



**SNOWY VALLEYS COUNCIL MEETING
BUSINESS PAPER
16 APRIL 2020**

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

Disclosure of Pecuniary Interests at meetings (extract from the Code of Conduct – Section 4)

4.28 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.

4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:

(a) at any time during which the matter is being considered or discussed by the council or committee, or

(b) at any time during which the council or committee is voting on any question in relation to the matter.

4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.

4.31 Disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

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.

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

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. (*Sec. 375A of the Local Government Act 1993*)

Use of mobile phones and the unauthorised recording of meetings (extract from the Code of Meeting Practice – Section 15)

15.21 Councillors, council staff and members of the public must ensure that mobile phones

are turned to silent during meetings of the council and committees of the council.

15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Livestreaming of Meetings

(extract from the Code of Meeting Practice – Section 5)

This meeting is live streamed on Council's website to allow the community to follow Council debates and decisions without the need to attend meetings in person. Members of the public attending or speaking at a meeting agree to have their image, voice and personal information (including name and address) recorded and publicly broadcast. Snowy Valleys Council does not accept liability for any defamatory remarks or inappropriate comments that are made during the course of a meeting. Any part of the meeting that is held in closed session will not be streamed.

5.19 All meetings of the council and committees of the council are to be webcast on the council's website.

Photography

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the Chief Executive Officer.

Public Forum

(extract from the Code of Meeting Practice – Section 4)

4.1 The Council may hold a public forum prior to each Ordinary Council meeting for the purpose of hearing oral submissions on items of business to be considered at the meeting.

4.2 Public forums are to be chaired by the mayor or their nominee.

Those attending must comply with the terms and conditions of the Code of Meeting Practice which can be viewed on Council's website;

<http://www.snowyvalleys.nsw.gov.au/Council/Governance/Policies>



Thursday 16 April 2020
Snowy Valleys Council Chambers
76 Capper Street, Tumut
2.00pm

AGENDA

1. ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.

2. APOLOGIES AND LEAVE OF ABSENCE

3. DECLARATIONS OF PECUNIARY INTEREST

Pursuant to Section 4 of the Code of Conduct, 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 - 19 MARCH 20203

5.2 BUSINESS ARISING

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7. NOTICE OF MOTION/NOTICE OF RESCISSION

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13. MEETING CLOSURE

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting - 19 March 2020

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 19 March 2020 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 19 MARCH 2020 COMMENCING AT 2.00PM

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

IN ATTENDANCE: Acting Chief Executive Officer/ Executive Director Infrastructure Heinz Kausche, Executive Director Community and Corporate Paul Holton, Executive Chief of Staff Shelley Jones, Chief Financial Officer Susanne Andres and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

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

2. APOLOGIES

Apologies have been received and accepted from the Chief Executive Officer and Cr Isselmann and a Leave of Absence received from Cr Pritchard.

M33/20 RESOLVED that the apologies from Cr Margaret Isselmann and the Chief Executive Officer and the Leave of Absence from Cr Geoff Pritchard be received and granted.

Cr John Larter/Cr Cate Cross

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST

Nil.

4. PUBLIC FORUM

Nil.

5. CONFIRMATION OF MINUTES

M34/20 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 20 February 2020 be received.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

5.1 BUSINESS ARISING

Conferences scheduled to be attended by Councillor Cate Cross and Councillors Julia Ham and Margaret Isselmann will now not be attended due to COVID-19.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

7.1 NOTICE OF MOTION - COST OF NEW COUNCIL - CR JULIA HAM

M35/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on Cost of New Council from Cr Julia Ham.
2. Write to the NSW Premier and Minister for Local Government requesting a written outline of the implementation process and requirements should a decision be made to Review the Boundaries of the Snowy Valleys Council to the Snowy Valleys Council and the former Tumbarumba Shire Council and request to be advised how the community will be informed of this information.
3. Write to the Boundaries Review Commission welcoming them to our community to meet with interested parties including Council.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

M36/20 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

M37/20 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

8. MAYORAL MINUTE**8.1 PROPOSED EXTRAORDINARY COUNCIL MEETINGS - MAY AND JUNE 2020****M38/20 RESOLVED:**
THAT COUNCIL:

1. Receive the Mayoral Minute on Proposed Extraordinary Council Meetings – May and June 2020.
2. Proceed with the Extraordinary Council Meetings to be held on Thursday 7 May 2020 and Thursday 25 June 2020 for the purpose of presenting the draft suite of 2020/2021 Integrated Planning and Reporting documents for public exhibition and adoption including:
 - 2020/21 Delivery Program (incorporating the Operational Plan and Revenue Policy)
 - 2020/21 Operational Budget
 - 2020/21 Fees & Charges Schedule
 - 2020/2030 Resourcing Strategy including the:
 - Long Term Financial Plan
 - Workforce Management Plan
 - Strategic Asset Management Plan

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY**9. GOVERNANCE AND FINANCIAL REPORTS****9.1 RECENT BUSHFIRE DISASTER - COMMONWEALTH FUNDING, COUNCIL EXPENDITURE OVERVIEW, WORKS PLAN AND ACQUITTAL****M39/20 RESOLVED:**
THAT COUNCIL:

1. Receive the report on disaster-related expenditure, Commonwealth funding, works plan and acquittal from the Chief Financial Officer;
2. Adopt the program of works plan as contained in table 1 in the report to be submitted to the funding body;
3. Note that Council will report to the Commonwealth the full expenditure of funding received from the Office of the Prime Minister as per table 1 in the report;
4. Advocate for additional funds from State and Federal Government to cover costs that protected and restored much of the Snowy Valleys community during the unprecedented 2020 fires and floods;
5. Confirm advocacy for the recovery of costs for Batlow Emergency Accommodation and demolition of the Batlow Cannery Site;

6. Request additional funds for the Batlow and Tumbarumba emergency accommodation.
7. Noting that some of the economic stimulus measures will not be of benefit or realised in the short term due to COVID-19, could a review of these measures be taken and further stimulus offered to assist.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

9.2 FINANCIAL REPORT FEBRUARY 2020

M40/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on financial performance as at 29 February 2020.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

9.3 STATEMENT OF INVESTMENTS - FEBRUARY 2020

M41/20 RESOLVED:
THAT COUNCIL:

1. Receive the Statement of Investments as at 29 February 2020 from the Chief Financial Officer.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

10. MANAGEMENT REPORTS

10.1 LEASE FINALISATION - MABUMANU DENTAL CLINIC - ROTHS CORNER MEDICAL CENTRE

M42/20 RESOLVED:
THAT COUNCIL:

1. Receive this report regarding the finalisation of the lease between Council and Mabumanu Dental Clinic at Roths Corner Medical Centre in Tumbarumba.
2. Endorse proceeding with the execution of a new lease with Mabumanu Dental Pty Ltd to enable the continued provision of dental services at the Roths Corner Medical Centre at Tumbarumba.
3. Authorise the Chief Executive Officer and Mayor to affix the Council Seal and execute all documents required for the new lease as referred to in

item 2 above.

Cr Cor Smit/Cr Cate Cross

CARRIED UNANIMOUSLY

10.2 LEASE FINALISATION - NSW HEALTH PATHOLOGY ROTHS CORNER MEDICAL CENTRE

M43/20 RESOLVED:
THAT COUNCIL:

1. Receive this report seeking to finalise the surrender of a lease agreement between Council and Murrumbidgee Local Health District and the establishment of a new lease between Council and NSW Health Pathology in respect of the Pathology Room at Roths Corner Medical Centre in Tumbarumba.
2. Endorse proceeding with the finalisation of a deed of surrender ending the existing lease between Council and Murrumbidgee Local Health District in respect of the pathology room at the Roths Corner Medical Centre in Tumbarumba
3. Endorse proceeding with the execution of a new lease with NSW Health Pathology to enable the continued provision of pathology collection services at the Roths Corner Medical Centre at Tumbarumba
4. Authorise the Chief Executive Officer and Mayor to affix the Council Seal and execute all documents required for the Deed of Surrender and the Lease as referred to in items 2 and 3 above

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

10.3 TUMUT AERODROME - BOMBOWLEE FIRE SHED

M44/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on accommodating the New South Wales Rural Fire Service, Bombowlee Brigade at the Tumut Aerodrome
2. Authorise the Chief Executive Officer to negotiate the construction of a new hangar on Lot 6 of the Tumut Aerodrome, noting that Lot 6 is currently vacant and the cost of constructing the new hangar will be funded by the New South Wales Rural Fire Service
3. Authorise Chief Executive Officer to negotiate the transfer of the existing lease from the existing hangar currently located on Lot 9 of the aerodrome to the new hangar located on Lot 6 once completed
4. Subject to the completion of items 2 and 3 above, authorise the Chief Executive Officer to negotiate a new lease agreement allowing the New

South Wales Rural Fire Service to accommodate the existing hangar located on Lot 9 at the Tumut Aerodrome for the Bombowlee Brigade

5. Authorise the Chief Executive Officer and Mayor to affix the Council Seal and execute all documents required to facilitate items 3 and 4 above

Cr John Larter/Cr Cate Cross

CARRIED UNANIMOUSLY

10.4 REQUEST FOR PARTIAL ROAD CLOSURE AND SALE - WYNDHAM STREET, ADELONG

M45/20 RESOLVED:
THAT COUNCIL:

1. Receive this report for the request for partial road closure and sale of Wyndham Street in Adelong from the Executive Director Infrastructure.
2. Approve the partial road closure and sale of the formed lot (to the west of Lot 73/757211), subject to the terms of sale being met including:
 - I. compliance with the legislative framework for the closing of public roads contained within the Roads Act 1993, and sale of land contained within the Real Property Act 1900
 - II. sale price to be determined by an independent land valuation and all survey, administration and application fees applicable to be covered by the purchaser upon settlement
 - III. parties to meet own legal costs
 - iv land to be zoned RU5 Village
3. Authorise the Chief Executive Officer to obtain an independent valuation of the road corridor and negotiate the sale of the land
4. Delegate to the Mayor and Chief Executive Officer to affix Council seal and execute documents relevant to the closure of the road reserve and sale of the land

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY

10.5 DRAFT CEMETERIES POLICY - FOR PUBLIC EXHIBITION

M46/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Draft Cemeteries Policy (SVC-COR-PO-014-01)
2. Approve the Draft Cemeteries Policy for Public Exhibition for a period of no less than 28 days

3. Note if submissions are received during the exhibition period, a further report will be provided to Council on the submissions and any proposed amendments to the policy
4. Adopt the policy if no submissions are received on the day after the completion of the public exhibition period

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

10.6 NSW PUBLIC LIBRARIES CONFERENCE - NOVEMBER 2019

M47/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the NSW Public Libraries Conference – November 2019 from Executive Director, Community & Corporate.
2. Note the NSW Public Libraries Conference report (including the Delegates Report) on the information received at the NSW Public Libraries Conference, November 2019.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

10.7 PLANNING PROPOSAL FOR TUMUT LOCAL ENVIRONMENT PLAN (LEP) 2012 (AMENDMENT NO.5) - GILMORE INDUSTRIAL LAND

M48/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on Planning Proposal Tumut Local Environment Land (LEP) 2012 – Amendment No.5 – Gilmore Industrial land from the Executive Director Community and Corporate and resolve to proceed and complete Amendment No. 5 of the Tumut LEP 2012.
2. Advise the NSW Rural Fire Service, Department of Primary Industries (Agriculture), Transport for NSW and Planning, Industry & Environment Biodiversity and Conservation Division of the Council resolution.
3. Delegate authority to the Chief Executive Officer to allocate funds to undertake an Aboriginal Cultural Heritage Assessment to enable finalisation of the Planning Proposal Tumut LEP – Amendment No.5

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

L.1 COVID-19 PANDEMIC UPDATE**M49/20 RESOLVED** to move into Committee of the Whole.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY**M50/20 RESOLVED** to move out of Committee of the Whole.

Cr Bruce Wright/Cr Cate Cross

M51/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on COVID-19 Update and note that Council is now operating in a rapidly changing environment
2. Endorse the Snowy Valleys Council Draft Pandemic Plan, currently out on internal exhibition for staff feedback and finalisation, and note that Council's Executive team have made a number of decisions around staff operations to try to reduce the risk to staff and put our people first
3. In line with the Australian Federal Government guidelines and recommendations, makes the following decisions in regards to services, events, meetings and Council operations:
 - a) The Chief Executive Officer keep Councillors informed on how essential services will be operated if the coronavirus significantly impacts our workforce and community
 - b) advises community groups that use Council owned/managed facilities to cease operations until further notice and advise that Council cannot guarantee the maintenance of facilities and may choose to close facilities where safe standards cannot be maintained
 - c) encourages all community groups operating on non-Council facilities in the region to suspend their activities until at least the end May 2020
 - d) cancel all Council events which are programmed to occur in until end May 2020 including those organised under the s.355 committee arrangement
 - e) cancels all committee and working group meetings, including those of s.355 and advisory committees, where no urgent decisions are required, until the end of May 2020 and meetings where urgent business is required will be facilitated by video, phone or other alternative means
 - f) The community be encouraged to view Council meetings online rather than attending in person
 - g) Advise the community of facilities that are closed to explain the reasons for the closure

- h) Authorise the CEO to reimburse any fees paid for the use of Council facilities and services where Council has determined the facilities and services would not be available due to COVID-19 closures
- i) Extend the timeline for grants where Council is the sole provider of the grants and support community groups requesting an extension of grants where the grants are outside the control of Council
- j) Authorise the CEO to extend these arrangements if required
- k) Write to the Minister for Local Government to amend the Local Government Act to permit Council to meet utilising technology as an alternative to in person
- l) Advocate to the state government for funding to mitigate any impacts on councils financial situation as a result of instigating community safety measures in light of the COVID-19 pandemic
- m) Advocate to Federal and State Governments and relevant health authorities for appropriate health professional resourcing at the Tumut, Batlow and Tumbarumba hospitals.

