6234 7440
Fax:(02) 69476387
Email:
jaqu951@gmail.com

Monday 15th May 2017,

Snowy Valleys Council,
76 Capper Street
Tumut NSW 2700

Dear Paul,

As a follow up to a conversation early May between John Hickson, Paul Sullivan and Matthew Christensen, the Tumut Conference of St Vincent de Paul Society is requesting that the land behind the Tumut Centre which is currently an undeveloped garden area, be donated by Council to the Trustees of the St Vincent de Paul Society.

The usage of the land will be to construct storage space for donated furniture and equipment, which will be used by the Society in providing for the needy within our local community.

We understand that costs incurred in providing this storage area will be met by the Society.

We look forward to a satisfactory discussion and result of our request, so as to enable planning to be initiated as soon as possible.

Yours faithfully,

P A Mangelsdorf



Ms P A Mangelsdorf
President

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PA
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15 MAY 2017	
MEMBER	ACTION
MAYOR	
GM	
CC	
SEC	

J Sturgess

Ms J Sturgess
Secretary



 <p>Snowy Valleys Council 76 Capper Street TUMUT NSW 2720 Ph: (02) 6941 2555 Corner Bridge and Winton Streets, TUMBARUMBA NSW 2853 Ph: (02) 6948 9100 Web: www.snowyvalleys.nsw.gov.au</p>	<p>© Snowy Valleys Council and © LPI Department of Finance and Services, Panorama Avenue, Bathurst, 2795, www.lpi.nsw.gov.au. While every care is taken to ensure the accuracy of this product, Council and the Local / State / Federal Government departments and Non-Government organisations whom supply datasets, make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability.</p>	<p>Created by: Christensen, Matthew Projection: GDA94 / MGA zone 55 Scale: 1:307 Date: 9/06/2017 4:47 PM</p>	
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9. MANAGEMENT REPORTS**9.6 REQUEST FOR COUNCIL TO ACQUIRE CROWN ROAD, CURRAWONG ROAD, TUMUT**

Author: MATT CHRISTENSEN

Responsible Manager: KAY WHITEHEAD

Purpose of Report:

To report on a request for Council to transfer responsibility of a Crown Road to its own tenure, and to incorporate the road into its road register once road construction has been completed.

Recommendation:

That Council decline the request seeking the transfer of tenure of the Crown Road reserve adjacent to Lot 262 DP757252 on the following basis that this point of access to the proposed subdivision of DA2016/0108 will provide traffic management issues on the realisation of the full development (21 allotments).

Report:

Council has received a request from the land owner of Lot 262 DP757252, who has a development application with Council currently, to take tenure of an adjacent road reserve currently under the tenure of Crown Road.

Proposed Development

The submitted development plan proposes a staged subdivision, eventually creating 21 total allotments, with the first stage proposed to be of 3 lots. Plans submitted with the application do not utilise the road reserve (crown road) adjacent to the property, however the applicant has noted the following positive benefits of utilising the crown road as an alternative:

- Improved access arrangements by reducing gradients and better intersection design
- Increase fire safety by acting as a fire break

Assessment of Transfer Request

Council over the years has declined the expansion of the road network on the basis of increased costs to manage these roads into the future. However, a request to take over management of Crace Lane in Brindabella was agreed to on the basis of historical issues and quantum of residents and visitors utilising the road.

It can be seen from the proposed development plans that the eventual 21 lot subdivision will join with the approved road layout of the neighbouring 'The Rise' Estate, making the road not only serviceable to 21 lots, but also a through road. However, it should be noted that there is no indication as to what timeframe the 21 allotments will be created, or the roads within the neighbouring estate being completed in the immediate future.

With regards to consideration of improved access, the proposal to utilise the crown road will offset the intersection from the nearby bend on Currawong Road by approximately 63 metres. Whilst this will provide minimal issue for the first stage of the subdivision, eventual population of the full 21 lots, or even the creation of a through road, is likely to provide increase risk traffic accident risk at this location. The original location of the intersection to the new development being at the bend allows for an eventual reconfiguration of the intersection and a formalisation of an intersection with reduced number of conflict points in the vicinity.

