



SNOWY VALLEYS COUNCIL ORDINARY MEETING

AGENDA

Thursday, 20 October 2022

THE MEETING WILL BE HELD AT 2:00 PM
COUNCIL CHAMBERS 76 CAPPER STREET TUMUT AND VIA
VIDEO LINK

Statement of Ethical Obligations

Councillors are reminded of the oath or affirmation of office they made under section 233A of the Local Government Act 1993 and the obligation under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

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 General Manager.

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 Councils website;

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



Thursday, 20 October 2022

Council Chambers 76 Capper Street Tumut and Via Video Link

2:00 PM

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1. ACKNOWLEDGEMENT OF COUNTRY

Snowy Valleys Council proudly acknowledges the traditional owners and custodians of this land and water and pay respects to their Elders past and present.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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. MINUTES - ORDINARY COUNCIL - 15 SEPTEMBER 2022

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 15 September 2022 be received and confirmed as an accurate record.

Attachment 1 - 20220915 - Minutes - Ordinary Council



ORDINARY MEETING

MINUTES

Thursday, 15 September 2022

THE MEETING WAS HELD AT 2:00 PM
IN THE COUNCIL CHAMBERS 76 CAPPER STREET TUMUT
AND VIA VIDEO LINK

Mayor

Interim General Manager

Snowy Valleys Council Ordinary Meeting Minutes

Thursday, 15 September 2022

PRESENT: Mayor Ian Chaffey (Chair), Councillor Johanna (Hansie) Armour, Cr Mick Ivill, Councillor John Larter, Councillor Brent Livermore, Councillor Trina Thomson, Cr James Hayes.

IN ATTENDANCE: Interim General Manager Hamish McNulty, Interim Chief Financial Officer Daryl Hagger, Acting Executive Director Glen McGrath, Interim Executive Director Community & Corporate Julie Vaughan and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by Cr Mick Ivill.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

M249/22 RESOLVED that the request for Leave of Absence from Cr Julia Ham and Cr Sam Hughes be received and granted.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

3. DECLARATIONS OF PECUNIARY INTEREST

Cr James Hayes declared a pecuniary interest in relation to Item 10.4 'Snowy Valleys Council Community Grants' due to being a member of the Adelong Community Enterprises and will leave the room during discussion of this item.

4. PUBLIC FORUM

Nil.

5. CONFIRMATION OF MINUTES

5.1. MINUTES - ORDINARY COUNCIL - 18 AUGUST 2022

M250/22 RESOLVED

That the Minutes of the Ordinary Council Meeting held on 18 August 2022 be received and confirmed as an accurate record.

Cr Trina Thomson/Cr John Larter

CARRIED UNANIMOUSLY

Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in In the Council Chambers
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Mayor

Interim General Manager

Council observed a minute's silence to the passing of Queen Elizabeth 11.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

7.1. NOTICE OF RESCISSION - CONFIRMATION OF ORGANISATION STRUCTURE

M251/22 RESOLVED:

THAT COUNCIL:

1. Rescind the 16 June 2022 resolution M194/22 'Confirmation of Organisation Structure'.

Cr Trina Thomson/Cr Johanna (Hansie) Armour

FOR: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr Mick Ivill; Cr John Larter; Cr Trina Thomson.

AGAINST: Cr Brent Livermore

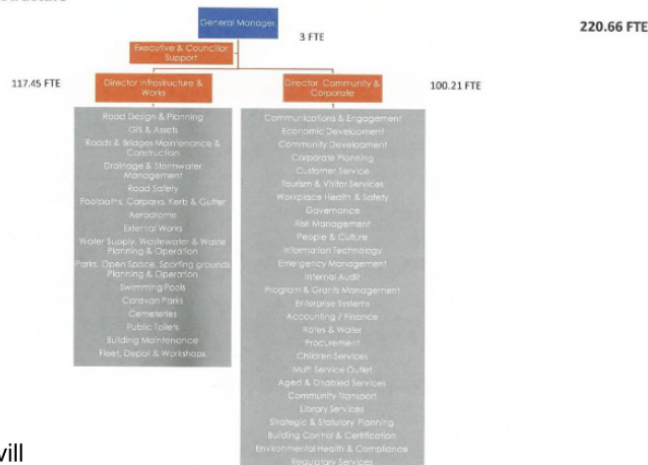
CARRIED

M252/22 RESOLVED:

THAT COUNCIL:

1. Determine the senior leadership and functional structure of Snowy Valleys Council as attached with two Directors reporting to the General Manager;
2. Determine that the Directors will be employed on standard senior staff contracts.

Attachment - Two Director Structure



Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

Mayor

Interim General Manager

8. MAYORAL MINUTE

8.1 MAYORAL MINUTE - JOHN OSLAND

M253/22 RESOLVED:

THAT COUNCIL:

1. Acknowledge the passing of John Osland, Snowy Valleys Council's Interim Executive Director Infrastructure;
2. Hold a minute's silence in the memory of John Osland.

Cr Ian Chaffey

9. URGENT BUSINESS WITHOUT NOTICE

MOTION:

THAT COUNCIL request that the Minister for Local Government de-merge Snowy Valleys Council given:

- the previous decision of the Boundaries Commission who voted 3 – 1 to support the Snowy Valleys Council de-merge;
- and the Minister's decision to allow Cootamundra-Gundagai Regional Council to de-merge.

This would reduce the financial burden and any further risk to the emotional health of the Snowy Valleys Council community.

Cr James Hayes/Cr John Larter

M254/22 RESOLVED that the matter is urgent.

Cr James Hayes/Cr Brent Livermore

CARRIED UNANIMOUSLY

M255/22 RESOLVED:

THAT COUNCIL request that the Minister for Local Government de-merge Snowy Valleys Council given:

- the previous decision of the Boundaries Commission who voted 3 – 1 to support the Snowy Valleys Council de-merge;
- and the Minister's decision to allow Cootamundra-Gundagai Regional Council to de-merge.

This would reduce the financial burden and any further risk to the emotional health of the Snowy Valleys Council community.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. PROPOSED MOTIONS FOR THE LGNSW ANNUAL CONFERENCE 2022

M256/22 RESOLVED:**THAT COUNCIL:**

Approve the following motions for submission to the LGNSW Annual Conference 2022:

- a. That LGNSW engage with relevant state government agencies and the Australian Local Government Association (ALGA) to ensure that rural landholders affected by the construction of Transgrid's Humelink transmission line are fully considered in the design and implementation of the project and that land owners and the community receive equitable annual compensation;
- b. That LGNSW work with relevant state government agencies to ensure that Transgrid make an annual contribution to the Emergency Service Levy in the local government areas where assets and infrastructure are located;
- c. That LGNSW engage with the Office of Local Government to look at ways to reduce the burden of compliance and reporting on small rural Councils which have the same obligations as large metropolitan councils;
- d. That LGNSW investigate ways of working with the state government to secure food-producing land to allow the community to become more self-sufficient and to stem the flow of land to renewable energy production.
- e. That LGNSW engage with relevant State Government representatives to develop policies that support provision for 'Betterment' in relation to disaster funding consideration.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

10.2. DRAFT PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS' POLICY - FOR PUBLIC EXHIBITION

M257/22 RESOLVED:**THAT COUNCIL:**

1. Provide the community the opportunity to review and comment on the Draft Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy by placing the document on public exhibition for a period of 28 days;
2. 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 policies; and
3. Adopt the policy if no submissions are received on the day after the completion of the public exhibition.

Cr John Larter/Cr Brent Livermore

CARRIED UNANIMOUSLY

10.3. 2023 SCHEDULE OF ORDINARY COUNCIL MEETING DATES AND TIMES**M258/22 RESOLVED:****THAT COUNCIL:**

1. Approve the following Ordinary Council meeting dates for 2023 commencing at 2.00pm to be held at an appropriate location in Snowy Valleys Council:
Thursday 16 February 2023
Thursday 16 March 2023
Thursday 20 April 2023
Thursday 18 May 2023
Thursday 15 June 2023
Thursday 20 July 2023
Thursday 17 August 2023
Thursday 21 September 2023
Thursday 19 October 2023
Thursday 16 November 2023
Thursday 14 December 2023; and
2. The appropriate venue be announced at the previous monthly meeting and advertised.
3. Approve the cancellation of the meeting in January 2023 unless there are extenuating circumstances and the Mayor deems it necessary to call a meeting.

Cr Trina Thomson/Cr Brent Livermore

FOR: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr Mick Ivill; Cr Brent Livermore; Cr Trina Thomson.

AGAINST: Cr James Hayes; Cr John Larter

CARRIED

Cr Hayes left the meeting at 2.28pm.

10.4. SNOWY VALLEYS COUNCIL COMMUNITY GRANTS**MOTION:****THAT COUNCIL:**

1. Endorse the projects recommended for funding by the Community Strengthening Grant Assessment Panel, being:
 - a. Adelong Community Enterprises - \$7,793
 - b. Do It For Batlow - \$9,300
 - c. Jingellic Hub - \$5,773

- d. See Me Hear Me Theatre - \$9,898
 - e. St Judes Anglican Church - \$3,000
 - f. Talbingo Community Association - \$3,337
 - g. Tumbarumba Golf Club - \$3,499
 - h. Tumbarumba Little Athletics - \$7,775
 - i. Tumut Girl Guides - \$5,000
 - j. Tumut & District Historical Society - \$1,500
 - k. Tumut Regional Family Services - \$780
 - l. Tumut Schools as Community Centre - \$1,453
 - m. Upper Murray Community Radio - \$892
2. Endorse the projects recommended for funding by the Capital Sports Grant Assessment Panel, being:
- a. Adelong Golf Club - \$4,750
 - b. Cycle Tumbarumba - \$5,470
 - c. SWS Sporting Archers - \$2,800
 - d. Tumbarumba Golf Club - \$10,000
 - e. Tumut Swimming Club - \$6,980
 - f. Tumut Netball Association - \$10,000

Cr Trina Thomson/Cr Johanna (Hansie) Armour

M259/22 RESOLVED to move into Committee of the Whole.

Cr John Larter/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

M260/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

M261/22 RESOLVED:

THAT COUNCIL:

1. Endorse the projects recommended for funding by the Community Strengthening Grant Assessment Panel, being:
 - a. Adelong Community Enterprises - \$7,793
 - b. Do It For Batlow - \$9,300
 - c. Jingellic Hub - \$5,773
 - d. See Me Hear Me Theatre - \$9,898
 - e. St Judes Anglican Church - \$3,000

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Mayor

Interim General Manager

- f. Talbingo Community Association - \$3,337
 - g. Tumbarumba Golf Club - \$3,499
 - h. Tumbarumba Little Athletics - \$7,775
 - i. Tumut Girl Guides - \$5,000
 - j. Tumut & District Historical Society - \$1,500
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 - e. Tumut Swimming Club - \$6,980
 - f. Tumut Netball Association - \$10,000

Cr Trina Thomson/Cr Johanna (Hansie) Armour

FOR: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr James Hayes; Cr Mick Ivill; Cr Brent Livermore; Cr Trina Thomson

AGAINST: Cr John Larter

CARRIED

Cr Hayes returned to the meeting at 2.37pm.

10.5. COUNCILLOR EXPENSES FOR THE SIX-MONTH PERIOD ENDING 30 JUNE 2022

M262/22 RESOLVED:

THAT COUNCIL:

1. Note the information.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

10.6. STATEMENT OF INVESTMENTS - AUGUST 2022

M263/22 RESOLVED:

THAT COUNCIL:

1. Note the report on Statement of Investments - August 2022.

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Mayor

Interim General Manager

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Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS

11.1. SNOWY MOUNTAINS HIGHWAY LAND PURCHASE FOR TUMUT PLAINS RFS BRIGADE SHED

M264/22 RESOLVED:

THAT COUNCIL:

1. Authorise the Interim General Manager to write to Transport for New South Wales, accepting the proposal to purchase lot 7 DP255952 for the construction of a Rural Fire Service Brigade Shed for a value of \$20,000.00 to be funded through consolidated revenue of recent land purchases;
2. Authorise the General Manager to sign all documents associated with the purchase of lot 7 DP255952; and
3. Authorise the General Manager to affix the Council Seal to all relevant documents involved in the land purchase of lot 7 DP255952.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

11.2. FLOODPLAIN RISK MANAGEMENT COMMITTEE ESTABLISHMENT

M265/22 RESOLVED:

THAT COUNCIL:

1. Formally establish a Floodplain Risk Management Committee being an Advisory Committee of Council;
2. Endorse the draft Floodplain Risk Management Committee Terms of Reference (TOR);
3. Accept the funding offer from The Department of Planning and Environment in the amount of \$115,568 dated 16th August 2022 with a funding ratio of 4:1; and
4. Defer to the October meeting of Council the appointment of two Councillor representatives to the proposed Floodplain Risk Management Committee.

