

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE SNOWY VALLEYS  
COUNCIL CHAMBERS, 76 CAPPER STREET, TUMUT, ON THURSDAY 22  
NOVEMBER 2018 COMMENCING AT 2.00PM.**

**PRESENT:** Mayor James Hayes (Chair), Councillor Andrianna Benjamin, Councillor Cate Cross, Councillor Julia Ham, Councillor Margaret Isselmann, Councillor John Larter, Councillor Geoff Pritchard, Councillor Cor Smit, Councillor Bruce Wright.

**IN ATTENDANCE:** General Manager Matthew Hyde, Acting Director Assets and Infrastructure Heinz Kausche, Director Internal Services Robyn Harvey, Acting Director Strategy, Community and Development Phil Stone and Executive Assistant Susan Ivill.

**1. ACKNOWLEDGEMENT OF COUNTRY**

An acknowledgement of the traditional custodians of the land was delivered by the Mayor James Hayes.

**2. APOLOGIES**

Nil

**3. DECLARATIONS OF INTEREST**

Nil

**4. PUBLIC FORUM**

Nil

**5. CONFIRMATION OF MINUTES**

**M305/18 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 25 October 2018 be received.

Cr Andrianna Benjamin/Cr Cate Cross

**5.1 BUSINESS ARISING**

Nil

**6. CORRESPONDENCE/PETITIONS**

Nil

**7. NOTICE OF MOTION/NOTICE OF RESCISSION****7.1 NOTICE OF MOTION - CLIMATE CHANGE REVIEW IN COUNCIL AREA****RECOMMENDATION:****THAT COUNCIL:**

1. In view of the just released IPCC report on climate change Snowy Valleys Council undertake an urgent review of its Community Strategic Plan with view to protect its community from climate change, addressing the issue at Council level. The first step could be to undertake a SWOT analysis. (Strengths/ Weaknesses/Opportunities/Threats)

Cr Geoff Pritchard/Cr Cor Smit

**MOTION PUT AND LOST**

Cr James Hayes and Cr Margaret Isselmann called for a Division.

For: Cr Geoff Pritchard, Cr Andrianna Benjamin and Cr Cor Smit

Against: Cr Julia Ham, Cr Margaret Isselmann, Cr Cate Cross, Cr James Hayes, Cr John Larter and Cr Bruce Wright

**M306/18 RESOLVED** that Council move into committee of the whole.

Cr Margaret Isselmann/Cr Cate Cross

**M307/18 RESOLVED** that Council move out of committee of the whole.

Cr Margaret Isselmann/Cr Julia Ham

**M308/18 RESOLVED** that Council:

1. Council facilitate a forum on Climate Change and its impact on Snowy Valleys Council.

Cr Margaret Isselmann/Cr Julia Ham

**7.2 URGENT NOTICE OF MOTION - TUMUT POLLUTION PROBLEM****M309/18 RESOLVED:**

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 postcodes 2653 and 2720 from pollution. And further request the government relate the pollution data with the health data and see if there is any correlation.

Cr Geoff Pritchard/Cr Cor Smit

**M310/18 RESOLVED** that Council move into committee of the whole.

Cr John Larter/Cr Margaret Isselmann

Director Internal Services Robyn Harvey left the meeting at 2:30pm.

Director Internal Services Robyn Harvey re-joined the meeting at 2:33pm.

**M311/18 RESOLVED** that Council move out of committee of the whole.

Cr John Larter/Cr Margaret Isselmann

**8. MAYORAL MINUTE****L.1 MOVE FORWARD DECEMBER 13TH COUNCIL MEETING TO DECEMBER 11TH 2018****M312/18 RESOLVED:**

That Council approve to move the December meeting of Council from the 13<sup>th</sup> to the 11<sup>th</sup> December 2018 in the Tumbarumba office.

Cr Julia Ham/Cr Margaret Isselmann

**9. GOVERNANCE AND FINANCIAL REPORTS****9.1 LGNSW ANNUAL CONFERENCE 2018 - ALBURY****M313/18 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the LGNSW Annual Conference from the General Manager.

Cr Julia Ham/Cr Cate Cross

**9.2 DRAFT COUNCIL ANNUAL REPORT 2017/2018****M314/18 RESOLVED:**

## THAT COUNCIL:

1. Adopts the draft Snowy Valleys Council Annual Report 2017/18 with minor amendments approved by the Mayor and General Manager.
2. Council's 2017/18 Audited Financial Statements be attached to, and form part of, the adopted Annual report 2017/18 once they are received;
3. Extend the invitation to the auditor to present the Audited Financial Statements to the public at the December Ordinary Council meeting.
4. A copy of the 2017/18 Annual Report be submitted to the Office of Local Government by 30 November 2018.