It is agreed that the crown road being developed would provide an effective fire break.

Conclusion

Multiple considerations are needed to be given with regards to this request, given that the proposal to create the road will provide transport access to 21 allotments. As an indication of traffic numbers, 21 allotments will increase vehicle movements in excess of 150 vehicles per day. The future traffic flows need to be considered from a practical standpoint as much as the practicalities of utilisation of a nearby unused Crown Road reserve. Nearby developments of the 'Glen Estate' and 'The Glen Village' provide additional traffic generations, and development in the area is still likely to increase.

Considering the extent of proposed development to be generated from the proposal (albeit without indicated timeframes for realisation of the full development), it would be prudent to flag possible traffic management issues as a key factor to the refusal of the request.

Options

The Council may decide to allow the request. This approval would require consideration of two aspects:

1. At which point will Council take responsibility for the maintenance of the roadway, given that the initial phase is proposed for three of the twenty-one lots only. Council may be expected to maintain a roadway indefinitely with only three allotments. If Council were to pursue the option of approval, it is suggested that a s.88 (b) instrument be put in place over the section of road requiring the property owners gaining access to maintain the road. Once further development is completed, this s.88 (b) instrument could be cancelled and Council could take on the maintenance.
2. Consideration will need to be given to traffic flows and safety in the vicinity of the intersection.

Budget Implications:

Council will eventually need to take tenure of the roads servicing the development; however, there are nil expected immediate budgetary impacts.

Legal/Statutory Implications:

The proposal will affect a subdivision application, and the outcome of this report will need to be considered in the assessment of Development Application DA2016/0108.

Risk Management - Business Risk:

Nil

Risk Management - WHS and Public Risk:

Nil

Council Seal:

No

Attachments

- 1 Request – Crown Road Reserve Transfer – Currawong Road, Tumut [↓](#)
- 2 Proposed Plan of Subdivision – DA2016/0108 [↓](#)



GRAY SURVEYORS

**SURVEYING & LAND
DEVELOPMENT CONSULTANTS**
ABN 56 140 974 410

56 CAPPER STREET
P.O. Box 326
TUMUT, 2720
PHONE (02) 6947 1253
FAX (02) 6947 3974
admin@tumutsurveyors.com

9th March, 2017

OUR REF: 16064
YOUR REF:

The Administrator
Snowy Valleys Council
76 Capper Street
TUMUT NSW 2720

Attn: Assets Department

Dear Sir/Madam,

RE: Transfer of Crown Road to Council Asset Register

Our clients intend to subdivide Lot 262 DP 757252 into 21 Lots as per Development Consent DA2016/0108.

The Concept Plan has been approved and our client has investigated the requirements for the civil works. While investigating, it has come to their attention an improved subdivision design is possible which incorporates the use of the Crown Road which borders the site and Lots 244 & 25 DP 757252(see attached sketch). Due to this improved design possibility, our client requests Council to transfer this section of Crown Road to their asset register.

Our client understands cost involved in the transfer and construction of the road to the required standard will be their responsibility and upon final approval of construction the road maintenance will be taken over by Council.

Utilising this existing road corridor within a modified subdivision design will improve the access arrangements to the proposed subdivision by reducing gradients and providing better design of intersections. Developing this existing road will also increase fire safety by providing a firebreak between existing grassland lots and future residential development.

We appreciate your consideration of this proposal and if you require any further information or any queries, please do not hesitate to contact our office.

Kind Regards,

Jan Ballard
Gray Surveyors

1 of 1





PROPOSED CROWN ROAD CLOSURE AND TRANSFER TO SNOWY VALLEYS COUNCIL

16064 CLOUT

11. COMMITTEE OF THE WHOLE

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 Committee of the Whole to consider the matters listed in the confidential section of the agenda (Committee of the Whole) in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified.

11.1 TENDER 2017/01 - PROVISION OF CASUAL LABOUR HIRE SUPPLY

Item 11.1 is confidential under the Local Government Act 1993 Section 10A 2 (d)i as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.