Cr Cor Smit/Cr Julia Ham

CARRIED UNANIMOUSLY

11. MINUTES OF COMMITTEE MEETINGS

11.1 MINUTES - ABORIGINAL LIAISON COMMITTEE - 19 FEBRUARY 2020

M52/20 RESOLVED: THAT COUNCIL:

1. Receive the report on the Aboriginal Liaison Committee – 19 February 2020- from Executive Director Community and Corporate.
2. Note the Minutes of the Aboriginal Liaison Committee meeting held on 19 February 2020.
3. Amend the following names which are located in the Snowy Valleys Council's Road Naming Policy:
 - i. Ngunnawal to be removed as the local area is not Ngunnawal Country.
 - ii. Walgalu to be corrected to Wolgalu.
 - iii. Budoo Fred to be corrected to Buboo Fred.
 - iv. Ngarigo to be added
 - v. Serpentinite to be corrected to Serpentine
4. Adopt the following recommendation/s from the minutes:
 - 1) That Council Consult with the Aboriginal Liaison Committee prior to naming a road after an Aboriginal tribe or name, to ensure it is appropriate to Country.

- 2) That Council discuss and investigate the opportunity to obtain funding to upgrade Banksia Park in Tumut.
- 3) That Council inspects Brungle Cemetery prior to any funeral to ensure the lawns and grounds are maintained appropriately and to address any presentation issues.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

11.2 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE - 03 MARCH 2020

M53/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Minutes - Audit, Risk and Improvement Committee – 3 March 2020 from the Executive Chief of Staff
2. Note the minutes of the Audit, Risk and Improvement Committee meeting held on 03 March 2020.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

11.3 MINUTES - LOCAL TRAFFIC COMMITTEE - 26 FEBRUARY 2020

M54/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Local Traffic Committee from the Executive Director Infrastructure
2. Note the Minutes of the Local Traffic Committee meeting held on 26 February 2020
3. Adopt the following recommendation/s from the minutes:
 - 3.1 Adelong Pre-School – Parking
 - 3.1.1 Explore options for Adelong Pre-School parking.
 - 3.1.2 Inform Adelong Pre-School of progress.
 - 3.2 Rural Bus Stop Application – 660 Batlow Road, Tumbarumba
 - 3.2.1 Undertake further technical investigation required for sight distances, average traffic speed measurements and distances to other bus stops.
 - 3.2.2 Prepare a report for the next Local Traffic Committee Meeting after on site discussions have occurred.
 - 3.2.3 Note that Transport for NSW will search for potential funding opportunities.
 - 3.3 Request for Rural Bus Stop – 4235 Batlow Road, Tumbarumba
 - 3.3.1 Note a request still needs to be made to Transport for NSW in relation to this matter

- 3.4 Speed Zones – Snow Ridge Road, Tooma Road, Swampy Plains Road and Elliott Way
 - 3.4.1 Note that the Road Safety Officer will write a letter to Transport for NSW requesting re-zoning of these roads.
- 3.5 Congestion of Wynyard Street, Fitzroy Street & Merivale Street
 - 3.5.1 Note traffic concerns for this precinct.
 - 3.5.2 Note that a report will be provided at the next Local Traffic Committee meeting.
- 3.6 Merivale Street Congestion
 - 3.6.1 Note traffic concerns for this precinct.
 - 3.6.2 Provide a report at the next Local Traffic Committee meeting.
- 3.7 Batlow 80kmph Zone
 - 3.7.1 Note community request for an 80kmph sign to be installed.
 - 3.7.2 Progress Negotiations with Transport for NSW
- 3.8 Junction of Batlow Road and Snowy Mountains Highway
 - 3.8.1 Note Traffic concerns for this precinct.
 - 3.8.2 Provide a report to the next Local Traffic Committee meeting.

Cr Bruce Wright/Cr John Larter

CARRIED UNANIMOUSLY

11.4 MINUTES - BATLOW DEVELOPMENT LEAGUE (BDL) - 5 FEBRUARY 2020

M55/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Batlow Development League from Executive Director Community and Corporate.
2. Note the Minutes of the Batlow Development League meeting held on 5 February 2020.

Cr Cor Smit/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

11.5 MINUTES - TUMBAFEST COMMITTEE MEETING - 29 JANUARY 2020

M56/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Tumbafest Committee from Executive Director Community & Corporate.
2. Note the Minutes of the Tumbafest Committee meeting held on 29 January 2020.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

11.6 MINUTES - TUMBAFEST COMMITTEE MEETING - 5 FEBRUARY 2020**M57/20 RESOLVED:**
THAT COUNCIL:

1. Receive the report on the Minutes - Tumbafest Committee Meeting – 5 February 2020 from Executive Director, Community and Corporate.
2. Note the Minutes of the Tumbafest Committee meeting held on 5 February 2020

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY**11.7 MINUTES - TUMBAFEST COMMITTEE MEETING - 12 FEBRUARY 2020****M58/20 RESOLVED:**
THAT COUNCIL:

1. Receive the report on the Tumbafest Committee Meeting – 12 February 2020 from Executive Director, Community and Corporate.
2. Note the Minutes of the Tumbafest Committee Meeting held on 12 February 2020.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY**12. CONFIDENTIAL****M59/20 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.

Loan Selection - Tumbarumba Caravan Park

Item is confidential under the Local Government Act 1993 Section 10A 2 (d)ii as it relates to 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.

Batlow Cannery Demolition Project – Confirmation of Variation Incurred Due to Bushfire

Item 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.

RFT 2019/12 - Tintaldra Bridge

Item 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.

RFT 2019/20 - Supply of Paving for the Tumut CBD Parking and Amenity Project

Item 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.

- L.1 RFT 2019/18 - ALPINE WAY (MR677) - SLOPE 11977 REMEDIATION
Item L.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.

- L.2 OUTSTANDING WATER ACCOUNT - LOT 2 DP816017
Item L.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.

- L.3 BATLOW CANNERY - PROPOSED LEASE
Item L.3 is confidential under the Local Government Act 1993 Section 10A 2 (a) and (d)ii as it relates to personnel matters concerning particular individuals (other than councillors) 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.

Cr Andrianna Benjamin/Cr Julia Ham

CARRIED UNANIMOUSLY

At this stage, the time being 3.00pm Council went into Confidential.

12.1 LOAN SELECTION - TUMBARUMBA CARAVAN PARK**M60/20**

**RESOLVED:
THAT COUNCIL:**

1. Receive the report on loan proposals for the Tumbarumba Caravan Park

- 'fit for purpose' cabin infrastructure for \$500,000 over a six year term;
2. Secure the loan for \$500,000 over 6 years with the Commonwealth Bank;
 3. Approve the Mayor and Chief Executive Officer to affix the Council Seal to the loan documentation with the Commonwealth Bank.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

12.2 BATLOW CANNERY DEMOLITION PROJECT – CONFIRMATION OF VARIATION INCURRED DUE TO BUSHFIRE

M61/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Batlow Cannery Demolition Project confirming the variation incurred to the project due to the impacts of the recent bushfires
2. Acknowledge the issuing of a contract variation to Brema Group Pty Ltd for the amount of \$881,590.46 ex GST to undertake the additional works required to complete the demolition of the Batlow Cannery
3. Note the forecast budget deficit of \$1,075,000 inclusive of contingencies for the Batlow Cannery Demolition and Development Project
4. Seek Government support for funding the additional works required to demolish the old cannery buildings and make the site safe following the impacts of the fire

Cr Cor Smit/Cr Bruce Wright

CARRIED UNANIMOUSLY

12.3 RFT 2019/12 - TINTALDRA BRIDGE

M62/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Request for Tender (RFT 2019/20) for the replacement of the large box culvert structure on Tintaldra Road with a new single span bridge
2. Resolve in accordance with Clause 178(1)(b) of the NSW Local Government (General) Regulation 2005 to decline to accept any of the tenders for Tintaldra Bridge Tender
3. Resolve in accordance with 178(4)(b) of the Local NSW Local Government (General) Regulation 2005 not to invite fresh tenders, noting that it is considered that inviting fresh tenders would not enable the Council to achieve its objectives for the Project
2. Advise the tenderers in writing that their tenders were not accepted

3. Reconsider the project as part of the budget process for the 2020/2021 financial year

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

12.4 RFT 2019/20 - SUPPLY OF PAVING FOR THE TUMUT CBD PARKING AND AMENITY PROJECT

M63/20 RESOLVED:
THAT COUNCIL:

1. Receive the report on RFT 2019/20 Tender – Supply of Paving for the Tumut CBD Parking and Amenity Project from Executive Director Infrastructure.
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender of Urbanstone Pty Ltd for the supply of 200x200x40mm reconstituted stone paving for the lump sum amount of \$386,880 excluding GST.
3. Endorse the Chief Executive Officer entering into a contract with Urbanstone Pty Ltd as described in item 3 above
4. Advise the unsuccessful tenderers in writing

Cr Andrianna Benjamin/Cr John Larter

CARRIED UNANIMOUSLY

L.1 RFT 2019/18 - ALPINE WAY (MR677) - SLOPE 11977 REMEDIATION

M64/20 RESOLVED:
THAT COUNCIL:

1. Receive this report on the outcomes of the tender 2019/18 for the remediation of slope 11977 located along Alpine Way (MR677) from the Chief Executive Officer
2. Endorse the decision of the Chief Executive Officer to accept the tender of Mulligan Geotechnical Pty Ltd for the remediation of slope 11977 located along the Alpine Way (MR677), being for the lump sum amount of \$577,850.79 including GST
3. Endorse the decision by the Chief Executive Officer to enter into a contract with Mulligan Geotechnical Pty Ltd
4. Advise the unsuccessful tenders in writing

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

L.2 OUTSTANDING WATER ACCOUNT - LOT 2 DP816017**M65/20 RESOLVED:
THAT COUNCIL:**

1. Receive this report on an outstanding non-residential water account identified as Snow Gum Lodge Lot 2 / DP 816017 from the Executive Director Infrastructure
2. Approve waiving of interest charges relating to the outstanding water account, noting that a part payment was made in good faith
3. Approve reducing the non-residential sewer charges for quarters 2 and 3 in the 2018/19 financial year from \$8,125.73 to \$822.52 equating to a reduction of \$7,303.21, noting that the additional water consumption was not likely discharged to the sewer system
4. Approve applying the annual rebate of \$1,000 as per policy TSC-COR-PO-073-0 to the outstanding water account, noting that the property owner has not made an application for the rebate as required under the policy
5. Approve pursuing the amended outstanding water account amount totalling \$5,679.65 quarters 2 and 3 in the 2018/19 financial year
6. Receive a further report in May 2020 for the consideration of a new Water and Sewer Charging Policy

Cr Andrianna Benjamin/Cr John Larter

CARRIED UNANIMOUSLY**L.3 BATLOW CANNERY - PROPOSED LEASE****M66/20 RESOLVED:
THAT COUNCIL:**

1. Receive this report on the proposal to lease part of the Batlow Cannery Site
2. Note the outcomes of the sales market appraisal for the site
3. Approve undertaking a rental market appraisal for the site
4. Delegate the Chief Executive Officer to negotiate a lease agreement for part of the Batlow Cannery Site to a neighbouring business owner that has expressed interest in the site within the following parameters:
 - a. southern end of the site with an approximate area of 1 hectare
 - b. 5 year term with an option to renew for a further 5 years
 - c. rental income to be within 10% of market rental appraisal, noting that a rental appraisal is yet to be undertaken
 - d. any site improvements such as fencing and access roads to be at

the cost of the tenant subject to the approval of Council Officers

- e. parties to meet own legal costs associated with developing and agreeing a lease agreement
5. Delegate to the Mayor and Chief Executive Officer to affix the Council seal and execute all documents relevant to the lease of the land

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

M67/20 RESOLVED that Council move out of Confidential Session into open Session.

Cr Julie Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

There being no further business to discuss, the meeting closed at 3.30 pm.