Cr Mick Ivill/Cr John Larter

CARRIED UNANIMOUSLY

11.3. PLANNING PROPOSAL LEP2022/01 - COUNCIL ROAD RESERVE, ADELONG ROAD, TUMUT

M266/22 RESOLVED:

THAT COUNCIL:

1. Support the planning proposal LEP2022/01 prepared to amend the Tumut Local Environmental Plan (LEP) 2012.

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Mayor

Interim General Manager

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2. Forward the planning proposal to the Department of Planning and Environment for a Gateway Determination.

Cr John Larter/Cr Brent Livermore

FOR: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr James Hayes; Cr Mick Ivill; Cr John Larter;
Cr Brent Livermore; Cr Trina Thomson

CARRIED UNANIMOUSLY

11.4. TUMUT EVACUATION AND MULTI-PURPOSE CENTRE LOCATION

MOTION:

THAT COUNCIL:

1. Approve the preference order of the below locations for commencement of site investigations and progression for the Tumut Evacuation and Multi-Purpose Centre:
 - a. First preference - Lockeridge Park
 - b. Second preference - Richmond Park;
2. Approve site investigation for Lockeridge Park in the first instance, followed by Richmond Park should Lockeridge Park be found unsuitable.

Cr Trina Thomson/Cr Brent Livermore

M267/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr John Larter

CARRIED UNANIMOUSLY

M268/22 RESOLVED to move out of Committee of the Whole.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

M269/22 RESOLVED:

THAT COUNCIL:

1. Approve commencement of site investigations and progression for the Tumut Evacuation and Multi-Purpose Centre at Lockeridge Park or Richmond Park.

Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

11.5. DA2022/0036 PROPOSED MULTI DWELLING HOUSING, LOT 1 DP599341, 66 POUND LANE TUMBARUMBA

MOTION:

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Mayor

Interim General Manager

THAT COUNCIL:

Determine the Development Application DA2022/0036 for a proposed Multi Dwelling Housing development at Lot 1, DP 599341, 66 Pound Lane, Tumbarumba NSW 2653, by way of refusal for the following reasons:

- (a) The proposal is inconsistent with the controls outlined in the Snowy Valleys DCP 2019, specifically Clauses 4.11.3 Building Setbacks, 4.11.4 Car parking, 4.11.5 Carports & Garages & 4.11.10 Internal Access. The application as submitted does not adequately address the objectives or general principles for development of the Development Control Plan.
- (b) The proposed development is setback 1.35m from the southern boundary that is considered to affect the amenity of the adjoining dwelling. It has been considered that the character of the neighbourhood in the design especially regarding the overlooking to neighbouring property and diminishing the solar access in which it may impact the energy efficiency of the neighbouring dwelling. It is considered that the required setback could be achieved with a reduction in the floor area of the proposed building.
- (c) The proposed development has only provided one single garage behind the front building line and the secondary car parking space is provided at the front of building line by expanding the driveway cross over towards the dwelling front porch providing an unmanageable impact on the road reserve causing road safety and pedestrian safety issues. In addition, the design traffic flow does not leave the site in a forward direction. This is considered non-compliant with the objectives of section 4.11.5 & 4.11.10 of the Development Control Plan in respect of diminishing the established character of the neighbourhood, safe traffic movement and character of the street scape.
- (d) The required carparking for two units is four parking spaces in conjunction with one additional visitor carpark required in relation to three dwellings proposed. The proposed carparking spaces is deficient than required number of parking spaces which is inconsistent with the objectives of the DCP.
- (e) The development application is not consistent with the requirements of section 4.15(1) of the Environmental Planning & Assessment Act 1979, including a) iii) any Development Control Plan.
- (f) The development due to the number of Development Control Plan departures in not in the public interest in accordance with s4.15 of the Environmental Planning and Assessment Act 1979.

Cr John Larter/Cr Mick Ivill

M270/22 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Brent Livermore

CARRIED UNANIMOUSLY

M271/22 RESOLVED to move out of Committee of the Whole.

Cr James Hayes/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

MOTION:**THAT COUNCIL:**

Determine the Development Application DA2022/0036 for a proposed Multi Dwelling Housing development at Lot 1, DP 599341, 66 Pound Lane, Tumbarumba NSW 2653, by way of refusal for the following reasons:

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Mayor

Interim General Manager

- (a) The proposal is inconsistent with the controls outlined in the Snowy Valleys DCP 2019, specifically Clauses 4.11.3 Building Setbacks, 4.11.4 Car parking, 4.11.5 Carports & Garages & 4.11.10 Internal Access. The application as submitted does not adequately address the objectives or general principles for development of the Development Control Plan.
- (b) The proposed development is setback 1.35m from the southern boundary that is considered to affect the amenity of the adjoining dwelling. It has been considered that the character of the neighbourhood in the design especially regarding the overlooking to neighbouring property and diminishing the solar access in which it may impact the energy efficiency of the neighbouring dwelling. It is considered that the required setback could be achieved with a reduction in the floor area of the proposed building.
- (c) The proposed development has only provided one single garage behind the front building line and the secondary car parking space is provided at the front of building line by expanding the driveway cross over towards the dwelling front porch providing an unmanageable impact on the road reserve causing road safety and pedestrian safety issues. In addition, the design traffic flow does not leave the site in a forward direction. This is considered non-compliant with the objectives of section 4.11.5 & 4.11.10 of the Development Control Plan in respect of diminishing the established character of the neighbourhood, safe traffic movement and character of the street scape.
- (d) The required carparking for two units is four parking spaces in conjunction with one additional visitor carpark required in relation to three dwellings proposed. The proposed carparking spaces is deficient than required number of parking spaces which is inconsistent with the objectives of the DCP.
- (e) The development application is not consistent with the requirements of section 4.15(1) of the Environmental Planning & Assessment Act 1979, including a) iii) any Development Control Plan.
- (f) The development due to the number of Development Control Plan departures in not in the public interest in accordance with s4.15 of the Environmental Planning and Assessment Act 1979.

Cr John Larter/Cr Mick Ivill

FOR: Cr John Larter; Cr Mick Ivill

AGAINST: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr James Hayes; Cr Brent Livermore; Cr Trina Thomson

LOST

M272/22 RESOLVED:

THAT COUNCIL:

1. Determine DA 2022/0036 by way of approval and delegate to the Interim General Manager to apply standard conditions of development consent to any notice of determination issued.

Cr Brent Livermore/Cr James Hayes

FOR: Cr Johanna (Hansie) Armour; Cr Ian Chaffey; Cr James Hayes; Cr Mick Ivill; Cr Brent Livermore; Cr Trina Thomson

AGAINST: Cr John Larter

CARRIED

11.6. DRAFT SNOWY VALLEYS COUNCIL DISABILITY INCLUSION ACTION PLAN 2022-2026**M273/22 RESOLVED:****THAT COUNCIL:**

1. Adopt the Snowy Valleys Council Disability Inclusion Action Plan 2022 -2026 without changes to the content;
2. Authorise the General Manager to make any final editorial amendments to the Draft Snowy Valleys Disability Inclusion Action Plan 2022 - 2026, if required, to ensure correctness and clarity.

Cr James Hayes/Cr Trina Thomson

CARRIED UNANIMOUSLY

11.7. 2022-2023 REFLECT RECONCILIATION ACTION PLAN - FOR ADOPTION**M274/22 RESOLVED:****THAT COUNCIL:**

1. Note the First Nations Cultural Protocols;
2. Adopt the 2022-2023 Reflect Reconciliation Action Plan;
3. Authorise the Interim General Manager to make any final editorial amendments to the Reflect Reconciliation Action Plan, if required, to ensure correctness and clarity.

Cr James Hayes/Cr Mick Ivill

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS**12.1. MINUTES - ABORIGINAL LIAISON COMMITTEE - 17 AUGUST 2022****M275/22 RESOLVED:****THAT COUNCIL:**

1. Note the Minutes and recommendations of the Aboriginal Liaison Committee meeting held on 17 August 2022; and
2. Appoint Sue Bulger as the Chairperson for the First Nations Liaison Committee.

Cr James Hayes/Cr Trina Thomson

CARRIED UNANIMOUSLY

12.2. MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - 10 AUGUST 2022**M276/22 RESOLVED:****THAT COUNCIL:**

1. Adopt the Minutes of the Audit Risk and Improvement Committee held on 10 August 2022 and they be received and noted.

Cr Brent Livermore/Cr John Larter

CARRIED UNANIMOUSLY**12.3. MINUTES - LOCAL TRAFFIC COMMITTEE - 10 AUGUST 2022****M277/22 RESOLVED:****THAT COUNCIL:**

1. Adopt the Minutes of the Local Traffic Committee held on Wednesday 10 August 2022 and they be received and noted;
2. Support the Special Event Application for the Tumut Christmas Fun Night for Thursday 8th December 2022 to go ahead, subject to Council's standard conditions;
3. Support the Special Event Application for the Tumbarumba Christmas Carnival for Friday 16th December 2022 to go ahead, subject to Council's standard conditions;
4. Support the Special Event Application for the Tumbarumba Rodeo Street Parade for Saturday 31st December 2022 to go ahead, subject to Council's standard conditions;
5. Support the 2023 Tumut Cycle Classic to enable this event to go ahead, subject to Council's standard conditions;
6. Support the Special Event Application for the 2023 Snowy Valleys Cycle Challenge to enable this event to go ahead, subject to Council's standard conditions.
7. Extend the School Bus Zone 8am - 9:30 am and 2:30 pm - 4pm School days in front of the Tumut Public School, Simpson Street, Tumut by 30m to the northern side of Kaleema Crescent;
8. Endorse and support the proposed installation of "Plan Your Trip" signage within Council Road Reserve on Alpine Way, Khancoban;
9. Request TfNSW to plan and install similar "Plan Your Trip" signage along the Snowy Mountains Highway and Gocup Road as the signs planned for the Alpine Way;
10. Requests a Native Title Search to determine the correct purpose of the block Lot 7028 DP94510, and then notify Crown Lands of intention to realign driveways and footpath;
11. Draw a design and calculate estimates to convert Travers Street, Adelong from a thorough fair to a cul de sac using chevrons, these plans would be presented at the next Local Traffic Committee meeting for discussion;
12. Design a plan for alterations to vehicle parking on the south side of Tumbarumba Road across the Rosewood Store to improve sight distances and that these are presented at the next Local Traffic Committee Meeting;
13. Write a letter to MP Justin Clancy requesting information about the status of works on Jackson Bridge; and
14. Include motorcycle parking in the consultation regarding parking and Traffic in the Tumut CBD.
15. Thanks the outgoing Road Safety Officer.

Snowy Valleys Council Ordinary Meeting Minutes

Thursday, 15 September 2022

Cr James Hayes/Cr Mick Ivill

CARRIED UNANIMOUSLY

13. CONFIDENTIAL

M278/22 RESOLVED:

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

13.1 CONFIDENTIAL - TUMUT BULL PADDOCK IRRIGATION AND DRAINAGE PROJECT

Item 13.1 is confidential under the Local Government Act 1993 Section 10A 2 (d) i as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 CONFIDENTIAL - LAND CLEARING MOODY'S HILL MARAGLE

Item 13.2 is confidential under the Local Government Act 1993 Section 10A (2) (e) as it relates to information that would, if disclosed, prejudice the maintenance of law and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.3 CONFIDENTIAL - WRITE-OFF OF DEBTS

Item 13.3 is confidential under the Local Government Act 1993 Section 10A (2) (b) and (e) as it relates to discussion in relation to the personal hardship of a resident or ratepayer and information that would, if disclosed, prejudice the maintenance of law and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Cr John Larter/Cr Brent Livermore

CARRIED UNANIMOUSLY

At this stage, the time being 3.16pm Council went into Confidential closed session.

13.1. CONFIDENTIAL - TUMUT BULL PADDOCK IRRIGATION AND DRAINAGE PROJECT

M279/22 RESOLVED:

THAT COUNCIL:

1. Noting Section 55(3)(i) of the *Local Government Act 1993 (NSW)*, resolves as a result of the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by re-inviting tenders for the purchase of goods and services associated with the Bull Paddock Irrigation and Drainage Project;
2. Authorise the Interim General Manager to negotiate with and, subject to the successful outcome of negotiations, enter into a contract with Excel Turf Pty Ltd for the purchase of goods and services associated with the Bull Paddock Irrigation and Drainage Project.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in In the Council Chambers
76 Capper Street Tumut and Via Video Link on Thursday, 15 September 2022

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Mayor

Interim General Manager

13.2. CONFIDENTIAL - LAND CLEARING MOODY'S HILL MARAGLE

M280/22 RESOLVED:

THAT COUNCIL:

1. Defer to the next Council meeting.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

13.3. CONFIDENTIAL - WRITE-OFF OF DEBTS

M281/22 RESOLVED:

THAT COUNCIL:

1. Note the write-off and adjustments totalling \$24,856.59 made under delegated authority for the period 1 March 2022 to 31 August 2022.