Cr Cate Cross/Cr Margaret Isselmann

**9.3 2019 COUNCIL MEETING CALENDAR****M315/18 RESOLVED:**

## THAT COUNCIL:

1. Receive the report on the 2019 Council Meeting Calendar from Director Internal Services.
2. Adopt the 2019 Council Meeting Calendar complete with Committee dates.
3. The December Ordinary Council meeting to be moved from the 19 December 2019 to the 12 December 2019 due to it falling near the Christmas break.

Cr Julia Ham/Cr Margaret Isselmann

**.4 POLICIES FOR ADOPTION - COMPLAINTS MANAGEMENT POLICY, FRAUD AND CORRUPTION CONTROL POLICY AND PETITIONS POLICY****M316/18 RESOLVED:**

## THAT COUNCIL:

1. Receives the report on Complaints Management, Fraud and Corruption Control and Petitions Policies from Division Manager People Culture and Governance.

2. Adopt the Complaints Management Policy (SVC-COR-PO-037-01) and rescind the following as superseded policies:
  - a) Complaints Management Policy – TSC-C-PO-042-03 (Former Tumbarumba Shire Council)
3. Adopt the Fraud and Corruption Control Policy (SVC-EXE-PO-040-01) and rescind the following as superseded policies:
  - a) Fraud Policy – TSC-RM-PO-047-02 (Former Tumbarumba Shire Council)
  - b) Fraud and Corruption Prevention Policy – Gov.04 (Former Tumut Shire Council)
4. Adopt the Petitions Policy (SVC-COR-PO-042-01)

Cr Cor Smit/Cr Bruce Wright

## 9.5 COUNCILLOR AND STAFF INTERACTION POLICY FOR ADOPTION

### M317/18 RESOLVED:

THAT COUNCIL:

1. Receive the report on Draft Councillor and Staff Interaction Policy from the Director Internal Services.
2. Adopt the Councillor and Staff Interaction Policy (SVC-EXE-PO-020-02) and rescind the following as superseded policies:
  - a) Provision of Information and the Interaction between Councillors and Staff Policy (Former Tumut Shire Council)
  - b) Interaction Between Councillors and Staff Policy – TSC-EXE-PO-066-02 (Former Tumbarumba Shire Council)

Cr Cor Smit/Cr Bruce Wright

## 9.6 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2018

### M318/18 RESOLVED:

THAT COUNCIL:

1. Receive and adopt the 1<sup>st</sup> Quarter Budget Review as at 30 September 2018;
2. The Revenue, Expenditure and Capital Budget adjustments as noted in the attached 1<sup>st</sup> Quarter Budget Review be adopted and the budgets adjusted.

Cr Julia Ham/Cr Andrianna Benjamin

Acting Director Infrastructure and Assets Heinz Kausche left the meeting at 3:10pm.

**9.7 STATEMENT OF INVESTMENTS AS AT 31 OCTOBER 2018**

**M319/18 RESOLVED:**

THAT COUNCIL:

1. Receive the Statement of Investments as at 31 October 2018

Cr John Larter/Cr Julia Ham

Acting Director Infrastructure and Assets Heinz Kausche re-joined the meeting at 3:13pm.

**10. MANAGEMENT REPORTS**

Nil

**11. MINUTES OF COMMITTEE MEETINGS**

**11.1 MINUTES - AUDIT RISK AND IMPROVEMENT EXTRAORDINARY COMMITTEE MEETING 17 OCTOBER 2018**

**M320/18 RESOLVED:**

THAT COUNCIL:

1. Accept the report on the Minutes of the Audit Risk and Improvement Committee Extra ordinary meeting from Division Manager People, Culture and Governance.
2. Adopt the Minutes of the Audit Risk and Improvement Committee meeting held on 17 October 2018.

Cr Julia Ham/Cr Bruce Wright

**11.2 MINUTES - TALBINGO PROGRESS ASSOCIATION MEETING 10 OCTOBER 2018**

**M321/18 RESOLVED:**

THAT COUNCIL:

1. Accept the report on the Talbingo Progress Association from Division Manager People, Culture and Governance.
2. Adopt the Minutes of the Talbingo Progress Association meeting held on 10 October 2018.

Cr Margaret Isselmann/Cr Bruce Wright

**11.3 MINUTES - TUMBAFEST COMMITTEE MEETINGS - 10 OCTOBER 2018 AND 24 OCTOBER 2018****M322/18 RESOLVED:**

THAT COUNCIL:

1. Accept the report on the Tumbafest Committee meeting minutes for 10 October 2018 and 24 October from Division Manager People, Culture and Governance
2. Adopt the Minutes of the Tumbafest committee meeting held on 10 October 2018 and 24 October 2018.
3. Approve the nomination of the following committee members to the Tumbafest committee:
  - Martin Burke
  - Edward Lauder
  - Christopher Blake
  - Julie Giddings
  - Andrew Rae
  - Richard Cottam
  - Jaqueline Lauder
  - Sue Goldspink
4. Approve the amended Tumbafest Committee Terms of Reference with the following changes:-
  - a) Change the language in section 7(c) by adding the word "if" on points two (2) and three (3).