8. MAYOR MINUTE**8.1 MAYORAL MINUTE COVID-19 FINANCIAL SUPPORT**

REPORT AUTHOR: MAYOR JAMES HAYES
RESPONSIBLE DIRECTOR: CHIEF EXECUTIVE OFFICER

Purpose

To support the local government sector's campaign for assistance in dealing with the health and economic crisis caused by the COVID-19 pandemic.

RECOMMENDATION:**That Council:**

1. calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
2. calls for the packages to include the following measures:
 - Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. writes to the local Federal and State Member(s) the Hon Mike Kelly, the Hon Justin Clancy and Hon Joe McGirr, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coultan, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
5. endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
6. advises LGNSW President Linda Scott of the passage of this Mayoral Minute.

REPORT:

I am calling on Councillors to support the local government sector's campaign for assistance in dealing with the health and economic crisis caused by the COVID-19 pandemic.

Snowy Valleys Council is already suffering the consequences of the COVID-19 pandemic on top of the impacts of bushfires in our area.

Separate reports have been provided to Council on the impacts on financial capacity, local services and staff.

I am recommending that we support the campaign, which is being coordinated on behalf of the NSW sector by Local Government NSW (LGNSW) and at a national level by the Australian Local Government Association (ALGA).

Council has faced increased costs and at the same time is experiencing declining revenue as more and more ratepayers are forced into financial hardship. The impacts are rapidly escalating.

Snowy Valleys Council is doing everything possible to provide support and deliver the services needed to protect community health and keep our communities running during these difficult times. The wellbeing, safety and livelihoods of our communities, customers, and staff is our top priority. However, if additional assistance is not provided, Council may be forced to cut services, infrastructure maintenance and staff.

It is critical that the local government sector receives adequate funding and resources to coordinate and deliver the goods and services needed as we navigate through, and recover from, natural disasters and the new challenges presented by COVID-19 and its massive impacts on people and our local economies.

Council needs urgent financial assistance from the Federal Government and NSW State Government to maintain infrastructure, services and employment as well as funding to give councils the capacity to provide hardship assistance to the community.

The measures listed below would be effective and simple to implement:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 and bushfire response and recovery as well as giving councils capacity to provide hardship assistance to businesses and residents.
- Immediate financial assistance to support council employees, especially in early education and care.
- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs. Existing Federal funding programs include the Roads to Recovery, Bridges Renewal and Road Safety Blackspots programs. State programs include Fixing Local Roads, Fixing Country Bridges and the Stronger Country Communities programs.

Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

ATTACHMENTS

Nil

9. GOVERNANCE AND FINANCIAL REPORTS**9.1 DEVELOPMENT OF A REGIONAL COMMUNITY STRATEGIC PLAN**

REPORT AUTHOR: EXECUTIVE CHIEF OF STAFF
RESPONSIBLE DIRECTOR: CHIEF EXECUTIVE OFFICER

EXECUTIVE SUMMARY:

The Community Strategic Plan identifies the community's main priorities and aspirations for the future, and sits at the top of the Integrated Planning and Reporting hierarchy.

The Community Strategic Plan must be reviewed by the newly elected council by 30 June in the year following the local government elections in accordance with s.402 (5) of the *Local Government Act 1993*.

The Canberra Region Joint Organisation (CRJO) has recognised the potential synergies and efficiencies of developing a regional Community Strategic Plan.

This report seeks Council's endorsement to pursue this approach.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the Development of a Regional Community Strategic Plan**
- 2. Endorse the development of a Regional Community Strategic Plan in collaboration with the member Councils of the Canberra Region Joint Organisation (CRJO).**

BACKGROUND:

Under the provisions of the *Local Government Act 1993* Councils are required to develop through extensive community engagement a Community Strategic Plan (CSP) that captures the priorities and aspirations of the communities that comprise the local government area. The plan must cover a period of no less than 10 years. A review of the Community Strategic Plan takes place following a council election before and no later than 30 June.

It has been proposed by the CRJO that following the next council election, a region-wide approach be adopted for the development of the CSP. This coordinated approach is supported and encouraged by the NSW Government.

Council's role in the development of the CSP is one of facilitator and custodian. The CSP aims for its outcomes to be delivered through partnerships between individuals, community groups, state agencies and the council. Council is rarely responsible for the delivery of all of the actions captured in the CSP.

CSP's are intended to be high-level aspirational documents. Many of the desired outcomes identified by communities and stated in the CSP are programs of the State and Federal Governments.

There are common themes that appear in most CSP documents: safe, healthy and vibrant places to live; sustainable environment; economic and social prosperity; infrastructure that caters for current and future needs and transparent leadership and governance.

Following the development of a Regional CSP, each individual Council is required to develop and adopt their individual Delivery Program (DP) and Resourcing Strategy (RS).

The Delivery Program is a statement of commitment to the community from the newly elected council. In the Delivery Program the council describes what it intends to do towards achieving the strategic goals in the CSP during its term of office and what its priorities will be.

Whilst the Community Strategic Plan provides a model for each community to express its long term aspirations, these aspirations will not be achieved without sufficient resources – time, money, assets and people. The Delivery Program and Resourcing Strategy will be critical tools for Council to translate strategic objectives in a Regional CSP into achievable actions at the local (Council) level.

This inter-relationship between the CSP and the other documents is depicted in *Figure 1*.



Figure 1: NSW Integrated Planning and Reporting Framework

Following the 2016 elections, Goulburn-Mulwaree, Yass and Upper Lachlan Councils collaborated to develop a regional CSP. The Tablelands 2016-2036 Regional Community Strategic Plan demonstrates the commonality of aspirations of these communities whilst also recognising the uniqueness of each 'place'. These councils felt that the development of a combined CSP has worked well for them.

The CRJO through its *Strategic Plan 2019-2021* is encouraging regional collaboration on a number of initiatives. The development of a Regional CSP aligns with this approach.

To date, 8 of the 10 member councils have expressed support in principle for this initiative.

REPORT:

The CRJO, with the support of the CRJO Board, has proposed the development of a Regional CSP following the next local government elections.

It is envisaged that the Regional CSP will capture the CRJO communities' future aspirations. The proposed hierarchy of the Regional CSP includes sections for the sub-regions of the CRJO, being Tablelands, Alpine and Coastal. From there, each Council will have a dedicated chapter of information specific to their local government area within these sub-regions.

This approach provides assurance that the community's desire to maintain their unique and place specific aspirations is not lost. This is considered vital to ensure 'local identity' is not undervalued in the community engagement process.

The benefits of this approach is a high-level strategic document to present to State and Federal Governments to enable regional advocacy, coupled with the capturing of specific aspirations and issues to inform local advocacy efforts.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

Operational Actions

4.6.2 Maintain an active membership to the Canberra Region Joint Organisation

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	<p>A regional CSP will greatly assist in the development and implementation of regional initiatives that benefit the CRJO region and provides a framework for better collaboration and innovation.</p> <p>The collaborative approach provides a leverage for regional advocacy.</p>	A perception or fear that local issues will be lost.
Environmental	Opportunity to adopt a regional approach to environmental issues impacting the CRJO region	Nil
Economic	Opportunity to adopt a regional approach to economic issues impacting the CRJO region	Nil
Governance	The regional CSP proposal is consistent with the Local Government Act 1993 and the NSW Government push for regional collaboration.	Nil

Financial and Resources Implications

A level of financial commitment will be required from Council for the development of an updated CSP and new Delivery Program and Resourcing Strategy. It is proposed that a budget of \$60,000 be included in the 2020-2021 Draft Operational Plan and annual budget to support this work, noting that only the Regional CSP will be undertaken by the CRJO and that the DP and Resourcing Strategy development will be project managed by SVC.

Costs and Benefits:

The CRJO is currently working on the development of a fair and equitable cost sharing model that includes a base rate (that each participating council pays) and a scalable rate based on the population size of each participating council.

Staff to support this project will be provided through existing Council resources.

There is a financial benefit in pooling resources with the CRJO councils for this project, as many of the aspirations in current CSP documents are duplicated across the member councils.

Policy, Legal and Statutory Implications:

Local Government Act 1993, s.402

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

- The willingness and capacity (staff levels and budget) of each participating council required to support this collaborative project – a commitment by council, the allocation of appropriately skilled staff and budget will mitigate this risk
- Appropriate project management oversight and governance – a pro-active and appropriately skilled working group to manage this project is proposed by the CRJO
- Extensive community engagement required – the development and implementation of a comprehensive community engagement strategy to work within the CRJO communities will help mitigate this risk
- Community perception of loss of identity – a dedicated local SVC chapter that captures unique aspirations of the SVC communities will help mitigate this risk

OPTIONS:

- Council may choose not to pursue the collaborative approach, and decline participation in the Regional CSP project.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

A comprehensive community engagement strategy is a requirement for the development of any CSP. Member councils are highly aware of the requirement for adequate and appropriate engagement for all participating councils in the project.

There is a time imperative to begin the engagement work early, given that the needs of all participating councils must be met in this regard.

ATTACHMENTS

Nil

9. GOVERNANCE AND FINANCIAL REPORTS**9.2 DRAFT INFORMATION GUIDE**

REPORT AUTHOR: COORDINATOR GOVERNANCE & RISK
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

The Snowy Valleys Council draft Information Guide has been prepared in accordance with s.20 and s.22 of the Government Information (Public Access) Act 2009 and is presented to Council for adoption.

The document provides members of the community, Council staff, and the general public with information concerning:

- The structure and functions of Council;
- The way in which the functions of Council affect members of the public;
- The means by which members of the public can participate in policy development and the exercise of Council's functions;
- The type of information that is available from Council and how this information is made available.

Once adopted, the Information Guide will be available for the community to access from Council's website.

The Guide has been prepared in consultation with key internal stakeholders and has been submitted to the Information Commissioner for review, with feedback considered and incorporated.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the Draft Information Guide**
- 2. Adopt the Information Guide March 2020 SVC-EXE-Gdi-001-02 and publish on Council's website**
- 3. Rescind Information Guide February 2019 SVC-EXE-Gdi-001-01 and remove from Councils website**

BACKGROUND:

Information Guides are an important way for the community to access government information. They allow the public to identify and access information held by an agency/Council. They connect the public and agencies/Councils by providing clear pathways for the accessing of government information.

Information Guides promote the objective of the *Government Information (Public Access) Act 2009* (GIPA Act), by making available government information to the public at the lowest possible cost and encourage public participation in the agency's decision-making and functions.

REPORT:

The Information Guide includes information on the following:

1. Structure and Functions of Council (including staff and Councillors)
2. How Council's functions affect members of the public
3. Public participation in Local Government
4. Accessing Government Information
5. Accessing Council Information
6. Restrictions on Access to Information
7. Rights and Review and Appeal
8. Who to contact for further information

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework: CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Allows the community to understand the structure and functions of Council and the ways in which they can access information.	Nil
Environmental	Nil	Nil
Economic	Nil	Nil
Governance	Compliance with legislation Government Information (Public Access) Act 2009	Nil

Financial and Resources Implications

Failure to adopt and implement the Information Guide in a timely manner leaves Council at risk of non-compliance with legislation and failure to meet community standards and expectations.

Policy, Legal and Statutory Implications:

The Information Guide has been prepared in accordance with the requirements of the *Government Information (Public Access) Act 2009* including:

1. Open government information to the public by the proactive public release of government information by agencies, giving members of the public an enforceable right to access government information and only restricting government information when there is an overriding public interest against disclosure.
2. Under Part 3 Division 2 of the GIPA Act, all agencies (other than a Minister) must have an Agency Information Guide (AIG).
3. Information Guides must be available free of charge on the agency's website.
4. Agencies must review their Information Guides annually.

5. Agencies must notify the Information Commissioner before adopting or amending an Information Guide.
6. Agencies must make “open access information” publicly available as provided by their Information Guide

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

The development and implementation of this Information Guide is a key component of Council's risk management strategies.

OPTIONS:

Council may choose not to adopt the draft as presented and to provide relevant feedback for incorporation and the document can be re-submitted for adoption in the future.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:**Internal Consultation**

The draft Information Guide was drafted in consultation with Governance, HR and Communications. It was made available to staff for review and comment for 7 days. Nil feedback received.

External Consultation

The draft Information Guide was made available to the public for review and comment for 28 days during the period of 12th February to 18th March 2020. Nil feedback received.

The draft Information Guide was submitted to the Information and Privacy Commissioner for assessment against the requirements of sections 20 and 22 of the Government Information (Public Access) Act 2009 (GIPA Act) and guidance published by the Information and Privacy Commission.

Feedback was received from Information and Privacy Commissioner dated 02 April 2020 (attached). Comments received and noted. No changes made to the document.

Snowy Valleys Council Information Guide will be placed on website following adoption.