Cr Trina Thomson/ Cr Mick Ivill

CARRIED UNANIMOUSLY

M282/22 RESOLVED to move out of Confidential.

Cr John Larter/Cr James Hayes

CARRIED UNANIMOUSLY

14. MEETING CLOSURE

There being no further business to discuss, the meeting closed at 3.40 pm.

6. CORRESPONDENCE/PETITIONS

6.1. PETITION RECEIVED - UPGRADES TO BANKSIA PARK - TUMUT

REPORT AUTHOR: ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

Snowy Valleys Council has received a petition from members of the Community to request upgrades to Banksia Park in Tumut. The submission has been reviewed in line with Council's Petitions Policy and assessed as being compliant.

However, it must be noted that the land on which Banksia Park sits is under the control of the NSW Land & Housing Corporation.

RECOMMENDATION:

THAT COUNCIL:

- 1. Receive the petition for "UPGRADE TO BANKSIA PARK - TUMUT";**
- 2. Forward the Petition to the NSW Land & Housing Corporation for consideration; and**
- 3. Inform the Community and Chief Petitioner of the ownership of the land.**

BACKGROUND:

Banksia Park is located on Banksia Crescent and Wilga Street Tumut. Council maintains a set of playground equipment and seating in this location that regularly receive damage. This includes vandalism of the structures, graffiti and damage to the surface within the park.

REPORT:

Council has received a petition with the purpose of 'upgrade of the Banksia Park'. According to Council records, Banksia Park is under the ownership of the NSW Land and Housing Corporation. No formal agreement with Council has been identified in Council's record system for the management or maintenance of the facilities. Council has been undertaking routine maintenance of the area to provide a safe space for nearby residents to congregate.

The received petition outlines the following issues;

- Current equipment is very old and used
- Currently no bins in the park
- Hazards within the surface of the park (holes and jumps)
- Lack of suitable seating.

Council has limited budget to maintain the assets under its ownership and control. The last recorded playground equipment installed by Council on the Asset Register was 1994. This equipment according to Council records has reached its end of useful life and has been disposed of from Council's Asset Register. There is still equipment onsite in reasonable condition.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 1 - Our Community.

Community Strategic Plan Objectives

CSP1 - Our communities are connected and inclusive. Supported by services that nurture health, well being and identity.

Delivery Program Principal Activities

1.2 - Provide and maintain community spaces that encourage activity and well being.

FINANCIAL AND RESOURCES IMPLICATIONS:

The current playground equipment is not represented in Council's Asset Register, so no written down value, replacement cost or depreciation is recognised.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Snowy Valleys Council Petitions Policy - SVC-COR-PO-042-02

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Nil

OPTIONS:

Council can;

1. Accept the recommendations
2. Reject the recommendations
3. Adjust the recommendations

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION**7.1. NOTICE OF RESCISSION - M241/22 REVIEW OF COSTS GOLDFIELDS PARK TUMBARUMBA AND PIONEER PARK TUMUT****COUNCILLOR/S: Cr Tina Thomson; Cr Johanna (Hansie) Armour; Cr Brent Livermore****NOTICE OF RESCISSION:**

Pursuant to Notice, Cr Tina Thomson; Cr Johanna (Hansie) Armour; Cr Brent Livermore move that Council rescinds Point 4 only of the resolution M241/22 18 August 2022 - 11.3 REVIEW OF COSTS GOLDFIELDS PARK TUMBARUMBA AND PIONEER PARK TUMUT. A copy of the resolution is shown below:

11.3. REVIEW OF COSTS GOLDFIELDS PARK TUMBARUMBA AND PIONEER PARK TUMUT**M241/22 RESOLVED:**

THAT COUNCIL:]

1. Build Rotary Pioneer Park Tumut, and Goldfield Park Tumbarumba generally in accordance with the original masterplan, apart from the amenities;
2. That the amenities be installed as 'off the shelf' prefabricated facilities;
3. Locate the amenities in Goldfields Park at a location to be agreed with the local community;
4. Locate the amenities in Rotary Pioneer Park near the Western Car Park on Elm Drive adjacent to the Picnic Shelters;
5. Advise the community of the revised project designs;
6. The Interim General Manager be delegated authority to procure appropriate facilities.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in the Council Chambers
76 Capper Street Tumut and Via Video Link on Thursday, 18 August 2022

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RECOMMENDATION:**THAT COUNCIL:**

1. Rescind Point 4 only of Resolution M241/22, 18 August 2022 so that the resolution now becomes:

THAT COUNCIL:

1. Build Rotary Pioneer Park Tumut, and Goldfields Park Tumbarumba generally in accordance with the original masterplan, apart from the amenities
2. Install the amenities as 'off the shelf' prefabricated facilities;
3. Locate the amenities in Goldfields Park at a location to be agreed with the local community;
4. Advise the community of the revised project designs;
5. Provide the Interim General Manager delegated authority to procure appropriate facilities.

ATTACHMENTS

Nil

8. MAYORAL MINUTE

9. URGENT BUSINESS WITHOUT NOTICE

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. TRAINING OPPORTUNITY FOR COUNCILLORS - LGNSW COURSES

REPORT AUTHOR: EXECUTIVE SUPPORT OFFICER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council of this training opportunity and to seek approval for the attendance of councillors at the online training course "Understanding LG Finances for Councillors" offered through Local Government NSW (LGNSW).

This training course is regularly scheduled by LGNSW's Learning & Development Team.

Cr Hansie Armour has sought approval to attend the session scheduled for 25 November 2022. This opportunity is also available to any other councillor who may wish to participate and has the budget to do so.

RECOMMENDATION:

THAT COUNCIL:

- 1. Consider and endorse the attendance of Cr Hansie Armour at the online "Understanding LG Finances for Councillors" course on 25 November 2022; and**
- 2. Approve the attendance of additional councillors who also wish to undertake this training, provided it is within the councillors budget allocation to do so.**

BACKGROUND:

The LGNSW Learning & Development Team provide a wide range of short training courses aimed at enhancing the skills of elected members. These courses are available via online or face-to-face delivery.

The courses facilitate professional and leadership development in a variety of areas, thereby enabling elected members to effectively represent the community. The "Understanding LG Finances for Councillors" course assists councillors with making decisions about financial issues. The duration of the course is 3.5 hours.

REPORT:

The course content includes:

- The responsibilities of councillors with regard to council finances
- Basic accounting procedures
- How to read quarterly reviews
- How to interpret council balance sheets
- What depreciation is and how it affects council's finances
- How financial information fits into council planning
- The concept of risk and how it fits into financial management issues
- What is expected of councillors during council audits
- How probing questions can assist to make more informed decisions.

Participants will gain practical skills, knowledge and confidence in discharging the financial duties of a councillor. The module will provide them with a range of basic tools to understand, interpret, develop, plan and more effectively manage the financial resources of Council, as well as inform them of their duties and responsibilities regarding the financial management of council. The facilitator will use group discussions, council case studies and LG-orientated examples to assist the learning process.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 Our Civic Leadership.

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community.

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability.

FINANCIAL AND RESOURCES IMPLICATIONS:

Provisions within Council's 2022/23 Operational Budget have been made for the attendance at training courses by councillors.

Training / conference attendance for councillors and the Mayor total \$39,500 in the 2022/23 Budget, as per the values listed below:

Mayor \$6,500

Deputy Mayor \$5,000

Councillors \$4,000 each

The cost to attend the course is \$440 incl. GST. The course is offered online and therefore no further expenses should be incurred.

The attendance at future sessions of this course by other councillors will be subject to having sufficient budget available.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council's *'Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy'* requires Council to make a resolution on conference attendance for those seeking Council's financial support to attend.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Financial	Attendance Cost	Given Council is facing a sustainability issue, training undertaken by councillors may be perceived as a waste of money	Attendees will increase their knowledge and awareness, allowing them to contribute more effectively to Council decisions
Councillors	Professional Development		Attendance aligns with Council's statutory

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
			requirement to provide professional development opportunities to all councillors
Stakeholders	Community		Attendees will be able to communicate Council's financial position more effectively

OPTIONS:

Council can choose not to approve the attendance of the nominated councillor.

Council can choose to approve the attendance of additional councillors to this training course, within this budget period.

Council can choose not to approve the attendance of councillors at future training courses, within this budget period.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil.

ATTACHMENTS

Nil.

10.2. PECUNIARY INTEREST RETURNS FOR DESIGNATED STAFF AND ARIC MEMBERS

REPORT AUTHOR: GOVERNANCE OFFICER

RESPONSIBLE DIRECTOR: INTERIM DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

To present to the Council the Pecuniary Interest Returns for designated persons in accordance with Section 4.21 of the Snowy Valleys Council Code of Conduct.

RECOMMENDATION:

THAT COUNCIL:

1. **Note the following Declarations of Pecuniary Interest Returns from Councillors and Designated Persons as at 30 June 2022 as listed in accordance with the Code of Conduct:**
 - **Designated Persons:**
Interim General Manager; Interim Executive Director Community & Corporate; Interim Chief Financial Officer; Audit Risk & Improvement Committee Chairperson and Committee Members.
2. **Approve for the redacted Pecuniary Interest Returns Designated Staff 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 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 30 June 2022 for ARIC Members and as at 30 September 2022 for designated persons are tabled at this meeting in compliance with Clause 4.25 of the Code of Conduct:

4.25 Returns required to be lodged with the general manager under clause 4.21 (a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

The Councillor returns were presented to Council at the April 2022 council meeting. In accordance with Clause 4.22 (a) the Councillors did not have to complete returns for the 30 June 2022.

4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:

(a) they made and lodged a return under that clause in the preceding 3 months, or

(b) they have ceased to be a councillor or designated person in the preceding 3 months.

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. Clause 4.27 states:

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.

Information and Privacy Commission's, *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 2009* 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, (See *GIPA Act 2009* Section 14 attached) 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) (PPIP 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.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

FINANCIAL AND RESOURCES IMPLICATIONS:

Nil

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Snowy Valleys Councils Code of Conduct Clause 4.21-4.27

The NSW Information and Privacy Commissions Information Access Guideline 1

Snowy Valleys Council Completion of Disclosure of Pecuniary Interest Returns for Councillors and Designated Persons Procedure

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

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

Lack of redaction of some of the information contained within the returns could expose a person to a risk of harm or of serious harassment or serious intimidation.

OPTIONS:

To release the Pecuniary Interest Returns in FULL for the Councillors and Designated Persons on Council website in accordance with the adopted Information and Privacy Commission's Guideline 1.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

ATTACHMENTS

1. 2022 - Disclosure of Pecuniary Interest Return - Interim General Manager - Hamish McNulty - Redacted (under separate cover)
2. 2022 - Disclosure of Pecuniary Interest Return - Interim Chief Financial Officer - Daryl Haggart - Redacted (under separate cover)
3. 2022 - Disclosure of Pecuniary Interest Return - Interim Director Community & Corporate - Julie Vaughan - Redacted (under separate cover)
4. 2022 - Disclosure of Pecuniary Interest Return - ARIC Member - Carolyn Rosetta-Walsh - Redacted (under separate cover)
5. 2022 - Disclosure of Pecuniary Interest Return - ARIC Member - Steven Walker - Redacted (under separate cover)
6. 2022 - Disclosure of Pecuniary Interest Return - ARIC Member - Melissa Tooke - Redacted (under separate cover)

10.3. COMMITTEE MEMBERSHIP RECRUITMENT - APPLICATION APPROVAL - TUMUT AERODROME COMMITTEE

REPORT AUTHOR: GOVERNANCE OFFICER

RESPONSIBLE DIRECTOR: INTERIM DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

To present a re-nomination for membership of the Tumut Aerodrome Committee (TAC) in accordance with the Council committees' framework (policy and operations manual).

RECOMMENDATION:

THAT COUNCIL:

- 1. Approve the re-nomination from Peter Wilson to the Tumut Aerodrome Committee.**

BACKGROUND:

Immediately following the election of each new Council, all committee Terms of Reference, including existing membership of council advisory committees are reviewed and approved by Council.

There are often changes to membership reflecting the changes within the broader community. Member(s) retire or leave town, new members express interest, and existing members recruit suitable candidates to committees that hold specific interest for individuals.

Committee membership is vital for community engagement, collaboration and partnerships. Committee members provide information for Council on usage of facilities, achievements within the community, and opportunities and challenges for future development.

REPORT:

The following application has been received from interested community members for re-nomination:

Tumut Aerodrome Committee:

- Name: Peter Wilson (ECM ID3196708) - re-nomination
Applicant Qualifications: Certified Flight Instructor.
Reasons for Membership: Aircraft Flying.

Other members of the Tumut Aerodrome Committee were approved in March and June 2022.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.1 Communicate with our community and provide opportunities for participation in decision making

FINANCIAL AND RESOURCES IMPLICATIONS:

Nil

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The Tumut Aerodrome Committee is an Advisory Committee of Council and operates under an adopted terms of reference (TOR).

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Low as Council is endorsing re-nomination of members to this committee.