Cr Julia Ham/Cr Andrianna Benjamin

**M323/18 RESOLVED** that Council move into committee of the whole.

Cr Margaret Isselmann/Cr Julia Ham

Acting Director Strategy Community and Development Phil Stone left the meeting at 3:20pm.

Acting Director Strategy Community and Development Phil Stone re-joined the meeting at 3:23pm.

**M324/18 RESOLVED** that Council move out of committee of the whole.

Cr Margaret Isselmann/Cr Cate Cross

**12. CONFIDENTIAL****M325/18 RESOLVED:**

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.

**12.1 RFT 2018/09 - SUPPLY OF BULK MATERIALS**

*Item 12.1 is confidential under the Local Government Act 1993 Section 10A 2 (d)i and (d)ii 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**12.2 RFT 2018/13 SEWER REHABILITATION TENDER**

*Item 12.2 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.*

**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.*

Cr Bruce Wright/Cr Cate Cross

At this stage, the time being 3:35pm Council went into Confidential.

**12.1 RFT 2018/09 - SUPPLY OF BULK MATERIALS****M326/18 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the outcomes for the Request For Tender (RFT 2018/9) for the Supply of Bulk Materials.
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the panel of suppliers for the Supply of Bulk Materials as recommended by the evaluation panel and detailed in table 4 as follows:



**Table 4:**

<b>Product</b>	<b>Evaluation</b>
Pre-mixed concrete	Tegra Australia – the preferred supplier and Holcim as second preference for the supply of pre-mixed concrete products to the Murrumbidgee region.
Pre-cast concrete units	Bruno Altin & Co - the preferred supplier of precast units to all regions, Cadia Group as second preference and Tegra Australia included in the panel as a third preference in cases where first and second preference suppliers cannot supply
Quarry Products include: <ul style="list-style-type: none"> <li>• Bedding Material (Sand, Crusher Dust, etc)</li> <li>• Sealing Aggregates – both per-coated and uncoated</li> <li>• Road Building Material (DGB, DGS and Select)</li> </ul>	Wyangle Quarry – the preferred supplier and Bald Hill Quarry as the second preferred supplier for Quarry Products to Brungle, Talbingo and Tumut.  Bald Hill Quarry - the preferred supplier and Wyangle Quarry as the second preferred supplier for Quarry Products to Adelong and Batlow.  Bald Hill Quarry - the preferred supplier for the supply of Quarry Products to the Murray region and other alternatives be sought if Bald Hill are unable to supply.
Landscaping Products	No tenders received for the supply of bulk landscaping products. Landscaping products will be procured as needed through separate purchasing arrangements.

3. Authorise the General Manager to enter into contracts with the companies recommended for the preferred panel of suppliers for the for the Supply of Bulk Materials as summarised in item 2 above.
4. Authorise the General Manager to amend the order of the preferred supplier panel for the Supply of Bulk Materials as referred to in item 2 above or purchase bulk materials through other procurement arrangements if the preferred suppliers fail to provide value for money for Council or comply with the Statement of Requirements or Conditions of Contract for the Supply of Bulk Materials.

5. Authorise the General Manager to exercise the one year extension option for the Supply of Bulk Materials Panel Contract subject to the satisfactory performance of the contract.

Cr Margaret Isselmann/Cr Cate Cross

## 12.2 RFT 2018/13 SEWER REHABILITATION TENDER

### M327/18 RESOLVED:

THAT COUNCIL:

1. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender of Insituform for the provision of services for the rehabilitation of nominated sewer mains in Khancoban, Tumbarumba and Tumut for the 2018/2019 financial year for the lump sum amount of \$182,396.30 GST exclusive.
2. Advise the unsuccessful tenderers in writing.
3. Authorise the General Manager to enter into a contract with Insituform for the rehabilitation of nominated sewer mains in Khancoban, Tumbarumba and Tumut.

Cr Margaret Isselmann/Cr Julia Ham

Cr Cor Smit left the meeting, the time being 03:41pm.

## 12.3 PROCUREMENT OF ROAD BASE - RESCISSION OF MOTION

### M328/18 RESOLVED:

THAT COUNCIL:

1. Receive this report on the purchase of road base materials required to deliver projects for the Roads and Maritime Services (RMS)
2. Amend part b) of the Council resolution 26 July 2018, resolution number M211/18, regarding the purchase of road base materials required to deliver projects for the RMS as referred to in the below:
  - a. not proceed with entering into a contract with Bald Hill Quarry Pty Ltd as resolved on the 26 July 2018
  - b. authorise the General Manager to enter into a contract with Bogo Quarry for the purchase of road base materials required to deliver this year's projects for the RMS

Cr Margaret Isselmann/Cr John Larter

**M329/18 RESOLVED**

That at this stage, the time being 3:43pm Council returned to Open Council.

Cr A Benjamin/Cr J Larter

There being no further business to discuss, the meeting closed at 3:46pm.