Attachments

- 1 DRAFT Information Guide March 2020 SVC-EXE-Gdl-001 (under separate cover) ⇨
- 2 Feedback from Information and Privacy Commission regarding SVC Information Guide (under separate cover) ⇨

9. GOVERNANCE AND FINANCIAL REPORTS**9.3 PECUNIARY INTEREST RETURN FOR DESIGNATED STAFF MEMBER - UPDATE**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

It is a requirement that Council report on Pecuniary Interest Returns.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the updated report on Pecuniary Interest Return for Designated Staff Member – Update**
- 2. Note the Updated Declaration of Pecuniary Interest Return from the Chief Executive Officer as at 23 March 2020 in accordance with the Code of Conduct.**
- 3. Approve for the redacted Pecuniary Interest Return for the Chief Executive Officer to be placed on council website in accordance with the current Information and Privacy Commission Guideline 1.**

BACKGROUND:

The Local Government Act 1993 (the Act) provides for the management of pecuniary interests. It places specific obligations on councillors, council delegates, key council staff and other people involved in making decisions or giving advice on council matters to act honestly and responsibly in carrying out their functions.

Those obligations include the lodgement of disclosure of interest returns annually.

A pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons as defined by section 443 of the Act. This calls for an objective judgement in each case as to whether a pecuniary interest exists.

Council also manages pecuniary interests through its application of the adopted Code of Conduct. This report on Disclosure of Pecuniary Interest Returns is in compliance with Clause 4.21 of the Code of Conduct:

4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 of this code, disclosing the council's or designated person's interest as specified in schedule 1 of this code within 3 months after;

(a) becoming a councillor or designated person, and

(b) 30 June of each year, and

(c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

REPORT:

Pecuniary Interest Returns received as at 23 March 2020 for designated persons are tabled at this meeting in compliance with Clause 4.26 of the Code of Conduct:

4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.

The Council has issued a set of guidelines on the administrative processes associated with the completion of Pecuniary Interest Returns.

The responsibility is with each individual to ensure their Pecuniary Interest Return is completed accurately and in compliance with the regulations and guidelines. The Code of Conduct prescribes the manner in which returns are completed, lodged and held.

Recently released Information and Privacy Commission Guideline 1 Returns of Interests in association with Office of Local Government's Circular No 19/21 states that councillors and designated persons returns of interest must be made publicly available free of charge on council's website.

The combined effect of the GIPA Act and the GIPA Regulation is that the information in the returns needs to be disclosed on the website of each local council, unless to do so would impose unreasonable costs on the council, or if the council determines there was an overriding public interest against disclosing the information.

In order to decide whether there is an overriding public interest against disclosure, council needs to apply the public interest test and weigh the public interest considerations in favour of and public interest considerations against disclosure.

Clause 3 in the Table in Section 14 of the GIPA Act 2009 lists as a consideration against disclosure the fact that information may reveal someone's personal information, or would contravene an information privacy principle under the Privacy and Personal Information Protection Act 1998 (NSW)(PIIP Act).

An individual has a right to protect the privacy of their personal information. Given the amount of personal information that may be contained in the returns, special care should be taken to protect this right.

The type of matter which might be deleted from a return in these circumstances will vary depending on the public interest considerations applied. However, examples might include the signatures or residential address of the individual making the return.

Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while respecting other considerations against disclosure including privacy.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	N/A	N/A
Environmental	N/A	N/A
Economic	N/A	N/A
Governance	Enables Council to meet governance obligations and provides transparency	N/A

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

In accordance with Clause 4.21, 4.26 & 4.27 of the Code of Conduct:

Disclosure of interests in written returns

4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a councillor or designated person, and
- (b) 30 June of each year, and
- (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.

4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Compliance with obligations to declare pecuniary interests supports good governance and risk management.

By not redacting some of the information contained within the returns could expose a person to a risk of harm of serious harassment or serious intimidation.

OPTIONS:

To release the Pecuniary Interest Returns in FULL for the Councillors and Designated Staff on council website in accordance with the newly adopted Information and Privacy Commission Guideline 1.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

- 1 2019 - Disclosure of Pecuniary Interests Return - Matthew Hyde - Redacted (under separate cover) ⇨

9. GOVERNANCE AND FINANCIAL REPORTS**9.4 DRAFT CARETAKER PERIOD POLICY**

REPORT AUTHOR: PROJECT OFFICER - POLICY
RESPONSIBLE DIRECTOR: EXECUTIVE CHIEF OF STAFF

EXECUTIVE SUMMARY:

This report seeks the approval of Council to place the Draft Caretaker Period Policy (SVC –GOV-PO-092) on public exhibition for a minimum of 28 days, consistent with the requirements of Councils Community Engagement Strategy and Policy.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on Draft Caretaker Period Policy SVC–GOV-PO-092-01 From Executive Chief of Staff**
- 2. Approve the Draft Caretaker Period Policy for Public Exhibition for a period of no less than 28 days**
- 3. Note if submissions are received during the public exhibition period, a further report will be provided to Council on the submissions and any proposed amendments to the policy**
- 4. Adopt the policy if no submissions are received on the day after the completion of the public exhibition**

BACKGROUND:

The Draft Caretaker Period Policy is intended to establish guidelines for the management and administration of Councils business as usual during the caretaker period being from the close of nominations to 6.00pm on the day of the election.

REPORT:

This policy has been developed to provide clear guidelines and information for the operation of Council during the caretaker period which precedes the election. The policy ensures the business of council and ordinary matters of administration are still addressed and ensure that their actions do not bind the incoming Councillors' and limit their freedom. The policy primarily aims to avoid:

- Making major policy decisions that are likely to commit incoming Councillors
- Making significant appointments
- Entering into major contracts or undertakings.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

Operational Actions

1.1.2 Continue the development and delivery of place based plans as a way to integrate town/village developments around long term aspirations.*

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Ensuring all services are provided without interruption	Nil
Environmental	Nil	Nil
Economic	Continue to provide all services and administration within the allocated budgets	Nil
Governance	Council provides and regulates all administration and services within the guidelines set out by the Local Government Act	Candidate and council breaches will result in penalty points being applied.

Financial and Resources Implications

The Policy prohibits the current council from entering into any major contracts or undertakings during the caretaker period.

Policy, Legal and Statutory Implications:

In accordance with the Local Government Act 1993, failure to comply may constitute a breach of the Code of Conduct or NSW Electoral Commission rules and appropriate sanctions will apply.

In constructing the policy the following legislation was considered:

- Local Government Act 1993
- Environmental Planning and Assessment Act 1979

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

To mitigate risk to the Council and to ensure that the organisation is compliant with legislation

OPTIONS:

Council may endorse, amend or decline the recommendations made in this report

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The policy, as per the recommendation, will be advertised for a minimum of 28 days for public feedback.

Any relevant and applicable feedback will be collated by Council Officers and returned to Council for consideration.

Attachments

- 1 Draft Caretaker Period Policy (under separate cover) ⇨

9. GOVERNANCE AND FINANCIAL REPORTS

9.5 STATEMENT OF INVESTMENTS - MARCH 2020

REPORT AUTHOR: FINANCE OFFICER
RESPONSIBLE DIRECTOR: CHIEF FINANCIAL OFFICER

EXECUTIVE SUMMARY:

This report is to provide an overview of Council's cash and investment portfolio performance as at 31 March 2020.

While significant expenditure is still expected for New Councils Implementation Fund Projects (NCIF), Stronger Communities Infrastructure Fund Projects (SCIF) and other grant funded projects within the next 3 months, there is now serious uncertainty around the timing of expenditure and project delivery.

RECOMMENDATION:

THAT COUNCIL:

1. Receive the Statement of Investments as at 31 March 2020.

BACKGROUND:

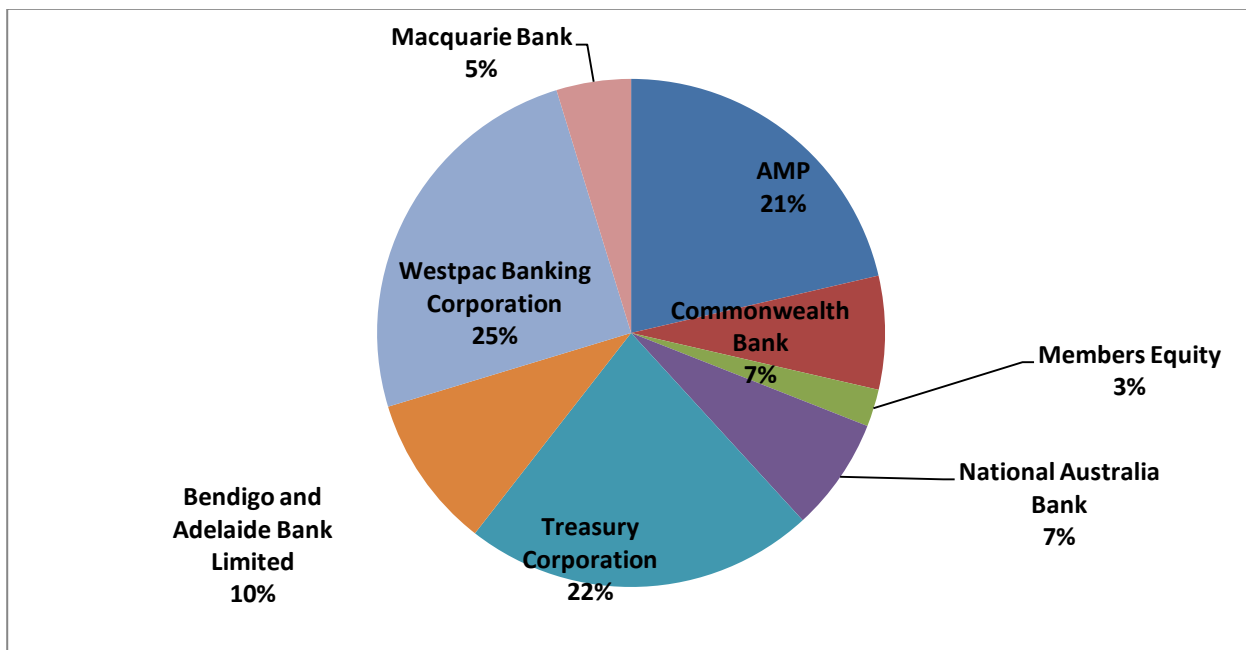
Nil

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.

Combined Cash & Investments Table		31/03/2020				
Cash & 11am at call Accounts	Current Month	Last Month	Movement	Type	Interest Rate%	Maturity Date
Commonwealth Bank	\$ 1,901	\$ 35,120	-\$ 33,219	IWD Gen	0.25%	
National Australia Bank	\$ 41,960	\$ 109,676	-\$ 67,717	W/Acct	0.25%	
Commonwealth Bank	\$ 595,522	\$ 2,732,846	-\$ 2,137,324	W/Acct	0.25%	
Commonwealth Bank	\$ 2,442,212	\$ 4,939,271	-\$ 2,497,059	At Call (BOS)	0.50%	
Commonwealth Bank	\$ 831	\$ 5,698	-\$ 4,868	Gen-Roth	0.25%	
Sub Total Cash & 11 am at Call Accounts	\$ 3,082,425	\$ 7,822,612	-\$ 4,740,187		0.30%	
TCorp Investments (at Call)	Balanced Invested \$	Balanced Invested \$		Type	Monthly Interest Rate%	Financial Year Interest Rate (to date)
Treasury Corporation	\$ 8,332,053	\$ 537,101	\$ 7,794,952	at call	-0.13%	0.69%
Treasury Corporation	\$ 1,076,077	\$ 1,084,683	-\$ 8,607	at call	-0.79%	0.28%
Treasury Corporation	\$ -	\$ 3,453,462	-\$ 3,453,462	MTGF	0.00%	0.00%
Treasury Corporation	\$ -	\$ 4,880,774	-\$ 4,880,774	LTGF	0.00%	0.00%
Sub Total TCorp Investments at call	\$ 9,408,130	\$ 9,956,021	-\$ 547,891		-0.23%	
Total Cash & At Call Investments	\$ 12,490,555	\$ 17,778,633	-\$ 5,288,078		0.06%	