OPTIONS:

Council can opt to not approve the re-nomination of the committee member

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Council committees have been delivered training in the operation of committees and the framework. Councillor and staff delegates are the conduit for information to and from the committees.

ATTACHMENTS

Nil.

10.4. CHRISTMAS CLOSURE 2022

**REPORT AUTHOR: INTERIM EXECUTIVE DIRECTOR COMMUNITY AND CORPORATE
RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER**

EXECUTIVE SUMMARY:

This report details the proposed operational arrangements for Council over the 2022/23 Christmas/New Year period. Consistent with previous years, it is proposed that whilst a brief shut-down period be applied in most areas, a presence consisting of staff required to ensure continuity of essential services is to be maintained.

RECOMMENDATION:

THAT COUNCIL:

1. **Endorse the implementation of the operational arrangements outlined in this report for the 2022/23 Christmas/New Year period and that these details be published to the community; and**
2. **In accordance with Section 377 of the *Local Government Act 1993*, delegate authority to the Mayor and General Manager or in their absence, to the persons acting in these roles, during the period of Council recess to jointly exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first ordinary Council meeting following the Council recess. This period:**
 - (a) **Commencing at midnight on the day of the Council meeting held immediately before the recess period as approved by Council (8 December 2022) and**
 - (b) **Concluding at the time of commencement of the first Council meeting held immediately after the end of the recess period (16 February 2023) and noting that any such decisions are to be unanimous and circulated to Councillors for their information, and will be reported to the first Ordinary Council meeting following the recess period.**

BACKGROUND:

Consistent with previous years, Council services and operations will close over the Christmas/ New Year period. A presence of staff required to ensure the continuity of essential services will be maintained. This year the closure will be for a two (2) week period to allow staff to have a break and assist the organisation in reducing annual leave liabilities.

This report also ensures appropriate provisions are in place whilst Council takes a recess period.

REPORT:

In accordance with the Council's Code of Meeting Practice, there will be no ordinary meetings of Council held in January 2023. This means that the recess period for 2022/23 will be from midnight on 8 December 2022 until the commencement of the first ordinary Council meeting in 2023 on 16 February 2023.

During this period there may be matters which require determination or urgent action by Council. It is proposed that during this period the Mayor and the General Manager, or the persons acting in these positions if the incumbents are absent, be delegated with the authority, pursuant to Section 377 of the *Local Government Act 1993*, to jointly exercise the powers, authorities, duties and functions of Council which cannot reasonably be deferred to the first ordinary Council meeting following Council recess.

The period from 12 noon Friday, 23rd December 2022 until Monday, 9th January 2023 (inclusive) will be deemed a designated shut-down period for all staff except those rostered on to work to provide essential services or maintain an on-call presence.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

N/A

FINANCIAL AND RESOURCES IMPLICATIONS:

There are no financial implications for Council associated with this report.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

There are no implications for Council associated with this report.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

There are no implications for Council associated with this report.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Upon confirmation of the operating arrangements, these details will be published to the community via the relevant channels.

ATTACHMENTS

Nil.

10.5. STATEMENT OF INVESTMENTS - SEPTEMBER 2022**REPORT AUTHOR: FINANCE OFFICER****RESPONSIBLE DIRECTOR: INTERIM CHIEF FINANCIAL OFFICER****EXECUTIVE SUMMARY:**

This report provides an overview of Council's cash and investment portfolio performance as at 30 September 2022.

RECOMMENDATION:**THAT COUNCIL:**

1. Note the report on Statement of Investments - September 2022.

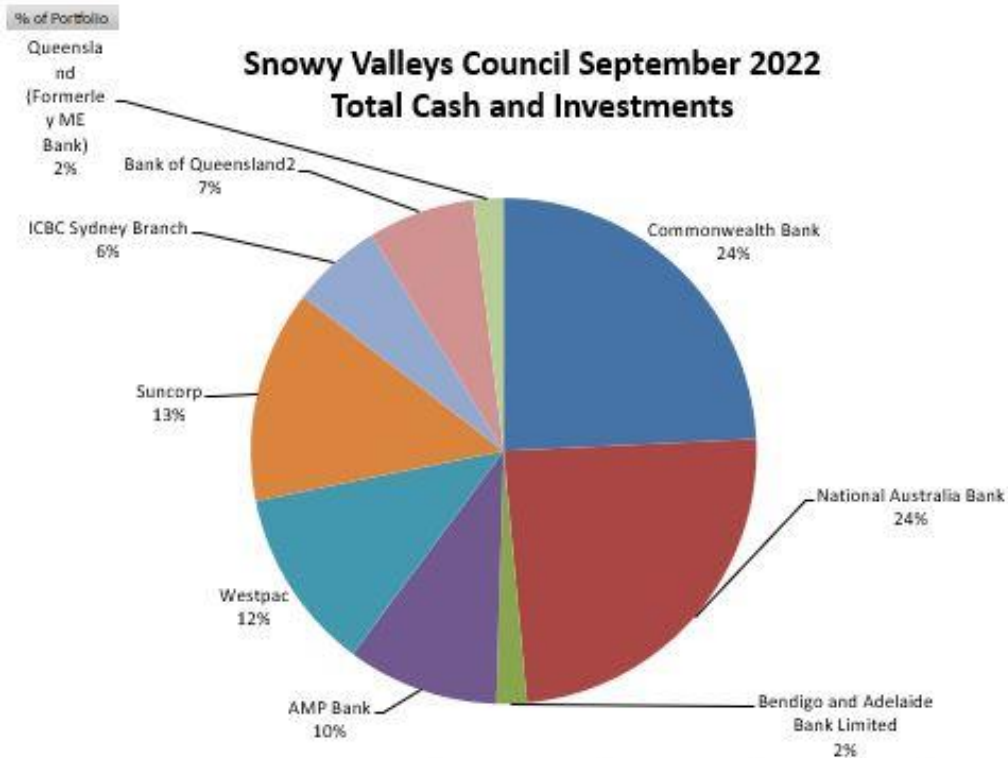
BACKGROUND:

Nil.

REPORT:

In accordance with Clause 212 of the Local Government (General) Regulations 2021, a monthly report is required to be submitted to Council detailing all investments of Council.

Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8
Combined Cash & Investments Table							
30/09/2022							
Cash & 11am at call Accounts	Branch	Current Month	Last Month	Movement	Type	Interest Rate%	Maturity Date
Commonwealth Bank	Tumut	\$ 5,376,895	\$ 1,049,594	\$ 4,327,301	W/Acct	0.10%	
Commonwealth Bank	Tumut	\$ 7,091,366	\$ 9,083,338	-\$ 1,991,972	At Call (BOS)	2.45%	
Commonwealth Bank	Tumut	\$ 12,158	\$ 10,470	\$ 1,688	Gen-Roth	0.10%	
Sub Total Cash & 11am at Call Accounts		\$ 12,480,418	\$ 10,143,401	\$ 2,337,017		1.44%	
Total Cash & At Call Investments		\$ 12,480,418	\$ 10,143,401	\$ 2,337,017		1.44%	
Term Deposits	Branch	Current Month	Last Month	Movement	Lodgement Date	Interest Rate%	Maturity Date
National Australia Bank	375	\$ -	\$ 2,000,000	-\$ 2,000,000	7/09/2021	0.35%	7/09/2022
Suncorp	799	\$ -	\$ 1,000,000	-\$ 1,000,000	22/09/2021	0.35%	22/09/2022
Suncorp	799	\$ 2,000,000	\$ 2,000,000	\$ -	4/04/2022	1.15%	4/10/2022
National Australia Bank	375	\$ 1,500,000	\$ 1,500,000	\$ -	29/07/2022	2.62%	31/10/2022
National Australia Bank	375	\$ 1,500,000	\$ 1,500,000	\$ -	31/08/2022	2.45%	31/10/2022
Bendigo and Adelaide Bank Limited	310-A	\$ 500,000	\$ 500,000	\$ -	25/11/2021	0.50%	25/11/2022
Bendigo and Adelaide Bank Limited	329-T	\$ 500,000	\$ 500,000	\$ -	25/11/2021	0.50%	25/11/2022
Suncorp	484	\$ 1,500,000	\$ 1,500,000	\$ -	1/12/2021	0.52%	1/12/2022
Suncorp	484	\$ 1,500,000	\$ 1,500,000	\$ -	1/06/2022	2.45%	1/12/2022
AMP Bank	939	\$ 2,000,000	\$ 2,000,000	\$ -	16/12/2021	1.00%	7/12/2022
Suncorp	799	\$ 1,003,500	\$ -	\$ 1,003,500	23/09/2022	3.41%	23/12/2022
AMP Bank	328	\$ 1,000,000	\$ 1,000,000	\$ -	17/01/2022	1.10%	17/01/2023
National Australia Bank	375	\$ 1,500,000	\$ 1,500,000	\$ -	29/07/2022	3.25%	30/01/2023
Bank of Queensland	335	\$ 2,000,000	\$ 2,000,000	\$ -	21/02/2022	0.90%	21/02/2023
National Australia Bank	375	\$ 1,000,000	\$ 1,000,000	\$ -	30/08/2022	3.49%	28/02/2023
Suncorp	484	\$ 1,000,000	\$ 1,000,000	\$ -	15/06/2022	3.53%	15/03/2023
AMP Bank	939	\$ 2,000,000	\$ 2,000,000	\$ -	18/03/2022	1.00%	20/03/2023
ICBC Sydney Branch	336	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.65%	1/04/2023
Westpac	916	\$ 2,000,000	\$ 2,000,000	\$ -	27/04/2022	2.27%	27/04/2023
Westpac	032	\$ 1,500,000	\$ 1,500,000	\$ -	1/12/2021	0.88%	1/06/2023
Bank of Queensland	001	\$ 1,500,000	\$ 1,500,000	\$ -	1/06/2022	3.20%	1/06/2023
National Australia Bank	375	\$ 2,000,000	\$ 2,000,000	\$ -	28/06/2021	0.60%	28/06/2023
National Australia Bank	375	\$ 1,000,000	\$ 1,000,000	\$ -	15/07/2021	0.65%	17/07/2023
National Australia Bank	375	\$ 2,000,000	\$ 2,000,000	\$ -	30/07/2021	0.65%	31/07/2023
National Australia Bank	375	\$ 2,000,000	\$ -	\$ 2,000,000	7/09/2022	4.13%	7/09/2023
Bank of Queensland (Formerly ME Bank)	010	\$ 1,000,000	\$ 1,000,000	\$ -	27/04/2022	2.70%	27/10/2023
Westpac	916	\$ 1,000,000	\$ 1,000,000	\$ -	15/02/2022	1.75%	15/02/2024
ICBC Sydney Branch	337	\$ 1,500,000	\$ 1,500,000	\$ -	8/04/2021	0.85%	8/04/2024
Westpac	916	\$ 1,500,000	\$ 1,500,000	\$ -	7/09/2021	0.78%	9/09/2024
Total TD's		\$ 39,003,500	\$ 39,000,000	\$ 3,500		1.72%	
Total Cash & Investments		\$ 51,483,918	\$ 49,143,401	\$ 2,340,517		1.65%	



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's Investment Policy. Cash and Investments increased \$2.34m in September 2022.

Cash investments rates are levelling out with the market factoring in forward expectations of increasing rates. Council's investment policy requires Council officers to minimise investment risk by spreading investments across several institutions (institutional credit framework) as well as within its investment portfolio (overall portfolio credit framework). These risk minimisation measures impact the achievable rate of return. Council officers continue to monitor the investment market and regularly receive updates from Council's financial advisors.

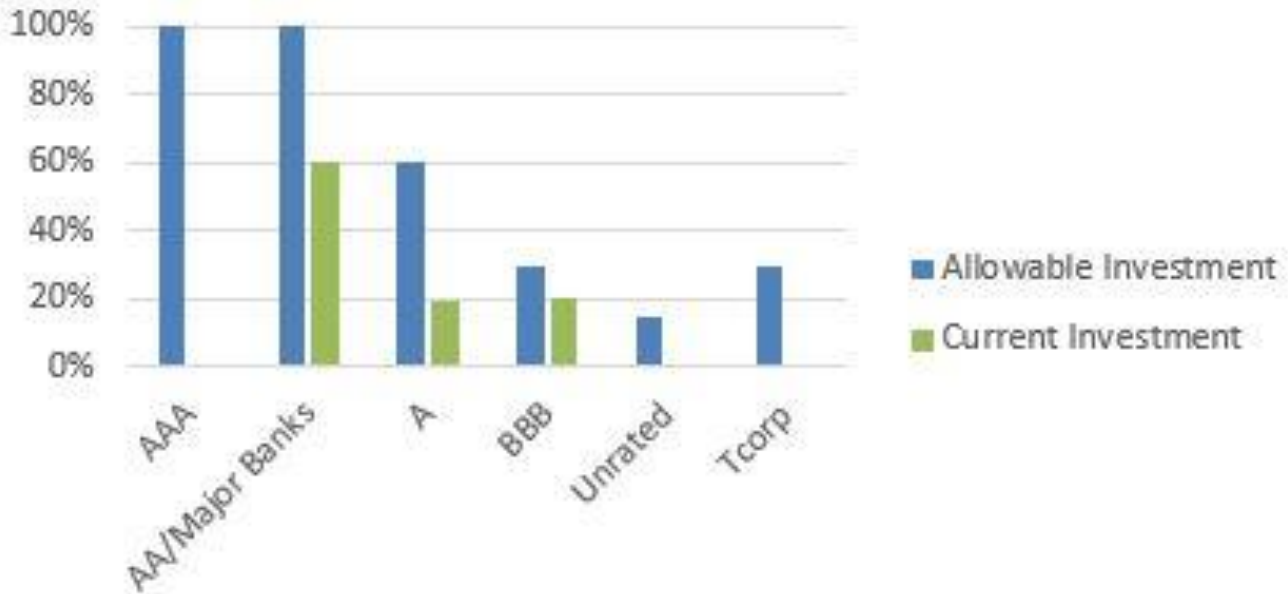
SVC Cash Investments and Weighted Return



This month the report includes a focus on portfolio risk, one of the three risks identified in Council's Investment Policy. Portfolio risk refers to the overall risk of the portfolio of investments, this includes the combined risk of each individual investment. The different components of the portfolio and their weightings contribute to the extent to which the portfolio is exposed to risk. To control the credit quality

on the entire portfolio, Council limits the percentage of the portfolio exposed to any particular credit rating category. The maximum percentage of the total portfolio that can be held within any one credit rating category is outlined in the Investment Policy.

SVC Investment Policy - Portfolio Risk



LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

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).

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The information provided complies with Councils Investment Policy and Section 625 of the *Local Government Act 1993* (NSW).

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

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 requires further communication will be addressed at the meeting or taken on notice and a response will be provided.

ATTACHMENTS

Nil.

10.6. DELEGATION OF AUTHORITY TO SIGN STATEMENT BY COUNCIL ON ITS OPINION OF THE ACCOUNTS FOR THE 2021/22 ANNUAL FINANCIAL STATEMENTS

REPORT AUTHOR: INTERIM CHIEF FINANCIAL OFFICER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

Council is required to delegate authority to the Mayor, a Councillor, General Manager and Responsible Accounting Officer to sign the Statement by Council on its opinion of the Accounts for 2021/22.

RECOMMENDATION:

THAT COUNCIL:

In accordance with Section 413 of the *Local Government Act 1993*, and subject to endorsement from the Audit, Risk & Improvement Committee, resolve:

1. That its 2021/22 Annual Financial Statements:
 - a) Are in accordance with the *Local Government Act 1993* (as amended and the Regulations made there under);
 - b) Are in accordance with the Australian Accounting Standards and Professional Pronouncements;
 - c) Are in accordance with the Local Government Code of Accounting Practice and Financial Reporting 2021/22;
 - d) Present fairly the Council's 2021/22 operating result and financial position;
 - e) Are in accordance with Council's accounting and other records; and
 - f) Council is not aware of any matter that would render this report false or misleading in any way.
2. To delegate authority to the Mayor, Deputy Mayor, Chief Executive Officer (General Manager) and the Responsible Accounting Officer to sign the Statement by Council on its Opinion of the Accounts (clause 215 of the Local Government (General) Regulation 2021).
3. That the Chief Executive Officer (General Manager) be authorised to issue the 2021/22 accounts immediately upon receipt of the auditor's report; and
4. To invite Council's Auditor to attend the November Ordinary Council Meeting to present the 2021/22 Financial Reports.

BACKGROUND:

Sections 413 to 421 of the *Local Government Act 1993* relate to the Council's annual reporting requirements.

Council is required to submit its audited annual financial statements for the financial year ending 30 June 2022 to the Office of Local Government by 31 October 2022.

REPORT:

The NSW Audit Office (with Crowe Horwath being the contracted auditor) are reviewing the financial statements for the 2021/22 financial year. This process is currently progressing to meet the deadline of submitting the Financial Statements to the Office of Local Government by 31 October 2022. The Auditors have advised they are still reviewing infrastructure, property, plant and equipment (IPPE) valuations and

indexation and disclosure testing and at this stage have no new issues and no new management letter points to raise.

Section 413 of the *Local Government Act 1993* requires that Council must provide an opinion on its financial report by way of a statement attached to the reports. The content of the statement is specified in Section 215 of the Local Government (General) Regulation 2021, as follows:

215 Statement by a Council on its annual reports

(1) The statement required by section 413 (2) (c) of the Act must:

- a) Be made by resolution of the Council, and*
- b) Be signed by:*
 - i. The Mayor, and*
 - ii. At least one other member of the Council, and*
 - iii. The responsible accounting officer, and*
 - iv. The General Manager (if not the responsible accounting officer).*

(2) The statement must indicate:

- a) Whether or not the Council's annual financial reports have been drawn up in accordance with:*
 - i. The Act and this Regulation, and*
 - ii. The Code and the Manual, and*
 - iii. The Australian Accounting Standards issued by the Australian Accounting Standards Board, and*
- b) Whether or not those reports present fairly the Council's financial position and operating result for the year, and*
- c) Whether or not those reports accord with the Council's accounting and other records, and*
- d) Whether or not the signatories know of anything that would make those reports false or misleading in any way, and include such information and explanations as will prevent those reports from being misleading because of any qualification that is including in the statement.*

(3) The Council must ensure that the statement is attached to the relevant annual financial reports.

The recommendation is in accordance with the requirements of the Act and Regulation.

The 2021/22 Draft Income Statement (below) shows total income from continuing operations (including capital grants and contributions) of \$73.55 million, total expenses from continuing operations of \$80.53 million, resulting in a net operating deficit of \$6.98 million.

The net operating result when excluding grants and contributions provided for capital purposes results in a deficit of \$20.73 million. An operating deficit occurs when total expenses are greater than total income (excluding all capital amounts). This is reflected in the operating performance ratio of negative 3.88% (benchmark is 0% or greater) which measures a Council's achievement in containing operating expenditure within operating income. It is noted this is the fourth year out of six Snowy Valleys Council has recorded a negative operating performance ratio, including in each of the past three financial years. An ongoing negative performance ratio indicates that Council is unable to fund its day-to-day activities and is encouraged to budget for surplus results and to take into account the condition and maintenance requirements of assets in this process.

Draft 2021/22 Financial Statements – Income Statement:

Income Statement for the year ended 30 June 2022				
Original unaudited budget 2022 (\$'000)			Actual 2022 (\$'000)	Actual 2021 (\$'000)
	Income from continuing operations			
18,502	Rates and annual charges		18,000	17,051
16,273	User charges and fees		19,307	16,905
827	Other revenues		5,699	3,705
10,740	Grants and contributions provided for operating purposes		15,085	25,350
19,053	Grants and contributions provided for capital purposes		13,749	11,740
410	Interest and investment income		316	435
-	Other income		1,397	1,513
65,805	Total income from continuing operations		73,553	76,699
	Expenses from continuing operations			
17,850	Employee benefits and on-costs		20,823	20,246
13,556	Materials and services		28,090	34,453
367	Borrowing costs		398	473
10,825	Depreciation, amortisation and impairment of non-financial assets		27,529	11,172
5,968	Other expenses		1,109	1,290
-	Net loss from the disposal of assets		2,582	2,305
48,566	Total expenses from continuing operations		80,531	69,939
17,239	Operating result from continuing operations		(6,978)	6,760
17,239	Net operating result for the year attributable to Council		(6,978)	6,760
(1,814)	Net operating result for the year before grants and contributions provided for capital purposes		(20,727)	(4,980)

Council's revenue decreased by \$3.15 million compared to last year, mainly due to:

- a net reduction in grant income of \$8.26 million due to:
 - decreased grants for bushfire and emergency services of \$6.76 million
 - decreased grants for stronger communities and implementation funding of \$7.40 million
 - increased grants to fund road and bridge repairs of \$5.76 million
- a net increase in user charges and fees of \$2.40 million due to:
 - increased private works income of \$2.12 million
 - increased water usage charges of \$287,000
 - increased Transport for NSW works of \$240,000
 - decreased medical service fees of \$323,000
- increased rates and annual charges of 0.95 million
- increased other revenues of \$1.99 million primarily related to disaster management reimbursements.

Council's overall operating expenditure increased by \$10.59 million compared to last year, mainly due to increased depreciation, amortisation and impairment of \$16.36 million, offset by a decrease in operating expenditure against materials and services of \$6.36 million.

The increase in depreciation is due to the revaluation of water and sewer assets which resulted in a revaluation decrement of \$15.82 million. This revaluation process which occurs on a five-year cyclical basis for each asset class was undertaken by APV Valuers & Asset Management. The revaluation of water and sewer assets determined the expected life of these assets was less than what was recorded in Council's asset register. As a result, depreciation has been under expensed over the past five years requiring in the cumulative expense being recorded in this year's financial statements. This amount was charged to the income statement as there was not a revaluation reserve to attribute this amount against. Without this revaluation decrement the net operating result for 2021/22 would have been a surplus of \$8.84 million (compared to a surplus of \$6.76 million in 2020/21) and the net operating result before capital grants and contributions for 2021/22 would have been a deficit of \$4.91 million (in line with 2020/21 - deficit of \$4.98 million).

Council held \$768.30 million in assets, of which \$710.97 million were in the form of infrastructure, property, plant and equipment.

The cash balance at 30 June 2022 was \$45.33 million (2020/21 - \$38.02 million).

Draft Financial Statements were presented to Council's Audit, Risk and Improvement Committee (ARIC) at an extraordinary meeting on 21 September 2022.

During the ARIC meeting held on 21 September 2022 the following issues were discussed at length:

- Recognition of Rural Fire Service (RFS) assets
- Unrestricted cash and internally restricted cash allocations (Financial Reserves)
- Water and Sewer asset revaluation
- Other matters

Recognition of Rural Fire Service (RFS) assets continues to be a controversial matter for a majority of NSW Local Councils. Currently Council does not recognise RFS assets on the asset register. Council's rationale for this determination is as follows: Based on Australian Accounting Standard 116 Preparation and Presentation of Financial Statements (AASB 116), Council does not receive the economic benefits from the assets and the assets are not controlled by Council. A position paper was prepared and presented to Council's auditors and ARIC. ARIC supported Council's approach in not recognising the RFS Assets.

Council's Financial Reserve Management Policy stipulates "an unrestricted cash amount of approximately \$2 million will be held at years' end subject to Council resolution". At 30 June 2022, unrestricted cash of \$475,000 is shown in the financial statements. To achieve this position, the following internally restricted reserves were reduced by a combined total of \$1,861,000 at 30 June 2022 due to timing differences in the receipt of outstanding debtors. Following are the reductions from each specific reserve:

- Plant and vehicle replacement reserve by \$899,000 (from \$1,281,000 to \$382,000)
- Contingencies reserve by \$250,000 (from \$500,000 to \$250,000)
- Employees Leave Entitlement reserve by \$650,000 (from \$2,283,000 to \$1,633,000)
- Insurance (risk management) reserve by \$62,000 (from \$162,000 to \$100,000)

Two Sundry Debtors owed and not paid at 30 June 2022 are detailed below which amount to \$3,869,913 of which \$2,856,257 was paid in three (3) amounts between 19 July 2022 and 1 August 2022:

- Roadworks \$2,856,257
- Insurance claims \$1,013,656

Without the reduction in internally restricted reserves of \$1,861,000 Council's financial statements would have shown a negative unrestricted cash amount of \$1,386,000 at year end (being the difference between \$1,861,000 and \$475,000). If the payments of \$2,856,257 had of been received prior to 1 July, Council's unrestricted cash amount would have been positive \$1,470,257 (being the difference between

negative \$1,386,000 and \$2,856,257) and all internally restricted reserves would not have been reduced as discussed above.

As part of the Quarterly Budget Review, the above internally restricted reserves will be reinstated to their correct amounts.

The revaluation of water and sewer assets is discussed earlier in this report.

Other matters discussed at ARIC included:

- Employee costs of \$20,823,000 compared to original budget of \$17,850,000 - the main variations related to an original budgeted amount for capitalised wages of \$3.4 million whereas the actual capitalised wages were \$1.4 million and unbudgeted overtime.
- Cashflow amount of \$15,974,000 shown as other - following a review this figure has been reduced to \$10,326,000 with goods and service tax movements being dispersed across applicable receipts and payments. The difference between the 2021 and 2022 movement primarily relates to the following:
 - insurance claim recoveries of 1.12 million
 - disaster management reimbursement of \$3.22 million.
- Results by Fund (Note D1-2) shows a negative \$6,910 cash and cash equivalents for General Fund - this is a break-up internally between General, Water and Sewer funds to show a position at a point in time. This negative amount could be negated by decreasing investments and increasing cash attributed to General Fund and reflecting the opposite movement in either Water or Sewer Funds.