	Current Month	Last Month	Movement	Lodgement Date	Interest Rate%	Maturity Date
Westpac Banking Corporation	\$ -	\$ 1,000,000	-\$ 1,000,000			
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	9/10/2019	1.55%	6/04/2020
Bendigo and Adelaide Bank Limited	\$ 1,057,811	\$ 1,057,811	\$ -	9/10/2019	1.55%	6/04/2020
National Australia Bank	\$ 2,000,000	\$ 2,000,000	\$ -	27/01/2020	1.60%	27/04/2020
Westpac Banking Corporation	\$ 2,000,000	\$ 2,000,000	\$ -	23/05/2019	2.36%	23/05/2020
AMP	\$ 2,000,000	\$ 2,000,000	\$ -	11/12/2019	1.80%	11/06/2020
Westpac Banking Corporation	\$ 2,000,000	\$ 2,000,000	\$ -	26/06/2019	2.22%	26/06/2020
Bendigo and Adelaide Bank Limited	\$ 250,000	\$ 250,000	\$ -	16/01/2020	1.60%	14/07/2020
Bendigo and Adelaide Bank Limited	\$ 250,000	\$ 250,000	\$ -	16/01/2020	1.60%	14/07/2020
AMP	\$ 2,000,000	\$ 2,000,000	\$ -	18/07/2019	2.05%	18/07/2020
AMP	\$ 2,000,000	\$ 2,000,000	\$ -	22/01/2020	1.80%	20/07/2020
Westpac Banking Corporation	\$ 2,500,000	\$ 2,500,000	\$ -	23/07/2019	2.10%	23/07/2020
National Australia Bank	\$ 1,000,000	\$ 1,000,000	\$ -	20/11/2019	1.48%	17/08/2020
Westpac Banking Corporation	\$ 1,000,000	\$ 1,000,000	\$ -	24/01/2020	1.61%	24/08/2020
Westpac Banking Corporation	\$ 1,000,000	\$ 1,000,000	\$ -	4/09/2019	1.70%	4/09/2020
Bendigo and Adelaide Bank Limited	\$ 250,000	\$ 250,000	\$ -	9/03/2020	1.25%	7/09/2020
Bendigo and Adelaide Bank Limited	\$ 250,000	\$ 250,000	\$ -	9/03/2020	1.25%	7/09/2020
Members Equity	\$ 1,000,000	\$ 1,000,000	\$ -	25/02/2020	1.60%	25/09/2020
Westpac Banking Corporation	\$ 2,000,000	\$ 2,000,000	\$ -	31/12/2019	1.58%	30/10/2020
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ 500,000	\$ -	26/11/2019	1.50%	25/11/2020
Bendigo and Adelaide Bank Limited	\$ 500,000	\$ 500,000	\$ -	26/11/2019	1.50%	25/11/2020
Macquarie Bank	\$ 2,000,000	\$ -	\$ 2,000,000	24/03/2020	1.70%	18/12/2020
AMP	\$ 1,000,000	\$ 1,000,000	\$ -	15/01/2020	1.70%	15/01/2021
AMP	\$ 2,000,000	\$ -	\$ 2,000,000	18/03/2020	1.80%	18/03/2021
Total TD's	\$ 29,615,623	\$ 26,615,623	\$ 3,000,000		1.69%	
Total Cash & Investments	\$ 42,106,177	\$ 44,394,255	-\$2,288,078			



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.

Cash and investments decreased by \$2.2M during March 2020.

Major income received during March included:

- Rail trail claim (Nov to Jan 2020) \$1.2M
- RMS (Roads to Recovery) \$871K
- Bushfire Grant \$275K

Main expenditure (excluding employee costs) during the month related to the following projects:

• Timber rail trail bridge	\$416K
• Tumbarumba Caravan Park Cabins and residence	\$306K
• Final payment Tumbarumba Showground amenities	\$270K
• Mannus Dam Remixer	\$254K
• 40% payment Batlow Caravan Park cabins	\$225K
• Sealing Rail Trail	\$163K
• Removal fire damaged trees	\$137K
• Emergency Services Levy Council Contribution	\$135K
• Batlow Cannery Demolition	\$129K
• Hire equipment Rail Trail	\$117K
• Harmonisation Project	\$112K
• 10% deposit Batlow Library Building	\$ 82K

A progress S44 claim of approx. \$1.8M is yet to be claimed from RFS for work and expenditure during the recent bushfire crisis.

The following changes occurred to Council's term deposits and cash holdings in March:

- Bendigo Bank Term deposits of 2 x \$250K were reinvested at 1.25% for 6 months
- Westpac Term Deposit of \$1M redeemed to bring investment ratio within policy
- New AMP Term Deposit of \$2M at 1.8% for 12 months
- New Macquarie Bank Term Deposit of \$2M at 1.7% for 9 months

During March due to extreme market volatility the decision was taken to move Council's TCorp investments from the medium- and long-term funds to the more stable TCorp cash fund. With further volatility as the COVID-19 crisis deepens, a recall of entire TCorp investments was completed in April to allow for placement of funds in stable investments such as term deposits and other bank deposits with guaranteed returns.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

Financial and Resources Implications

Investments are undertaken based upon the best rate on the day and after consideration of spreading Council's investment risk across various institutions as per the Investment Policy and section 625 of the Local Government Act 1993 (NSW).

Costs and Benefits:

Financial Costs	Financial Benefits	Benefits	Opportunities
List Direct Costs	Savings/Efficiencies	Community Benefits	Future projects to be funded from investment returns
List indirect costs		Organisational Benefits	Reputational improvements
Initial Costs	Ongoing Benefits	Other Non-financial benefits	Further enhancements

Policy, Legal and Statutory Implications:

The information provided complies with Council's Investment Policy and Section 625 of the Local Government Act 1993.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Monthly reporting of investments keeps Council informed of current cash holdings and return on investment.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Matters arising from this report that require further communication will be addressed at the meeting or taken on notice and a response will be provided.

Attachments

Nil

9. GOVERNANCE AND FINANCIAL REPORTS

9.6 FINANCIAL REPORT MARCH 2020

REPORT AUTHOR: COORDINATOR FINANCIAL ACCOUNTING
RESPONSIBLE DIRECTOR: CHIEF FINANCIAL OFFICER

EXECUTIVE SUMMARY:

The report provides a review of Council's income and expenditure against budget for the period from 1 July 2019 to 31 March 2020. Monthly financial reporting keeps Council informed of the progress that has been made in relation to the budget and allows for timely corrective action if required. Finance officers are currently reviewing the regular financial reporting and aim to continuously improve future reports.

RECOMMENDATION:

THAT COUNCIL:

1. Receive the report on financial performance as at 31 March 2020.

REPORT:

A summarised financial report for Council is provided below for March 2020, comparing the operating year to date (YTD) actuals against the year to date budget.

This report provides the interim results for the month and represents the appropriate adjustments at the time of the report, noting that more adjustments may be made. The purpose of this report is to provide an indication of Council's financial performance at a particular point in time.

Account Description	Adjusted YTD				Full Year Budget - Revised Quarter 2
	YTD Actuals	Budget	YTD Variance	% Variance	
	\$'000	\$'000	\$'000	%	\$'000
Income					
Rates, Levies & Annual Charges	17,661	17,840	-179	-1%	17,840
User Fees & Charges	7,675	8,872	-1,197	-13%	11,829
Interest & Investment Revenue	380	649	-269	-41%	865
Operating Grants	7,760	8,636	-876	-10%	11,514
Capital Grants	3,342	4,033	-691	-17%	5,377
Other Income	1,670	1,650	20	1%	1,938
Total Income	38,488	41,679	-3,191	-8%	49,363
Expenditure					
Employee Benefits	13,772	12,434	1,338	11%	16,579
Materials & Contracts	12,392	11,215	1,177	10%	14,953
Depreciation and Amortisation	8,285	8,285	0	0%	11,047
Other Expenses	4,221	4,023	198	5%	5,364
Cost of Assets	43		43		
Total Expenditure	38,713	35,957	2,756	8%	47,943
Operating Result - Surplus/(Deficit)	-225	5,722			1,420
Surplus/(Deficit) after Capital Grants	-3,567	1,689			-3,957

Income

Rates and annual charges have been raised for the full financial year. User fees and charges are currently tracking below budget due to construction teams working on Council's major capital projects and not receiving additional income generated through private works. The impact will be further reviewed at the next Quarterly Budget Review with careful consideration of the additional impact of the fire disaster and subsequent flood/storm damage on Council's resources. Due to further disruption from the Covid19 crisis, resources are currently being reprioritised and reprogrammed to best suit the needs of Council service delivery. Quarterly water billing was recognised this month, which represents an increase of approximately \$780K in charges after applying the firefighting discount for water usage during the bushfires. RMCC (road maintenance council contracts) recognised income of \$1.171M for works undertaken.

Operating and capital grants are tracking below budget which is acceptable due to major grants being acquitted on finalisation of completed projects or through milestones. During March \$872k was received from the Roads to Recovery program and the final \$275K from the National Bushfire Recovery Program. Capital grants increased with an invoice raised to account for the Tumbarumba Rail Trail grant milestone. Revenue recognition will further increase once work and milestones are completed and can be invoiced.

Expenditure

Employee benefits and materials & contracts are tracking above budget which is expected due to the significant fire event and redundancies as part of the organisational restructure. Unbudgeted expenses pertaining to employee costs through overtime, plant expenses and materials & contracts were incurred during the recent bushfire event.

As at the end of March 2020 approximately \$1.8M in expenses has been incurred to be claimed through Council's S44 claim from the Rural Fire Service NSW. An additional \$562K has been expensed for contractors, wages and machinery use, but will not be claimable. All adjustments required to the budget will be recommended with the 3rd Quarterly Review and will reflect an increase in expenditure incurred along with the offsetting expected income.

Other expenses are tracking higher than anticipated due to annual expenses (including insurance and contributions) which were paid in full in the first quarter of the year. Going forward consideration will be given to expenditure phasing and more accurate reflection in the monthly budget forecasts.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework: CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.3 Council has sound organisational health and has a culture which promotes action, innovation, accountability and transparency

SUSTAINABILITY ASSESSMENT:

Financial and Resources Implications

N/A

Costs and Benefits:

N/A

Policy, Legal and Statutory Implications:

N/a

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Monthly reporting informs Council and the community of the financial performance in comparison to budget at a point in time.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Matters arising from the report that require further communication will be addressed at the meeting or taken on notice and a response will be provided.

Attachments

Nil

10. MANAGEMENT REPORTS**10.1 MONTREAL COMMUNITY THEATRE - VARIATION OF LEASE**

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR INFRASTRUCTURE

EXECUTIVE SUMMARY:

The Montreal Theatre is a community facility, owned by Council, but managed by a community committee.

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on Montreal Community Theatre – Variation of Lease from Executive Director Infrastructure.**
2. **Renew the variation of lease for a further five year period ending 30/06/2025 with Montreal Community Theatre Incorporated for the Montreal Theatre on land described as Lot 2 DP828194 in the town of Tumut.**
3. **Authorise the Chief Executive Officer and Mayor to affix the Council Seal and execute all documents required.**

BACKGROUND:

The building was constructed in 1929-30 and was classified by the National Heritage Trust in 2000.

This public owned heritage building is an important asset to the community, serving as a venue for entertainment, education and civic purposes. It is important that the building be properly maintained while preserving its heritage significance.

REPORT:

The current lease variation between Council and the Montreal Community Theatre Inc. for the property known as the Montreal Theatre expires on the 30 June 2020.

Clause 15 of that lease provides the tenant with the option to renew the lease for a further five (5) years ie: 01/07/2020 to 30/06/2025 under the same terms of the current lease.

The option to renew is preserved with the intent that there will be a maximum tenancy of 30 years expiring on 30 June 2035.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 1: Towns and Villages

Delivery Outcomes

1.3 Protect and preserve local history and heritage

SUSTAINABILITY ASSESSMENT:

After 20 successful years of operation as a community theatre, the building has shown itself to be worthy of a commitment to ensure it remains publicly owned for the future residents of Tumut.

Financial and Resources Implications

Nil

Costs and Benefits:

It is indented to continue with the existing provisions of the lease agreement over the next 5 years with Council's endorsement.

Policy, Legal and Statutory Implications:

The lease agreement has been created in accordance with terms within the Real Property Act 1900 and Section 127(1) of the Corporations Act 2001, and was developed by Council's solicitors.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

Yes

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

Nil

10. MANAGEMENT REPORTS**10.2 RESTORATION OF KHANCOBAN HALL TO OPERATIONAL CONDITION**

REPORT AUTHOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

EXECUTIVE SUMMARY:

The identification of bonded and friable asbestos resulted in the closure of the Khancoban Hall in April 2018. Subsequently Council requested a report identifying options for the provision of a fit for purpose community facility in Khancoban.

In a separate initiative the Tumbarumba Chamber of Commerce independently applied for funding to undertake a project to restore the Khancoban Hall to operational condition. This application was successful in attracting approximately \$440,000 for this purpose.

CEO Matthew Hyde, Cr Julia Ham and Executive Director Community and Corporate Paul Holton met with Tumbarumba Chamber of Commerce representative Ken Dale and proposed project manager Brent Livermore and reached agreement to proceed with project.

It was agreed that the Tumbarumba Chamber of Commerce would have responsibility for delivery of the project under a Memorandum of Understanding between Snowy Valleys Council and the Tumbarumba Chamber of Commerce (attached).

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the restoration of Khancoban Hall to operational condition from Executive Director Community & Corporate.**
- 2. Endorse the Memorandum of Understanding between Snowy Valleys Council and the Tumbarumba Chamber of Commerce as attached to this report**
- 3. Request that Officers provide a further report to Council at the completion of the project**

BACKGROUND:

The Khancoban Community Hall was constructed as part of the original Snowy Hydro Scheme. It was built to cater for a population of between 3,000 and 4,000 people to provide a recreational and community facility for the workers and their families. Asbestos was a common material used in buildings constructed during this era.