Following the Audit, Risk and Improvement Committee meeting held on 21 September 2022, Council's Auditor confirmed the indexation threshold materiality is lower than in previous years given the significant price inflation. Materiality is now based on 2% of total expenses in accordance with the New South Wales Audit Office directive. This has resulted in the indexation of all asset classes not subject to revaluation and where indexation was not previously included in this year's financial statements. This has resulted in the following change to the Statement of Financial Position (Balance Sheet) and did not affect the Income Statement.

Asset Class	Indexation Increase	Depreciation Change	Written Down Value Change
Operational Land	2,052,604		2,052,604
Community Land	5,153,671		5,153,671
Roads, Bridges and Footpaths	19,218,585	(5,833,356)	13,385,229
Earthworks	23,626,845		23,626,845
Stormwater	4,310,957	(1,433,194)	2,877,763
Bridges	7,194,560	(2,569,636)	4,624,924
Footpaths	1,771,904	(427,484)	1,344,420
Kerb and Gutter	3,184,830	(971,301)	2,213,529
Total	66,513,956	(11,234,971)	55,278,985

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Delivery Program and Operation Plan Strategic Directions**

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

There is a considerable cost incurred to have the financial statements externally audited along with considerable internal resources required to produce the financial statements.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

As detailed in the report.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The process for undertaking the completion and validation of financial statements is robust and is a key component to managing financial and business risk.

OPTIONS:

Nil.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Audited Financial Statements will be presented to the ordinary Council meeting in November 2022 by the External Auditor. Media releases and website information will follow both Council meetings to provide further information to the public.

ATTACHMENTS

- 1 Draft Annual Financial Statements 2021/22 (under separate cover)
- 2 Statement by Councillors and Management GP (under separate cover)
- 3 Statement by Councillors and Management SP (under separate cover)

10.7. REVIEW OF INVESTMENT POLICY FOR PUBLIC EXHIBITION

REPORT AUTHOR: INTERIM CHIEF FINANCIAL OFFICER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

A review of Council's Investment Policy has been conducted to ensure continued appropriate allocation of cash to meet short, mid and long-term needs and to maximise interest earnings within Council's risk appetite.

RECOMMENDATION:

THAT COUNCIL:

- 1. Approve the updated Investment Policy SVC-FIN-PO-067-09 for public exhibition for a period of no less than 28 days.**
- 2. Note that if submissions are received during the exhibition period, a further report will be provided on any proposed amendments to the Investment Policy; and**
- 3. Adopt the Investment Policy if no submissions are received on the day after the completion of the public exhibition period.**

BACKGROUND:

Council policies explain the way we work and make decisions. Our policies are regularly updated to make sure they are current and relevant and generally the community is invited to comment on new, or changes to existing policies, before they are adopted and implemented.

REPORT:

Council's Investment Policy was last reviewed in April 2021. The policy has been reviewed internally with significant changes being proposed whilst maintaining the intent of this policy detailing a framework for making decisions concerning appropriate investment of Council's funds. The draft Investment Policy, with track changes, is contained in Attachment 1.

Changes proposed are as follows:

- Part 1 Strategic Purpose - has been expanded to provide greater detail of primary objectives.
- Part 2 Policy Statement - a new section has been added to provide transparency when considering:
 - the criteria for investment of funds to meet specified business needs (section 2.1)
 - expanded legislative authority for investments (section 2.2).
- Part 3 Definitions - has been expanded for greater clarity.
- Part 4 Content - new sections have been added to provide transparency when considering:
 - internal control practices to ensure adequate governance (section 4.1)
 - appropriate delegation of authority (section 4.2)
 - ethics and conflicts of interest (section 4.4)
 - authorised investments (section 4.5)
 - investment products that provide a direct economic benefit to the Snowy Valleys Community (section 4.7)
 - criteria for use of an investment advisor (section 4.8)

- mandatory investment criteria (section 4.9)
- measurement of investment performance (section 4.10)
- criteria for reporting and review of investments (section 4.11).

Sub-section 4.9.5 contains the risk management framework which details Council's risk profile as relatively prudent, conservative and risk averse.

The overall portfolio credit framework limits overall exposure of the portfolio to credit ratings of financial institutions. The overall portfolio exposure as a percentage of the total portfolio for each rating category previously adopted has not changed.

The Institutional credit framework limits exposure to individual institutions based on their rating. The overall portfolio exposure as a percentage of the total portfolio for each rating category previously adopted has not changed with the exception of unrated institutions category which has been reduced from 15% to 5% of the total portfolio. This change is based on the fact investments have not been made with unrated institutions.

The term to maturity framework specifies the maximum amounts or percentages of Council's total investment portfolio that can be held within the various investment maturity bands. The maturity band for investments for longer than five (5) years has been reduced to 10% from 40% for the maximum percentage of the total portfolio. In addition, a minimum percentage threshold of the total portfolio has been introduced of 40% for less than one (1) year maturity to ensure there will always be an adequate amount of liquidity to meet cash flow requirements.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

Sound processes around investment of Council funds allows interest returns to be maximised taking into account cash flow requirements.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council is required to invest in accordance with the *Local Government Act 1993* and other legislation as detailed in the draft Investment Policy.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The policy review results in changes that leave Council's investment risk unchanged.

OPTIONS:

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

COUNCIL SEAL REQUIRED:

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal consultation was undertaken in September 2022.

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.

ATTACHMENTS

1. Draft Investment Policy SVC-FIN-PO-067-09 (Under separate cover)

10.8. REVIEW OF FINANCIAL RESERVE MANAGEMENT POLICY FOR PUBLIC EXHIBITION

REPORT AUTHOR: INTERIM CHIEF FINANCIAL OFFICER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

A review of Council's Financial Reserve Management Policy has been conducted to ensure the framework for the management of externally and internally restricted Financial Reserves and unrestricted cash meets current requirements of Council.

RECOMMENDATION:

THAT COUNCIL:

- 1. Approve the updated Financial Reserve Management Policy SVC-FIN-PO-056-02 for public exhibition for a period of no less than 28 days.**
- 2. Note that if submissions are received during the exhibition period, a further report will be provided on any proposed amendments to the Financial Reserve Management Policy; and**
- 3. Adopt the Financial Reserve Management Policy if no submissions are received on the day after the completion of the public exhibition period.**

BACKGROUND:

Council policies explain the way we work and make decisions. Our policies are regularly updated to make sure they are current and relevant and generally the community is invited to comment on new, or changes to existing policies, before they are adopted and implemented.

REPORT:

Council's Financial Reserve Management Policy was established in June 2019. This policy has been reviewed internally with minor changes being made. The draft Financial Reserve Management Policy, with track changes, is contained in Attachment 1.

As part of the 2023/24 budget preparation, it would be timely for Council to:

- review the list of internally restricted Reserves contained in the 2021/22 Financial Statements to determine if they are still required or funds could be reallocated
- ensure the list of internally restricted Reserves contained in this Policy meets Council requirements.

Following is narrative provided in the report to Council at its meeting held on 13 June 2019 establishing the Financial Reserve Management Policy for context;

Council currently has 70 internal and external financial Reserves as detailed in the 2017/18 Financial Statements.

The proposed Policy reduces this number substantially as too many Reserves tend to obscure the main focus and intent of why Council has Reserves and is setting aside funds.

It is generally considered better to have a smaller number (of higher level Reserves) that are more general but at the same time very specific as to the nature of the Reserve and therefore why the funds are being held.

Each Internally Restricted Cash Reserve contained in the draft Policy has:

- *Rationale for the purpose of the restriction, and*

- A specific formula (or other basis) for determining how much should be transferred to a Reserve.

Additionally it is important that each Internally Restricted Reserve has:

- A list of specific nominated project(s) or uses, and
- Timeframes relating to future use and drawdown of funds.

Following is a table showing which proposed Internally Restricted Reserve the current Internally Restricted Reserves would now fall into, whilst Externally Restricted Reserves will remain the same:

Proposed New Internal Reserve	Current Internal Reserve
Employee Leave Entitlement (ELE)	Employees Leave Entitlement
Plant Replacement	Plant and Vehicle Replacement
Insurance	Insurance
Information Technology	IT
Carry Over Works - General Fund	Carry Over Works Uncompleted Works Capital Projects
Risk Management	
Legal	Legal
Community Services	Community Services
Community Transport	Community Transport
Telecentre	Telecentre
Scholarships	Scholarships
Quarries	Quarry Rehabilitation and Capital Works General Gravel Pit Packards Pit
Waste Management	Other Waste Management
Aboriginal Brungle Reserve	Aboriginal Brungle Reserve
Section 355 Committees	Tumbafest Batlow Literary Institute Life Long Learner Camp Hudson Xmas Festivities Youth Council Tumut Boys Club Third Age Group
Deposits, Retentions and Bonds	Security Deposits
Asset Replacement	Asset Renewals Adelong Showground Airfield General Airfield Reseals

Proposed New Internal Reserve	Current Internal Reserve
	Aerodrome Obstacle Lighting Public Amenities SWS Surplus Holding Account Tree Management Open Space Strategy Television Services Television Translator/Radio Playground Strategy Replacement of Office Equipment Project Development SWS Contingencies Community Development Car Park Improvements Emergency Works Visy Emergency Works Bridge Maintenance Caravan Park Telstra Tower Talbingo Town Improvement IWD Plant Dividend IWD Dividend Reserve IWD Business Development IWD Staff Development Swimming Pools Hazard Reduction Shire Signage Saleyards Real Estate Asset Management Snowy Valleys Way Urban Stormwater

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

N/A

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

"Internal allocations shall include those assets, the use of which are only restricted by a resolution or policy of Council. These assets are disclosed with details of the nature of the internal allocation." (Local Government Code of Accounting Practice and Financial Reporting 2020/21, page 42).

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Quarterly reporting of Reserve movements and balances keeps Council informed of funds held for a future purpose and strengthen financial reporting and performance.

OPTIONS:

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

COUNCIL SEAL REQUIRED:

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal consultation was undertaken in September 2022.

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.

ATTACHMENTS

1. Draft Financial Reserve Management Policy SVC-FIN-PO-056-02 (Under separate cover)

10.9. REVIEW OF BORROWING POLICY FOR PUBLIC EXHIBITION

REPORT AUTHOR: INTERIM CHIEF FINANCIAL OFFICER

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

A review of Council's Borrowing Policy has been conducted to maintain a contemporary borrowing policy that provides responsible financial management by ensuring the level of indebtedness is within acceptable limits to Council, ratepayers and interested external parties.

RECOMMENDATION:

THAT COUNCIL:

- 1. Approve the updated Borrowing Policy SVC-FIN-PO-106-02 for public exhibition for a period of no less than 28 days.**
- 2. Note that if submissions are received during the exhibition period, a further report will be provided on any proposed amendments to the Borrowing Policy; and**
- 3. Adopt the Borrowing Policy if no submissions are received on the day after the completion of the public exhibition period.**

BACKGROUND:

Council policies explain the way we work and make decisions. Our policies are regularly updated to make sure they are current and relevant and generally the community is invited to comment on new, or changes to existing policies, before they are adopted and implemented.

REPORT:

Council's Borrowing Policy was last reviewed in September 2020. The policy has been reviewed internally with significant changes being proposed whilst maintaining the intent of this policy in detailing principles upon which Council bases its decisions when considering any type of expenditure to be funded by borrowing. The draft Borrowing Policy, with track changes, is contained in Attachment 1.

Changes proposed are as follows:

- Part 1. Strategic Purpose - has been expanded to provide greater detail of primary objectives.
- Part 2. Policy Statement - has been expanded to identify borrowing principles and their context.
- Part 3. Definitions - has been expanded for greater clarity.
- Part 4. Content - new sections have been added to provide transparency when considering:
 - criteria to be analysed for external loans (section 4.1)
 - the length of time (term) loans are borrowed for (section 4.2)
 - criteria for determining an appropriate lending institution (section 4.3)
 - borrowing authorisation criteria (section 4.4)
 - borrowing limitations and restrictions (section 4.5)
 - criteria for borrowing from externally or internally restricted funds (reserves) (section 4.6)
 - criteria for early repayment of loans (section 4.7)
 - compliance and monitoring of loans (section 4.8)

- Part 5 Associated Legislation - list has been expanded
- Part 6 Associated Council Documents - list has been expanded.

Section 4.5 contains detail limiting total loan borrowings at no more than 2.5 times the total amount of Ordinary Rates, including Special Rates and Annual Charges, in any one year, and that the total amount of borrowings meets the debt service cover ratio benchmark of >2 times.

At 30 June 2022, total rates and annual charges amounted to \$18.00 million which would limit Council's borrowing to \$45.00 million. Council's loan debt as at 30 June 2022 is \$6.25 million resulting in a debt service cover ratio of 5.71 times.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.5 Provide effective short and long term financial management to deliver financial sustainability

FINANCIAL AND RESOURCES IMPLICATIONS:

N/A

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The *Local Government Act 1993* governs Council's ability to borrow funds.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

To mitigate risk to Council 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:

Internal consultation was undertaken in September 2022.

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.

ATTACHMENTS

1. Draft Borrowing Policy SVC-FIN-PO-106-02 (Under separate cover)

11. MANAGEMENT REPORTS

11.1. SNOWY VALLEYS COUNCIL LOCAL HERITAGE GRANTS

REPORT AUTHOR: DEVELOPMENT ASSESSMENT PLANNER

RESPONSIBLE OFFICER: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

This report seeks the endorsement of Council for the allocation of funding under the 2022/23 Local Heritage Grants Program as detailed in this report.

RECOMMENDATION:

THAT COUNCIL:

1. **Endorse the projects recommended for funding through the Local Heritage Grants being:**
 - a. **80 Tumut Street, Adelong - \$3,750.00**
 - b. **29 Capper Street, Tumut - \$5,000.00**
 - c. **12-14 The Parade, Tumbarumba - \$4,250.00**

BACKGROUND:

Each financial year, Snowy Valleys Council makes funds available under its Local Heritage Grants Program to encourage the conservation of heritage items within the Snowy Valleys Local Government Area and promote a positive community attitude to heritage conservation.

The grant program opened on 1st July and closed on 5th August 2022.

REPORT:

Applications for the Local Heritage Grants have been reviewed by the Local Heritage Advisor. There were four (4) applications through the Local Heritage Grants with \$19,449 of funds requested. The Local Heritage Advisor has recommended the three (3) projects listed above be funded through the Local Heritage Grant Program, to the amount of \$13,000.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 1 - Our Community

Community Strategic Plan Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

Delivery Program Principal Activities

1.5 Value our heritage and promote civic pride

FINANCIAL AND RESOURCES IMPLICATIONS:

The Local Heritage Grants have allocated funds within the 2022/23 financial year budget and are also partly funded by Heritage NSW. Funding arrangements are provided on a 1:1 ratio with \$6,000 being allocated by the NSW Heritage Office and \$6,000 co-contribution provided by Council which is identified in the 2021/2022 financial year budget. Both amounts are ex-GST with a total funding allocation of \$13,200.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

N/A

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The program provides commencement funding to encourage a number of projects and to promote preservation of heritage items. In the process, it is expected that the program will raise community awareness for conservation of heritage items within the local government area.

There are no expected risks associated with this report.

OPTIONS:

Option 1. That Council endorse the projects recommended for funding through the Local Heritage Grants being:

- (a) 80 Tumut Street, Adelong - \$3,750
- (b) 29 Capper Street, Tumut - \$5,000
- (c) 12-14 The Parade, Tumbarumba - \$4,250

Option 2 That Council endorse alternate grant applications received by Council during the advertisement period.

Option 3 That Council not accept any of the recommended projects and re-advertise the Local Heritage Grants for new applications.

Option 1 is recommended.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Applications were invited through advertising in traditional and digital media and on Council's website and Facebook page.

ATTACHMENTS

1. Local Heritage Advisor - Local Heritage Grant Applications - 2022-2023 (under separate cover)
2. 20221020 - Heritage Advisor - Local Heritage Grant Applications - 2022-2023 (under separate cover)

11.2. TRANSGRID ACCOMMODATION OPTIONS WORKING GROUP TERMS OF REFERENCE

REPORT AUTHOR: ACTING EXECUTIVE DIRECTOR OF INFRASTRUCTURE

RESPONSIBLE DIRECTOR: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

This report seeks Council support to address the forthcoming needs of accommodation for works associated with Transgrid in the Snowy Valleys Council area. Following resolution at the June 2022 Ordinary Council Meeting, Council Officers have investigated the most suitable way for facilitation of the conversation.

RECOMMENDATION:

THAT COUNCIL:

- 1. Endorse the Terms of Reference for the Transgrid Accommodation Options Working Group; and**
- 2. Nominate two (2) Councillors to join the Transgrid Accommodation Options Working Group.**

BACKGROUND:

At the Ordinary Council Meeting held on the 16th June 2022, Council resolved under M183/22 to:

- 1. Receive the report on the Transgrid Accommodation Options; and*
- 2. Commence appropriate investigations into the most suitable footprint for Transgrid and Council to establish the best outcomes for all parties.*

REPORT:

Council Officers have reviewed the most suitable options for communication and engagement with Transgrid around their accommodation needs within the Local Government Area. A formal working group was identified to provide the best option as it would have a clear purpose and objective for the betterment of the whole community of Snowy Valleys Council (SVC).

The draft Terms of Reference indicates that the Working Group will include two (2) Councillor members. Under section 6 (f), the attendance of other Councillors for involvement in the group is permitted. This ensures relevant representation is established and can provide benefit to all communities within SVC.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 4 - Our Infrastructure

Community Strategic Plan Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.2 Manage and plan for affordable infrastructure to meet current and future community needs

FINANCIAL AND RESOURCES IMPLICATIONS:

Nil

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The formation of the Working Group and participation will follow the format of the DRAFT Transgrid Accommodation Options Terms Of Reference as attached.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	Nil	None identified	None identified
Environmental & Public Health	None identified	None identified	None identified
Financial	None identified	None identified	None identified
People	Councillor and Staff involvement will enable a suitable input into the assessment and impacts of accommodation options for Transgrid	None identified	None identified
Technology	None identified	None identified	None identified
Stakeholder	The impact is identified as being on Council land. Relevant developments will have to undertake due process for approval.	None identified	None identified
Service Delivery	None identified	None identified	None identified

OPTIONS:

Council can:

1. Accept the recommendations
2. Reject the recommendations
3. Adjust the recommendations and Draft Terms of Reference

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

No community engagement is required for the formation of the Working Group. Deliverable outcomes of the group can be communicated to the community and relevant stakeholders.

ATTACHMENTS

1. DRAFT Transgrid Accommodation Options Working Group Terms Of Reference (Under separate cover)

11.3. REQUEST FOR PURCHASE - PART OF COUNCIL ROAD RESERVE - LITTLE RIVER ROAD - SHELLEYS CREEK BRIDGE RESERVE TUMUT

REPORT AUTHOR: PROPERTY AND TRANSPORT PARTNER

RESPONSIBLE DIRECTOR: ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE

EXECUTIVE SUMMARY:

Snowy Valleys Council (SVC) has received an expression of interest from an adjoining land holder to purchase part of Council Road Reserve known as Shelleys Creek Bridge Reserve in Tumut.

The road corridor is currently leased and there are no future plans to develop into the road reserve by Council. In order to dispose of the road reserve, it will be necessary to partially close the public road and subdivide the land for future sale.

This report seeks the approval of Council to proceed with this request.

RECOMMENDATION:

THAT COUNCIL:

- 1. Approve the partial road closure, subdivision and sale of the formed lot subject to the terms of sale being met including:**
 - a. Compliance with the legislation framework for the closing of public roads contained within the *Roads Act 1993*, and sale of land contained within the *Real Property Act 1900*.**
 - b. 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.**
 - c. Parties to meet own legal costs; and**
- 2. Delegate to the Mayor and Interim General Manager to affix the Council seal and execute document relevant to the closure of the road reserve and sale of the land.**

BACKGROUND:

Snowy Valleys Council received a letter from a neighbouring landowner in Tumut, on 6 October 2015 requesting that the council road corridor at Little River Road Tumut also known as Shelleys Creek Bridge Reserve, be partially closed enabling purchase by said landowner. It is intended that the sale price will be determined by an independent land valuation and all applicable survey, administration and application fees will be covered by the purchaser upon settlement.

At the Council meeting dated 22 September 2015, Council resolved as per below:

DIRECTOR CORPORATE SERVICES REPORTS:**DCS 1 - Lease of Road Reserve - Shelley Creek Bridge**

PURPOSE OF REPORT: To recommend acceptance of Land Lease (Road Reserve) Expressions of Interest for a period of five (5) years from 1 October 2015.

465 RESOLVED that the lease for the Road Reserve off Little River Road adjacent to Shelleys Creek Bridge (RP25042-1603) be leased to:-

1. Mick and Catherine Kelly for five years ending 30 September 2020 as owners of the adjacent property who are required to upgrade the boundary fence and take control over the blackberry problem at own expense in lieu of the lease payment.

and

2. Council make enquires with the relevant authority for the adjacent property owner to purchase said land in due course.

Cr J Hayes/Cr G Pritchard

Subsequently, no further consultation had been undertaken. In considering the current recommendation, this consultation process will need to be satisfied.

REPORT:

The section of road corridor that is proposed to be closed exists as a reserve and is currently leased. No fees has been issued for the lease of the land however the adjoining land owner manages this section under the lease agreement. There are no plans to develop the corridor in the future.

Attachment 1 to this report shows the location of the partial road closure.

Preliminary investigations indicate that there is no infrastructure affected by this proposed road closure and no known legal assets affected by this sale.

The proposed partial closure of the road corridor will not impact on access to any lots and there is no foreseeable need for placement of easements or right of carriageway identified.

Council is required to adhere to 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* should the sale of the land be progressed.

The *Roads Act 1993* stipulates that a Council proposing to close a council public road must advertise notice of proposal in the local newspaper and provide written notification to all adjoining landowners and notifiable authorities with a 28 day submission period. All valid submissions received will be reviewed and determined by Council Officers.

The approved purchaser must provide written agreement to Council's terms as described in this report before proceeding with the road closure and subdivision. An independent valuation will be used to determine the land sale value with all applicable survey, administration and application fees to be finalised at settlement.

It is anticipated that Councils legal costs to facilitate the sale will be under \$2,000.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Delivery Program and Operation Plan Strategic Directions**

Theme 4 - Our Infrastructure

Community Strategic Plan Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.3 Plan and provide a program to maintain the local road network

FINANCIAL AND RESOURCES IMPLICATIONS:

Council will have a small outlay for legal costs for the transfer of land. The resources allocated to process this will be mostly internal and mainly sourced from the Infrastructure Directorate. It is anticipated that Council costs will be under \$2,000. Council has a nominated budget for legal fees in relation to road closures which will be used for this process. Once converted to freehold land, the parcel will be rateable land and sold for the nominated value provided by the independent valuation.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council currently has no policy position on the retention or sale of undeveloped road corridors.

Legislative framework for the closing of public road is contained within the *Roads Act 1993*, and sale of land contained within the *Real Property Act 1900*. Council will facilitate the process of sale through Council's solicitors.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Investigation of the request and recommended actions has not identified any significant risks.

OPTIONS:

Council may endorse the recommendations as described in this report or alternatively decline the request.

COUNCIL SEAL REQUIRED:

Yes

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Road closures and gazettal's are required to be advertised in accordance with the *Roads Act 1993* and the Road Transport (General) Regulation 2005.

ATTACHMENTS

1. 20151006 - Application to purchase - Shelleys Creek Bridge Road Reserve (Under separate cover)
2. 22020928 - Map - Shelleys Creek Bridge Reserve (Under separate cover)

11.4. DRAFT SNOWY VALLEYS COUNCIL LIBRARY STRATEGIC PLAN 2022 - 2026

REPORT AUTHOR: MANAGER COMMUNITY SERVICES

RESPONSIBLE DIRECTOR: INTERIM DIRECTOR COMMUNITY & CORPORATE

EXECUTIVE SUMMARY:

The purpose of this report is to present to Council the Draft Snowy Valleys Council (SVC) Library Strategic Plan 2022 – 2026 (The Plan), which details outcomes and guiding principles to improve the services and sustainability of SVC Libraries.

RECOMMENDATION:

THAT COUNCIL:

- 1. Note the report on Draft Snowy Valleys Council Library Strategic Plan 2022–2026;**
- 2. Approve the placing of the Draft Snowy Valleys Council Library Strategic Plan 2022–2026 on public exhibition for a minimum of 28 days;**
- 3. Note that 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 Draft Snowy Valleys Council Library Strategic Plan 2022-2026;**
- 4. Adopt the Draft Snowy Valleys Council Library Strategic Plan 2022-2026, if no submissions are received on the day after the completion of the public exhibition period; and**
- 5. Subject to budget allocation resource yearly actions in the Draft Snowy Valleys Council Library Strategic Plan 2022–2026.**

BACKGROUND:

NSW public libraries are managed by local authorities (councils) that have adopted the *NSW Library Act 1939* (the Act). The State Library provides a range of services to public libraries including support and consultancy. Local authorities who have adopted the Act and operate libraries service in accordance with the Act, are eligible for subsidy administered by the Library Council of New South Wales.

To begin with, State funding for Libraries was substantial, however, over the years this funding has decreased placing more financial burden on Councils operating library services. In 2019, after an active campaign, a four-year funding package increasing State Library funding for libraries was announced. This funding increased per capita amount paid and indexing was applied. There has not been confirmed continued increase to funding beyond this date.