Council commissioned a report into the presence of asbestos in the Khancoban Hall in March 2018 to better understand the costs and implications of maintaining or replacing the structure. The report found substantial amounts of both friable and bonded asbestos present in the Khancoban Community Hall. As a result of this finding a decision was made to close the hall.

At its ordinary meeting held on 15 April 2019 Council considered a report comparing costs to construct a new hall, with the costs of refurbishment and adopted the following resolution:

M103/19 RESOLVED:*THAT COUNCIL:*

- 1. Receive the report on Khancoban Hall Options Study*

2. *Proceed with the development of a business case for options for a community hall for the Township of Khancoban.*
3. *Seek to fund the business case development for the Khancoban Community Hall within available budgets in the Third Quarter Budget Review.*
4. *Engage with Snowy Hydro Limited to investigate options for a joint discovery centre and community hall facility in Khancoban.*
5. *Investigate options for an alternative community space in the interim.*
6. *Notes that this project is unfunded therefore, Council to investigate funding options.*

Cr Cor Smit / Cr Julia Ham

REPORT:

In response to the Council Resolution of 15 April 2019 the following options were explored:

1. Demolish the existing hall and construct a new facility in accordance with current community needs
2. Refurbish the existing hall (including the removal of asbestos)
3. Repurpose the vacant the former general store at the Khancoban Shopping Centre

Option 1 – construction of a new facility

This was initially conceived as a shared facility with Snowy Hydro, incorporating a discovery centre and community hall facility. Snowy Hydro has chosen to pursue a partnership with National Parks and Wildlife Service to collocate with the Visitor Information Centre. In the circumstances a stand-alone facility has been considered. Indicative costs as follows:

Demolition	- \$ 390,000.00
Construction	- \$1,463,000.00
TOTAL	- \$1,853,000.00

Given that this indicative estimate is based on a concept design only, it is appropriate to apply a 50% contingency resulting in a possible total cost of \$2,779,500.00.

This option allows for the design, development and delivery of contemporary facility that responds to the current needs of the community. Providing flexible spaces to support a variety of uses and enabling contemporary approaches to minimising the cost of heating and cooling.

Modern construction techniques will extend the useful life of the asset and spread the cost of depreciation over a longer time span resulting in lower whole of life costs.

Option 2 – Refurbish the existing hall

Initial estimates indicated that to remove the asbestos and bring the existing hall into compliance with the current Building Code of Australia for a facility of this type would cost as follows:

- Removal of asbestos - \$434,040.00
- Compliance works - \$230,000.00
- **TOTAL** - \$664,040.00

It should be noted that the estimate for the removal of the asbestos was provided by a Queensland based contractor and no site inspection was carried by them prior to submitting their quote.

The Tumbarumba Chamber of Commerce has applied for and received funding to undertake these works however; the amount of funding is considerably less than the indicative estimates above.

In discussions with representatives of the Tumbarumba Chamber of Commerce and their proposed Project Manager, an experienced local government engineer (now retired) it was put that the project could be achieved within the funding available. Internal consultation with Council's Executive Director Infrastructure indicates that it is possible to achieve that outcome.

Option – Repurpose vacant shop at Khancoban Shopping Centre

Given the extensive time between the closure of the hall, Council received a request from community groups to utilise the vacant shop front with the Khancoban Shopping Centre, as a place to meet and utilise the space for community activities.

Snowy Hydro Limited Partnership:

Council Officers have engaged with Snowy Hydro Limited staff with a mind to determining partnering opportunities for development of a joint hall and discovery centre facility. Considerations of this option were identified early and did some a significant amount of time to come to a point of conclusion.

Ultimately, Snowy Hydro Limited has opted to create a joint discovery centre with National Parks and Wildlife Service, and the option to construct a joint facility is no longer open to Council.

Council needs to consider the long term direction for the provision of a facility at Khancoban. The current hall has been closed for 17 months due to asbestos (friable and bonded) and the availability of alternative facilities is limited within the township, with the non-operation of the Country Club.

Council received a report in 2018 which indicated preliminary estimates for removal of the asbestos were \$550,000, not including any contingency, project development or rehabilitation costs after the treatment.

The user groups of the facility, prior to closure included but were not limited to Badminton, Community Meetings (including with Council), Yoga, Exercise classes and as an Emergency Centre.

Consideration has been given to use of other facilities in the township, however the Khancoban Country Club has ceased trading and is currently closed, and the NPWS Visitors Information Centre only has a small meeting room suitable for use by 6-10 people.

Given the length of time that has elapsed from the closure of the facility, there is urgency for this matter to be considered and resolved for the Community of Khancoban. An area for people to gather adds to the sense of Community for the residents and ratepayers.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 5: Our Infrastructure

Delivery Outcomes

1.1 Create welcoming towns and villages that are vibrant, accessible and foster a sense of community

SUSTAINABILITY ASSESSMENT:

Social	<p>Provision of a facility that meets the community needs for recreation and meeting space now and into the future</p> <p>Opportunity for a symbol of pride for the community</p>	<p>Construction of a new facility is funding dependent, and may take a long period to deliver. If this circumstance were to eventuate, the community may be without a facility for a long period</p> <p>There is no current budget for addressing the asbestos issues at the centre and renewal to meet current BCA standards.</p>
Environmental	<p>Construction of a new facility will enable a reduction in carbon footprint</p> <p>Proposal to demolish existing building will include removal of asbestos from building</p>	<p>If the hall remains as it is with no remediation or demolition, it will deteriorate reducing local amenity, and become a hazard to the public. It is currently unsightly with the barricading and signage securing the facility and making it safe.</p>
Economic	<p>Provision of a new facility offers the opportunity to entice people into the Khancoban Township and engage on a cultural level with visitors and the community</p>	<p>Cost to deliver the project is significant and appropriate justification through business case development is required prior to commitment to proceed</p>
Governance	<p>Justification and planning of the project are proposed to be undertaken to ensure sound decisions are made with regard to progressing the project</p>	<p>Progression of the project will be undertaken on sound governance principles. No negative impacts are perceived.</p> <p>Given the complexity of moving forward with the project, appropriate procurement will need to be enforced after funding is received.</p>

Financial and Resources Implications

No budget has been allocated for realisation of either of the two options (demolition or refurbishment). Council may choose to reallocate funding through the first quarter budget review process to fund works.

Costs and Benefits:

Financial Costs	Opportunities
Removal of Asbestos \$550,000	Grant funding for refurbishment of a non-heritage listed building will be difficult to obtain
Renovation to BCA compliance \$250,000	
100% contingency as Council hasn't gone to the market \$800,000	In the preliminary engagement the communities preferred option was to pursue a new building and

Financial Costs	Opportunities
	explore other opportunities for funding.
Project Development \$50,000	Currently the building does not meet the BCA and works are required to get it operational for the community again.

The above table focuses on the option to remove the asbestos and rehabilitate the hall for community use.

Policy, Legal and Statutory Implications:

The appropriate management and disposal of asbestos is legislated. Council are in the process of developing a combined, complete asset register. Exercise of duty of care has been undertaken with the isolation of the building from public use until such time as the facility can be made safe.

The Khancoban Community Hall is not listed as a Local or State Heritage item and therefore is not restricted in its management or use. Informal enquiry of heritage status have indicated that no benefits and minimal external funding methods would be available should listing occur, but additional management would be required.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Risk Theme	Commentary
Service Delivery	Reduction in service is currently being experienced, and is expected to continue until such time as delivery of a new facility or reopening of the existing facility is undertaken.
Human Resources	Nil significant risk identified
Work Place Health and Safety	Presence of asbestos is of serious consequence. Isolation of the asbestos has occurred through closure of the hall. Removal of the asbestos must be undertaken by accredited contractors
Financial	Costs have been estimated based on a mixture of quotations and appropriate contingency (+50%). Further refinement of cost estimate will be undertaken with project development. Risk is mitigated with contingency
Environmental	Building aesthetics is important, consideration of heritage elements has been considered within the options report
Stakeholders	Engagement with Snowy Hydro Limited at this stage has been informal in nature and no binding agreement has been agreed to on a joint proposal
Corporate Governance and Compliance	Nil significant risk identified
Reputation	Continued reduced access to community facilities may cause reduced reputation within the community
Political	Nil significant risk identified
Projects	With the recommendation, appropriate project development will mitigate risks with regards to effective project delivery.

OPTIONS:

Council has three options available for the progression of a functional community hall at Khancoban

1. Progress and fund the development of the Rehabilitation
2. Commit to the project development of the replacement Khancoban Hall
3. Undertake no project development for a Community Hall

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

A formal meeting was held in September 2018 with community members in attendance to seek agreement on a direction on the Khancoban hall. After discussion, the consensus from this meeting, after reviewing options and impacts, were that the community would like to see a new hall constructed.

Engagement with Snowy Hydro Limited as a possible project partner can be undertaken immediately to ascertain their appetite for development of a joint facility.

Should Council agree with the recommendation, Council will need to undertake engagement with the community to identify the way forward and direction Council is heading with regards to provision of a facility within Khancoban.

Attachments

- 1 Memorandum of Understanding (MOU) - Tumbarumba Chamber of Commerce - Khancoban Hall (under separate cover) - Confidential

10. MANAGEMENT REPORTS**10.3 DRAFT LOCAL STRATEGIC PLANNING STATEMENT (LSPS) - PUBLIC EXHIBITION**

REPORT AUTHOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

EXECUTIVE SUMMARY:

This report presents the draft Snowy Valleys Local Strategic Planning Statement (Draft LSPS) to Council for endorsement for public exhibition. The Draft LSPS has implications for the Council organisation and the Snowy Valleys Council community. All councils within NSW are required to prepare a LSPS to act as a link between the strategic priorities identified at a regional or district level, and the finer-grained planning at a local level expressed in council's local environmental plan and development control plans, to ensure consistency in strategic planning approaches. There is a need to endorse a process and timetable to ensure Council can make the LSPS before 1 July 2020 in accordance with legislative requirements. The draft Statement has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* and Regulations.

A 20-year planning vision espoused in the Draft LSPS emphasises economic, social and spatial land use intentions for the Snowy Valleys Council area. Achievement of the vision is facilitated through 11 planning priorities, actions, monitoring and reporting timetables that are included in the Draft LSPS.

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the Draft Local Strategic Planning Statement (LSPS)**
- 2. Exhibit the Draft Local Strategic Planning Statement for 28 days in accordance with Part 1 of Schedule 1 of the *Environmental Planning and Assessment Act 1979***

BACKGROUND:

In March 2018, amendments to the Environmental Planning and Assessment Act 1979 (EP&A Act) introduced new requirements for councils to prepare and make local strategic planning statements. Local strategic planning statements (LSPS) are required to set out:

- a 20-year vision for land use in the local area
- special characteristics which contribute to local identity
- shared community values to be maintained and enhanced
- how growth and change will be managed into the future

Councils are to demonstrate how their vision gives effect to the regional or district plan, based on local characteristics and opportunities, and the council's own priorities in the community strategic plan it prepares under local government legislation.

Informed by the strategic and community planning work undertaken across regions, districts and local government areas, the LSPS will be the key resource to understand how strategic and statutory plans will be implemented at the local level.



Achieving moderate growth in the Snowy Valleys Local Government area presents a significant challenge. Household and population projections prepared by the then NSW Department of Environment and Planning in 2016 anticipate a decline in population, number of households and average household size.

REPORT:

A 20-year vision for spatial land use planning is espoused in the Draft LSPS, outlining how growth and change will be managed and enhanced to maintain the high levels of environmental amenity, liveability and landscape quality that characterise Snowy Valleys.

It reflects the strategic direction expressed by Council in its Community Strategic Plan, and is aligned with the directions and priorities of the Riverina-Murray Region Plan, Snowy Valleys Regional Economic Development Strategy and Snowy Valleys Destination Management Plan. Major parts of the Draft LSPS are specified as follows.

‘About the Statement’ – incorporating background information and nominating four themes incorporating spatial elements that align with those included within the Community Strategic Plan that are:

- Theme 1: Our towns and villages*
- Theme 2: Growth through innovation*
- Theme 3: Our natural environment*
- Theme 4: Our infrastructure*

‘Context’ – containing information relating to Snowy Valley’s regional setting, economy, communities, environment and challenges.

‘Snowy Valleys: Our Vision’ – a spatial land use planning and planning principles concept envisioning how growth and change will be facilitated and accomplished recognising the special characteristics that contribute to our local identity and values to be maintained and enhanced.

‘Achieving Our Vision’ – includes a Structure Plan Map for the Snowy Valleys Local Government Area, Town Maps for Adelong, Batlow, Tumbarumba and Tumut, Village Maps for Brungle, Jingellic, Khancoban, Rosewood and Talbingo as well as specifying the policy and legal framework that facilitates the achievement of the vision.

‘Our Themes and Planning Priorities’ – eleven (11) planning priorities have been developed for the four themes that align with those included within the Community Strategic Plan with each planning priority containing sections on rationale, actions, monitoring and reporting and the relationship with the directions included in the Riverina-Murray Region Plan 2036. At the end of this part there are two tables titled ‘Themes implementation actions summary’ and ‘Annual monitoring and reporting

timetables'. Both of these tables provide vital overviews of the commitments and priorities included in the Draft LSPS.

'References' – includes a list of studies, plans and documents that have informed the preparation of the Draft LSPS.

It is generally concluded in the Draft LSPS that the existing urban footprints do not need to be expanded at this stage as there is sufficient undeveloped land and potential for increased densities reflected by the current zonings within the existing towns and villages. Towns and villages within Snowy Valleys have the capacity within the existing urban footprints to cater for any moderate growth that may occur if the projected decline in population growth reverses. In this regard population growth will be encouraged and assisted by Council through enhancing lifestyle opportunities for existing and potential future residents by identifying and providing additional land for rural living in the vicinity of Tumut following the undertaking of a review of housing choice demand and availability and a rural lands strategy.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Four themes included in the Draft LSPS incorporating spatial elements that align with those included within the Community Strategic Plan are:

Theme 1: Towns and Villages

Theme 2: Growth through Innovation

Theme 3: Our Environment

Theme 4: Communication & Engagement

Delivery Outcomes

As the Draft LSPS is a comprehensive strategic spatial land use planning document many of the listed delivery outcomes would be applicable however the one that provides a pertinent summary is:

1.9 Provide a planning and development framework which protects the local amenity while supporting sustainable growth and an appropriate balance of land use

Operational Actions

A number would be applicable but the most explicit operational action is:

1.1.2 Continue the development and delivery of place based plans as a way to integrate town/village developments around long term aspirations.*

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	The Draft LSPS will assist Council to plan for needs associated with population change or transformation in local employment opportunities. Adaptation to the impacts of natural hazards and climate change are articulated considerations in the Draft LSPS.	Nil

	Positive	Negative
Environmental	Protection, conservation and enhancement of Snowy Valley's landform, waterways and bushland that have high environmental value are an expressed priority in the Draft LSPS.	Nil
Economic	<p>Identification of the need for further local strategic planning effort such as precinct and master planning, local character statements, and local housing and infrastructure strategies forms part of the Draft LSPS. Thus an LSPS should be seen as evolutionary where identified actions result in future refinements to the plan.</p> <p>The Draft LSPS will assist council in its consideration of infrastructure needs to support growth. This will promote transparency and clarity by identifying upfront the strategic infrastructure priorities, which can then be delivered through a range of methods such as Council budgets, government funding or planning agreements.</p>	A number of major infrastructure endeavours included in the Draft LSPS are dependent on being able to obtain funding from other levels of government so that a certain amount of uncertainty surrounds those proposals.
Governance	Importantly, the LSPS allows councils to translate their strategic planning work into local priorities and actions. In turn this informs the review and development of future strategic plans at the district and regional level. This feedback cycle from local to regional planning ensures that the line-of-sight between the different levels of spatial planning works both ways.	Nil

Financial and Resources Implications

A long term Local Strategic Planning Statement addressing spatial land use over a 20 year period has annual budget implications that need to be considered. Funds should be set aside to implement the program of actions as described in the Draft LSPS. Examples included in the Draft LSPS are as follows:

- Complete a review of housing choice demand and availability by December 2020, with ongoing review every ten years.

- Finalise a Rural Lands Strategy Study by June 2021.
- Review heritage listings in Snowy Valleys' Local Environmental Plan at least every three years commencing in 2022.
- Investigate needs and opportunities for short-term accommodation product development to serve the Snowy Valleys' visitor market by 2022.
- Commission an Indigenous tourism feasibility study by 2023.
- Industrial land demand and supply study finalised by 2023.

Projects subject to funding from other levels of government are also nominated in the Draft LSPS such as:

- Facilitate rail trail investigation and investment including:
 - Seek funding assistance to prepare concept designs and initial cost estimates for the: Tumut to Batlow Rail Trail; Tumbarumba to Batlow Rail Trail Link; Rosewood to Ladysmith Rail Trail; and Rail Trail Enhancements (Ongoing).
 - Stage 1 of the upgrading of Brindabella Road to be concluded by 2024 (subject to funding).
 - Stage 2 of the upgrading of Brindabella Road to be completed by 2030 (subject to funding).

Costs and Benefits:

N/A

Policy, Legal and Statutory Implications:

Section 3.9 of the *Environmental Planning and Assessment Act 1979* applies to local strategic planning statements. Those parts most relevant to Snowy Valleys are as follows:

3.9 Local strategic planning statements of councils

- 1) *The council of an area must prepare and make a local strategic planning statement and review the statement at least every 7 years.*
- 2) *The statement must include or identify the following—*
 - a) *the basis for strategic planning in the area, having regard to economic, social and environmental matters,*
 - b) *the planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under section 402 of the [Local Government Act 1993](#),*
 - c) *the actions required for achieving those planning priorities,*
 - d) *the basis on which the council is to monitor and report on the implementation of those actions.*
- 3).....
- 3A).....
- 4).....
- 5) *A local strategic planning statement must be published on the NSW planning portal. Clause 11A of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017* requires Council to make its first local strategic planning statement under section 3.9 of the Act before 1 July 2020. The NSW Department of Planning, Industry & Environment have made it clear that the 1 July 2020 deadline will not be extended.*

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

N/A

OPTIONS:

1. Council can make amendments to the Draft LSPS prior to it going on exhibition for 28 days;
or
2. Council can resolve to proceed with the exhibition of the Draft LSPS as attached to this report for 28 days (see Attachment 1).

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:**External Consultation**

A 'Local Strategic Planning Statements Guideline for Councils' states that the 20-year vision may be derived from a community strategic visioning process conducted as part of the Community Strategic Plan. The Draft LSPS states that:

'Council prepared this Statement by building upon the results of extensive engagement undertaken in developing its Community Strategic Plan. The plan was formed by the contributions and conversations of more than one thousand community members of the Snowy Valleys, whether through survey, submission or one of many engagement activities that took place across towns, villages and communities.'

Comments on the Draft LSPS were sought from the NSW Department of Planning, Industry & Environment. On 26 November 2019 the Department provided the following feedback:

- The Draft LSPS was thorough and comprehensive
- The Draft LSPS appears to be generally consistent with the legal requirements for LSPSs
- Council's draft LSPS does not appear to be inconsistent with the Riverina Murray Regional Plan

Suggestions were provided by the Department to assist the author of the Draft LSPS if there was a desire to improve the document. The suggestions were incorporated into the latest version of the Draft LSPS.

Gary White, Chief Planner Regions from the NSW Department of Planning, Industry & Environment gave a presentation to a Council Workshop on 7 November 2019 on the benefits of strategic planning and the preparation of LSPSs.

Councillor Workshop

It is suggested that if possible, Council allocate time at a workshop prior to the Council meeting to receive a presentation on and discuss the Draft LSPS.

Public Exhibition

Due to COVID 19 restrictions it is anticipated the public exhibition would consist of the following components:

- 28 days public exhibition period in accordance with Part 1 of Schedule 1 of the *Environmental Planning and Assessment Act 1979* including placing advertisements in local newspapers and information on Council's web site yourvoice.svc.
- One or two press releases advising of the public exhibition.
- Correspondence to appropriate NSW Government Agencies including:

- Department of Planning Industry and Environment
- Ministry of Health
- Transport for NSW
- Department of Education
- Department of Premier and Cabinet
- Department of Industry
- National Parks and Wildlife Service
- Forestry Corporation
- Department of Primary Industries
- Infrastructure NSW
- Providing advice of the exhibition to adjoining Councils and certain organisations:
 - Snowy Monaro
 - Yass Valley
 - Cootamundra Gundagai
 - Wagga Wagga
 - Greater Hume
 - Canberra Region Joint Organisation
 - Riverina Joint Organisation
- Advising relevant Council Committees of the exhibition:
 - Aboriginal Liaison Committee
 - Adelong Falls Gold Mill Ruins Committee
 - Tumut Railway Precinct Committee
- Notifying the following community organisations:
 - Adelong Progress Association
 - Batlow Development League
 - Talbingo Ratepayers Association
 - Tumbarumba Chamber of Commerce
 - Tumut Chamber of Commerce
 - Tumut Community Association
 - Tumut Community Foundation

Attachments

- 1 Snowy Valleys Council Local Strategic Planning Statement (LSPS) (under separate cover) [⇒](#)

10. MANAGEMENT REPORTS

10.4 DRAFT COMMUNITY PARTICIPATION PLAN AND DRAFT CRIME PREVENTION PLAN

REPORT AUTHOR: PROJECT OFFICER - POLICY
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

EXECUTIVE SUMMARY:

Snowy Valleys Council exhibited the Draft Community Participation Plan (CPP) and the Draft Crime Prevention Plan after endorsement in September 2019 Council Meeting. One internal submission was received for the CPP, reviewed and in part, implemented into the Draft Policy. No submissions were received for the Draft Crime Prevention Plan.

RECOMMENDATION:

THAT COUNCIL:

1. Receive the report on the Draft Community Participation Plan and Draft Crime Prevention Plan Feedback.
2. Note one submission received for the Draft Community Participation Plan.
3. Adopt the Community Participation Plan with changes.
4. Adopt the Crime Prevention Plan.
5. Write to the submitter, thanking them for the input and advising them of the outcome to their submission.

BACKGROUND:

The Draft Community Participation Plan and Draft Crime Prevention Plan are intended to establish guidelines for the management and administration of active Community engagement in building and development and crime prevention in the LGA

REPORT:

Snowy Valleys exhibited the Draft Community Participation Plan and the Draft Crime Prevention Plan for public and internal exhibition from the 19 February to the 18 March 2020

	Submission Summary	Employees Comment
1	<p><i>Issues:</i></p> <p>Community Participation Plan <i>i. Part 2, Division 2.6 Section 2.22 of the Environmental Planning and Assessment Act 1979(Act)</i></p> <p><i>The plan incorporated the Councils overall Community Engagement Strategy from the merged councils in 2017. In doing so did not directly relate the Building and Development requirements of the document as set out by the Act</i></p>	<p>Council has addressed the relevant parts of the Act and revised the document to clearly define the active engagement achievable by the Growth and Development division when obtaining feedback on building and development applications in the LGA</p>

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.2 Deliver a communication strategy which ensures the community receives information in a timely and convenient manner

Operational Actions

1.1.2 Continue the development and delivery of place based plans as a way to integrate town/village developments around long term aspirations.*

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Engagement of communities in the LGA through community groups	Nil
Environmental	Provide a vision for increased perception of safe and secure environment	Nil
Economic	Nil	Nil
Governance	Meeting the obligations with regards to legislative compliance	Nil

Financial and Resources Implications

The Community Participation Plan does not require increased funding for its intended purpose of community engagement as current processes are in place support its entire implementation.

The Crime Prevention Plan will require funding from external agencies to deliver agreed actions when the priorities of the Plan are defined. Any financial contribution by Council required to implement the plan will be considered through the annual budget process.

Costs and Benefits:

N/A

Policy, Legal and Statutory Implications:

In accordance with the Community Engagement Policy and Strategy the Draft Community Participation Plan and Draft Crime Prevention Plan were placed on Public Exhibition.

In constructing the plans the following legislation was considered:

Local Government Act 1993

Environmental Planning and Assessment Act 1979

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Council is required to have a Community Participation Plan as part of the development of the Local Strategic Planning Statements.

The Crime Prevention Plan addresses community crime risks.

OPTIONS:

Following the completion of public and internal exhibition:

- Resolve to adopt the recommendation for a new Community Participation Plan and Crime Prevention Plan
- Resolve to amend and adopt the recommendation for a new Community Participation Plan and Crime Prevention Plan

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The formulation of these plans has incorporated research, communication and consultation with the community and growth and development division as well as consultation with the public through:

- Media: newspaper, website, and libraries
- Exhibition opened: 19 February
- Exhibition closed: 18 March

In addition, extensive stakeholder engagement was undertaken during the preparation of the Crime Prevention Plan both internally and externally.

Attachments

- 1 Draft Community Participation Plan (under separate cover) [⇨](#)
- 2 Snowy Valleys Council - Crime Prevention Plan 2020-2025 (under separate cover) [⇨](#)

11. MINUTES OF COMMITTEE MEETINGS**11.1 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP (DIARG)
- 27 FEBRUARY 2020**

REPORT AUTHOR: MANAGER COMMUNITY SERVICES
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the Disability Inclusion Access Reference Group from Executive Director Community & Corporate.**
- 2. Note the Minutes of the Disability Inclusion Access Reference Group meeting held on 27 February 2020.**

BACKGROUND:

The DIARG was formed as an action of the Snowy Valleys Council, Disability Inclusion Action Plan to advise and support the achievement of the actions in the plan.

REPORT:

At the 27 February 2020 meeting the following items were discussed:

- Minutes of the 28 November 2019 were accepted.
- Attendance of DIARG committee members at Khancoban meet and greet with Councillor Ham to discuss the DIARG and provide opportunity for Khancoban residents to put their issues around disability access.
- Possibility of an alternative leash free area in Tumut.
- Progress of the Disability Inclusion Action Plan:
 - Action 2.3 Develop mobility and access maps across the Shire, was noted to ask people in the Local Government Area what their access issues are and to refer to Wagga Council to seek how they achieved this.
 - Action 3.3 Offer work experience and work placement to PwD, Action is to seek an audience with Councillors to address volunteering and employment opportunities for people with a disability in Snowy Valleys Council.

Next meeting is scheduled for Thursday 26 March 2020.

Sub Committee: Community Welfare Committee

Have not met for 2020.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:
CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

Operational Actions

4.1.1 Continue strategic engagement activities that ensure visibility and coherence between council and the community, including delivery of dynamic reference groups and a feedback summary, plus targeted Councillor Roadshow sessions

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications

Nil

Costs and Benefits:

The costs and benefits of the DIARG are intangible and contribute to enhancing the welfare and social inclusion of people with disability in the Snowy Valleys Council local government area. Tangible actions realised, are the achieved actions of the Snowy Valleys Council disability Inclusion Action Plan.

Policy, Legal and Statutory Implications:

Disability Inclusion Act 2014, Division 3 Disability Inclusion Action Plans, 12 Requirement for Disability Inclusion Action Plans. Council a *public authority* must have a plan that sets out specific measures to include people with a disability.

Local Government Act, 1993, 375 Minutes, requires Councils' to keep full and accurate minutes.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

- 1 Minutes - Disability Inclusion Access Reference Group - 27 February 2020 (under separate cover) [⇒](#)

11. MINUTES OF COMMITTEE MEETINGS**11.2 MINUTES - FRIENDS OF TUMUT WETLANDS COMMITTEE - 17TH MARCH 2020**

REPORT AUTHOR: COORDINATOR OPEN SPACE & FACILITIES
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR INFRASTRUCTURE

RECOMMENDATION:**THAT COUNCIL:**

1. **Receive the report on the Friends of the Tumut Wetlands Committee from the Executive Director Infrastructure**
2. **Note the Minutes of the Friends of the Tumut Wetlands Committee meeting held on 17th March 2020**
3. **Adopt the following recommendations from the minutes:**
 - a. **accept the resignation of Gary Bilton from the Friends of the Tumut Wetlands Committee**
 - b. **the Friends of the Tumut Wetlands Committee cease as a Committee of Council**
 - c. **the Friends of the Tumut Wetlands become a volunteer group**

BACKGROUND:

The purpose of the committee is to:

- Provide appropriate advice and recommendations on matters relevant to the Tumut Wetlands;
- Provide a forum for discussion of wetlands related issues;
- To improve the amenity of the Tumut Wetland as a community asset and to recognise the need to save and reinstate as much of the native flora and fauna as possible but enables judicious use of the area for passive recreation and education including Aboriginal education (taken from Riverglade Wetland Management Plan, 2003).

REPORT:

No Quorum – Meeting was therefore cancelled.

Resignation from Member

Gary Bilton handed his resignation in from the Tumut Wetlands Committee and no longer wants to be part of the Friends of the Tumut Wetlands Committee.

Volunteer Group

Due to decreasing numbers and no new people volunteers the Friends of the Tumut Wetlands Committee have requested that they become a volunteer group instead of a Committee and that Council adopts this.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

Operational Actions

Choose Operational Plan Activity

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Nil

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

- 1 Minutes - Friends of Tumut Wetlands Committee - 17 March 2020 (under separate cover) ⇨

11. MINUTES OF COMMITTEE MEETINGS**11.3 MINUTES - TUMUT AERODROME COMMITTEE - 10 MARCH 2020**

REPORT AUTHOR: SURVEY & DESIGN ENGINEER
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR INFRASTRUCTURE

RECOMMENDATION:**THAT COUNCIL:**

- 1. Receive the report on the Minutes - Tumut Aerodrome Committee – 10 March 2020 from Executive Director Infrastructure.**
- 2. Note the Minutes of the Tumut Aerodrome Committee meeting held on 10 March 2020.**

BACKGROUND:

The purpose of the Committee is to advise Council in strategic matters concerning the Tumut Aerodrome. This report has been prepared to accompany the minutes from the meeting held on the 10 March 2020.

REPORT:

At its meeting dated 10 March 2020, the Aerodrome Committee discussed a number of current issues including:

Results of the CASA surveillance

There were two findings – the Drug and Alcohol Management Plan, and the Parking Clearance Line on the apron was faded. Both of these findings have been addressed – the DAMP was adopted and the parking clearance line was re-painted.

Aerodrome Expansion

Councillor Larter provided an update on the pursuit of grant funding. The committee also discussed the implications of a preliminary feasibility survey for the extension of the runway, with concern being voiced about the effect on a private residence if the runway was extended south. Council's Engineer stressed that this was a preliminary assessment only, and there were a number of issues to work through before a clear decision could be made.

RFS operations

RFS District Manager, Jon Gregory, reported a significant improvement in movement and safety as a result of the work undertaken by Council on the culvert and area levelling.

OLS obstacles

A number of new obstacles have been identified in the latest OLS survey, and Council has issued a NOTAM for one obstacle on private land as access has not been granted by the landowner.

Landing Fees

There was discussion on the possibility of introducing landing fees by utilising wireless movement-activated cameras. There is still significant doubt as to whether this can be administered fairly due to the possibility that aircraft could 'dodge' the cameras, as well as economically as the collation of data and administration of invoices would need to be offset by the landing fee charge.

GENERAL BUSINESS:

There was discussion on the following items:

- ERSA has been updated to show a modified version of the noise abatement procedures.
- The committee also discussed the implications of a preliminary feasibility survey for the extension of the runway, with concern being voiced about the effect on a private residence if the runway was extended south. Council’s S&D Engineer stressed that this was a preliminary assessment only, and there were a number of issues to work through before a clear decision could be made.
- There was discussion about how helicopters don’t have enough room during firefighting campaigns – it is possible that Council could open up the northern paddock (currently leased by the Rodeo Club).
- Request that the Rodeo Club paddock adjustment to be on the agenda for next meeting.
- There was discussion on the limited space currently available for hangars. The Committee questioned whether we should hold to the existing masterplan (including the planned northern development) or change it to include more lease areas. Council’s S&D Engineer to email existing Masterplan to committee members (hard copy to those without email).
- Graham Smith provided an apology for next meeting.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 5: Our Infrastructure

Delivery Outcomes

5.2 Provide well maintained safe, vibrant and accessible community spaces and facilities

Operational Actions

5.2.4 Maintain and improve public facilities, buildings, amenities within budget

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Increase community safety. Provide improved community facilities, increase fire-fighting efficiencies and therefore public safety.	None foreseen
Environmental	Firefighting operations may reduce the impact of fire on the environment.	There are a number of chemicals associated with operations at the aerodrome which may cause negative environmental impacts if not managed appropriately.
Economic	Reduced risk to Council. Improved facilities may attract more economic contributors to the area. Improved fire-fighting efficiencies will protect the region’s assets and reduce	Capital expenditure on infrastructure if funded by Council. Ongoing maintenance costs for assets.

	Positive	Negative
	<p>the economic impacts of a fire.</p> <p>The opportunity to seek grants or alternate funding can bring these funds and their benefits to the area.</p>	
Governance	None foreseen	None foreseen

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Nil

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The community has been engaged through the Aerodrome Committee and further consultation will be carried out for any significant decisions or policy changes.

Attachments

- 1 Minutes - Tumut Aerodrome Committee - 10 March 2020 (under separate cover) [⇒](#)

11. MINUTES OF COMMITTEE MEETINGS**11.4 MINUTES - TUMUT SALEYARDS COMMITTEE MEETING - 9 MARCH 2020**

REPORT AUTHOR: COORDINATOR OPEN SPACE & FACILITIES
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR INFRASTRUCTURE

RECOMMENDATION:**THAT COUNCIL:**

1. Receive the report on the Tumut Saleyard Committee Meeting from the Executive Director Infrastructure
2. Note the Minutes of the Tumut Saleyard Committee Meeting held on 9 March 2020
3. Adopt the following recommendations from the minutes:
 - a. cease all previous third party agreements/arrangements relating to the operation of the Tumut saleyards
 - b. delegate the Chief Executive Officer to negotiate and execute the Rules of the Tumut Associated Agents Incorporated Agreement and the Licence Deed Agreement to operate the Tumut Saleyards for a period of 5 years with a 5 year option

BACKGROUND:

The purpose of the committee is to:

- Provide appropriate advice and recommendations on matters relevant to the Tumut Saleyards.
- Provide a forum for discussion of the Saleyards related issues.

REPORT:

The Saleyards Committee was held in March, so the Committee members can decide if they would like Council to proceed with Incorporated Licence and finalise the Incorporated Licence that the Committee would like to have with Snowy Valleys Council.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****CSP Outcome 2028**

Theme 4: Communication & Engagement

Delivery Outcomes

4.1 Partner with local communities to create an ongoing culture of engagement to aid Council decision making

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications:

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

The Tumut Saleyard is an Advisory Committee of Council and Operates under Adopted terms of reference.

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Medium it is of opinion that if the Tumut Saleyards become an incorporated body that the yards will run more smoothly and a more accurate records on stock moving through the Saleyards.

OPTIONS:

That council:

1. Endorse the above recommendation
2. That council not endorse the changes

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

- 1 20200309 - Minutes - Tumut Saleyard Committee (under separate cover) [⇒](#)
- 2 M648 - DRAFT Rules of the Tumut Associated Agents Inc Agreement (under separate cover) [⇒](#)

11. MINUTES OF COMMITTEE MEETINGS**11.5 MINUTES - BATLOW DEVELOPMENT LEAGUE (BDL) - 4 MARCH 2020**

REPORT AUTHOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE
RESPONSIBLE DIRECTOR: EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE

RECOMMENDATION:**THAT COUNCIL:**

1. Receive the report on the Batlow Development League Minutes.
2. Note the Minutes of the Batlow Development League meeting held on 4 March 2020.

BACKGROUND:

The Batlow Development League (BDL) was established with the objective of providing civic leadership to the Batlow Community and to stimulate the ongoing economic, social and cultural prosperity of the community of Batlow.

The Batlow Apple Blossom Festival committee and the Batlow Ciderfest committees are subcommittees of the BDL.

REPORT:

The Batlow Development League met on 4 March 2020.

The follow items were discussed:

1. Business Arising

- a) Literary Institute – Cage on toilet block has been installed
- b) Bushfire Recovery – Open days have been highly successful in Batlow
- c) Public Toilets – toilets are not being cleaned. The toilets at the Literary Institute need taps and cistern repaired.
- d) Batlow/Tumut Rail Trail – remains a priority as part of the bushfire recovery for Batlow
- e) Property Clean up – Follow up recommendation to Council with a letter

2 . General Business

- a) Ciderfest have applied for a Visy Grant
- b) Batlow Road Crossing – Council should sandbag prior to concreting to see if the crossing will be safe. Local Businesses are concern about losing parking spaces.
- c) Exercise Pathway – great community project. Committee to approach Dr Joe McGirr to access rail corridor from the State Government.
- d) New Pavement – there have been a few falls due to the new pavement being slippery when wet
- e) Dangerous trees in Reedy Park – a Branch has already fallen across a picnic table.
- f) Ciderfest – Looking at extend event to the Hospital.

Next meeting: 1 April 2020 at 7.00, Batlow RSL Club

Recommendation from Batlow Development League Committee:

1. The pedestrian crossing be revisited and sandbagged for the purpose of trialling prior to being constructed.
2. The garden in front of the IGA supermarket be removed to free up parking spaces as was intended in the original plans when sculpture was removed.

LINKS TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

CSP Outcome 2028

Theme 4: Communication & Engagement

Delivery Outcomes

4.5 Council demonstrates strong leadership through a governance framework which drives progress towards achieving the community vision

Operational Actions

4.5.3 Provide support to volunteer groups and section 355 committees to manage risk

SUSTAINABILITY ASSESSMENT:

Nil

Financial and Resources Implications

Nil

Costs and Benefits:

Nil

Policy, Legal and Statutory Implications:

Local Government Act 1993

RISK MANAGEMENT – BUSINESS RISK/WHS/PUBLIC:

Nil

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

- 1 Minutes & Monthly Financial - Batlow Development League - 4 March 2020 (under separate cover) ⇒

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.

12.1 COVID19 - FINANCIAL IMPLICATIONS, LEASE PAYMENT RELIEF

Item 12.1 is confidential under the Local Government Act 1993 Section 10A 2 (c) and (d)ii 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 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 ICT PROJECTS – CLIENT BUSINESS ENVIRONMENT STANDARDISATION

Item 12.2 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.

12.3 FOOD ORGANICS GARDEN ORGANICS OPTIONS AND IMPLEMENTATION

Item 12.3 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.

12.4 CHIEF EXECUTIVE OFFICERS BI-ANNUAL PERFORMANCE REVIEW - JULY TO DECEMBER 2019

Item 12.4 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.