Snowy Valleys Council has a robust history in providing Library services in the Local Government Area. SVC static libraries are located at Adelong, Batlow, Talbingo, Tumbarumba and Tumut. Mobile Library services are provided through Riverina Regional Library (RRL) to the villages of Jingellic, Khancoban and Tooma on a monthly schedule.

The previous Tumbarumba Shire Council was a member of the now dissolved Upper Murray Regional Library. With the dissolution of this service, SVC is now a member of the Riverina Regional Library.

RRL operates on a funding agreement that is part of the broader Deed of Agreement with member Councils. RRL provides joint library services under sections 11 and 12 of the *NSW Library Act 1939*.

RRL supports member libraries for technology, resources and turnover of resources, policies, and training.

Wagga Wagga City Council as the lead Council, left RRL in 2021. Being a larger Council and contributor of more funds, it has resulted in an arbitration process due to disputes over assets and cash.

The financial impacts of Wagga Wagga City Council leaving RRL has been felt by the remaining RRL Councils, with a net increase of \$15,975.25 for Snowy Valleys Council.

REPORT:

Libraries are integral to communities for providing spaces to meet, learn, relax, collaborate and borrow resources. They provide access to resources and materials both physical and digital that enhance the lives of people in SVC communities.

The Draft SVC Library Strategic Plan 2022 – 2026 (The Plan), is a collaboration of work by SVC Library Services teams and SVC management in consultation with Logophilic who developed The Plan.

The Plan incorporates the five themes of SVC Community Strategic Plan 2028 and provides direction as how this can be achieved as a public face for Council.

The first part of the document provides background information and research relating to current operating environments, overview of current libraries and the services they provide, demographic data, and community expectations.

The Plan has five (5) focus areas (outcomes) with three (3) guiding principles contained under each outcome.

Places and Spaces – our infrastructure

- Contemporary library building and spaces designed to meet community needs
- Spaces inclusive and welcoming design
- Accessible, visible and well-located branches

Read, Learn and Discover – our collections, services and programs, delivery, and communication

- A socially inclusive and welcoming service
- A creative and learning community
- Relevant, effective and visible community outreach

Partnerships – how we work collaboratively with Council and the community

- Develop and nurture partnerships that benefit the Council, the library and its customers
- Pursue collaborative partnerships and projects
- Ongoing community engagement and support

Digital Access and Equity

- Customer focused and accessible technology
- Digital inclusion and wellbeing
- Up-to-date, responsive and relevant technology and digital services

Capacity and Capability – knowledgeable and confident people

- A customer-focused, flexible and agile library
- Well-trained, experienced and professional staff
- A culture of learning and growth

The Plan does not have the actions set out annually for achievement, and actions have not been costed, meaning an impact on 2022 – 2023 budget. Library staff have actions identified that will not require funding but will require human resources. Library staff have begun to work to achieve these actions for this financial year.

SVC has worked to develop actions for a sustainable future for Council. The Plan aligns with these actions and the desired outcomes within The Plan should place Council in a better position to withstand changes whether they be in RRL membership, funding, or Council driven.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 1 - Our Community

Community Strategic Plan Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

Delivery Program Principal Activities

1.1 Provide services that support our community in all stages of life

1.2 Provide and maintain community spaces that encourage activity and wellbeing

FINANCIAL AND RESOURCES IMPLICATIONS:

The outcomes in the Draft Snowy Valleys Council Library Strategic Plan 2022-2026 reflect intentions for sustainable libraries that look at reducing SVC contributions and operational costs. Actions not funded within the annual operation plan will need to be subject to external grant funding opportunities.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Nil

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	Nil	Nil	Nil
Environmental & Public Health	Nil	Nil	Nil
Financial	Action plan has not been identified to date	Not costed to date.	Undetermined.
People	There is no proposed changes within The Plan to staffing levels.	Remains the same.	Sustained knowledge and skills. Flexible workforce.
Technology	Improved technology and utilisation.	Decrease in financial commitment.	Increased online borrowing.
Stakeholder	Improved relationships.	Increase in funding.	Council sought for funding initiatives for Libraries. Relationships are clear and transparent.
Service Delivery	Improved and flexible service delivery.	Current commitment sustained or improved	Delivery of quality and relevant services.

OPTIONS:

1. Accept the recommendations in the report.
2. Do not accept the recommendations in the report.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Consultation has occurred with Coordinator of Libraries, Human Resources Partner, former Chief Executive Officer, Tumbarumba Library staff and affected staff members.

The Plan has been shared with Library staff for their feedback and presented to the Executive Leadership Team on 27.09.2022.

Internal SVC consultation occurred 28.09.2022. Feedback from internal consultations is included in this version of The Plan.

ATTACHMENTS

1. Draft SVC Library Strategic Plan 2022 - 2026 (Under separate cover)

11.5. FLOODPLAIN RISK MANAGEMENT COMMITTEE ESTABLISHMENT

REPORT AUTHOR: COORDINATOR GROWTH AND DEVELOPMENT

RESPONSIBLE OFFICER: INTERIM GENERAL MANAGER

EXECUTIVE SUMMARY:

The floodplain management program seeks to provide financial support to local councils and also eligible public land managers to assist in the management of flood risk in their communities. The program supports the implementation of the NSW Government's Flood Prone Land Policy and in 2021/2022 has awarded in excess of \$10 Million to Councils to undertake projects to assess the risks and reduce the impacts of flooding in New South Wales.

Council was successful in 2021/2022 in obtaining a grant to undertake a flood study of the Tumut River catchment given the current development pressures being experienced within the catchment area. As part of the terms of the funding agreement, Council is required to form a steering committee to assist in providing direction to the Council on the proposed Tumut Flood Study and at the ordinary meeting of September 2022, Council resolved to defer the appointment of two Councillors to the committee.

RECOMMENDATION:

THAT COUNCIL:

1. **Appoint two (2) Councillor representatives to the proposed Floodplain Risk Management Committee.**

BACKGROUND:

At the ordinary meeting of Council on the 15th September 2022, Councillors resolved under minute 265/22 to:

1. *Formally establish a Floodplain Risk Management Committee being an Advisory Committee of Council;*
2. *Endorse the draft Floodplain Risk Management Committee Terms of Reference (TOR);*
3. *Accept the funding offer from The Department of Planning and Environment in the amount of \$115,568 dated 16th August 2022 with a funding ratio of 4:1; and*
4. *Defer to the October meeting of Council the appointment of two Councillor representatives to the proposed Floodplain Risk Management Committee.*

As two Councillors were absent from the meeting, Council resolved to defer the appointment of two Councillor representatives to the October 2022 meeting to enable all Councillors to nominate for the two positions. This report seeks to comply with the standing resolution of Council, in particular item 4.

REPORT:

As part of the funding agreement issued by the New South Wales Department of Planning and Environment, Council is required to appoint a floodplain risk management committee to provide a level of support to the Council in the development of the Tumut Floodplain Management Study. A draft terms of reference (TOR) was adopted to provide a governance framework for the committee which included the appointment of Councillors to the Committee. The committee is expected to be established as an Advisory committee for the study, and the committee will not have any decision making powers nor shall the committee be able to direct the Council on matters associated with the study. Council will be required to appoint two (2) Councillor representatives as any decision on the matter was deferred from the September 2022 meeting until the October 2022 meeting.

Any appointed member is not expected to be remunerated for any attendance at any committee meetings, briefing or other work outside of required meeting dates.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 3 - Our Environment

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP3 Our natural environment is cared for and protected to ensure future generations can experience and enjoy its beauty

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

3.1 Create climate resilience through our actions and advocacy

3.3 Provide a planning and development framework that enhances local amenity through sustainable growth

3.4 Partner with other agencies to protect our natural spaces and environment

5.1 Communicate with our community and provide opportunities for participation in decision making

FINANCIAL AND RESOURCES IMPLICATIONS:

It is not expected that any Councillor member that is appointed to the Committee will receive any remuneration and therefore no budget allocation has been made towards the establishment of the committee.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The establishment of a Floodplain Risk Management Committee will comply with the requirements of both the terms of the funding deed and also the New South Wales Floodplain Development Manual Guidelines.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	Nil	Nil	Nil
Environmental & Public Health	Nil	Nil	Nil
Financial	Nil	Nil	Nil
People	Nil	Nil	Nil
Technology	Nil	Nil	Nil
Stakeholder	Nil	Nil	Nil
Service Delivery	Nil	Nil	Nil

OPTIONS:

Option 1:

THAT COUNCIL:

- Appoint two (2) Council representatives to the proposed Floodplain Risk Management Committee.

Option 2:

THAT Council not appoint (2) Council representatives to the proposed Floodplain Risk Management Committee.

Option 1 is recommended

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil.

ATTACHMENTS

1. Floodplain Development Committee Establishment - Council Report 15 September 2022 (under separate cover)

11.6. TUMBARUMBA PRE-SCHOOL PREFERRED LOCATION**REPORT AUTHOR: PROPERTY AND TRANSPORT PARTNER****RESPONSIBLE DIRECTOR: ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE**

EXECUTIVE SUMMARY:

This report is to identify Council's preferred option for the location of the Tumbarumba Pre-School following the results of the soil testing and to approve formally the arrangements for the management of the land.

RECOMMENDATION:**THAT COUNCIL:**

1. **Nominate the preferred option to lease space on King George Fifth Park at the intersection of King Street and York Street, Tumbarumba;**
2. **Delegate authority to the General Manager or their delegate to negotiate terms of the lease on the preferred site; and**
3. **Delegate the Interim General Manager and/or the Mayor to sign and affix Council's seal on all lease documents.**

BACKGROUND:

Tumbarumba Start Strong Preschool Inc. have successfully received funding for the construction of the pre-school and Council have provided a Heads of Agreement for the progression of the project.

REPORT:

The Tumbarumba Pre-School requires a land area of about 2,400 square metres. The Pre-School Committee has identified two (2) sites in Tumbarumba which they believe may be suitable.

Council at its meeting of 17 February 2022 resolved that:

11.6 IN PRINCIPLE SUPPORT FOR THE ESTABLISHMENT OF A NEW PRE SCHOOL IN TUMBARUMBA**M42/22 RESOLVED:
THAT COUNCIL:**

1. **Receive the report on In Principle support for the establishment of a new preschool in Tumbarumba.**
2. **Provide In Principle support for the establishment of a New Pre School in Tumbarumba.**
3. **Determine In Principle, to make Council controlled land available for the establishment of a new Pre School in Tumbarumba.**
4. **Authorise the CEO to write a letter outlining Councils In Principle support for the establishment of a new Pre School in Tumbarumba, to accompany the application for funding to the Start Strong Capital Works Grants Program.**

Cr Julia Ham/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

Council at its meeting on 21 April 2022 resolved that:

11.5 TUMBARUMBA PRE-SCHOOL, LOCATION OPTIONS

M120/22 RESOLVED: THAT COUNCIL:

1. Receive the report on Tumbarumba Pre-School, Location Options;
2. Advise that the sale of King George Fifth Park would be the preferred option; pending the outcome of soil testing;
3. Advise that Council's preferred second option is to lease Bicentennial Park, near the library;
4. Authorise the CEO to negotiate terms of the lease or sale on the preferred site and bring a report back to Council to allow lease or sale to progress;
5. That Council provide written advice of this resolution to the funding body.

Cr Brent Livermore/Cr Mick Ivill

CARRIED UNANIMOUSLY

Cr Ham returned to the meeting at 3.14pm.

King George 5th Park at the intersection of King Street and York Street Tumbarumba has been selected as the preferred option. The area is a total of just over 4000 square meters. This land is classified as community land, with allowable activities including education, resulting in an understanding that it may be leased.

Significant investigation and soil testing has been undertaken. While the area is self contained, it is in the middle of a residential area. It is considered that there may be some complaints regarding the additional traffic that a Pre-School would generate, however the onus has been put on the Pre-School to inform and communicate with the community.

The proposal to lease and any subsequent development application would need to be widely exhibited. If the lease is not endorsed by this time, Council would need to provide approval as the land manager. Due to time constraints, this has not been assessed and this would be required as part of any development application.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 1 - Our Community

Community Strategic Plan Objectives

CSP1 Our communities are connected and inclusive. Supported by services that nurture health, wellbeing and identity

Delivery Program Principal Activities

1.1 Provide services that support our community in all stages of life

FINANCIAL AND RESOURCES IMPLICATIONS:

Financial and resource implications in respect of the recommendations in this report are minimal. A long term lease would hand over the management of the land to another entity and enable the facility to not be on Council books as it would not have responsibility for the long term management of the facility.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

The process for sale or lease of land is defined quite strictly in the *Local Government Act 1993* and the *Crown Lands Act 1884*. The use of land in particular zones is defined in the Snowy Valleys Development Control Plan.

The lease documentation to be drafted in accordance with the *Real Property Act 1900* by Council's Solicitors.

Due to the proposed length of the lease (over 20 years), it is understood that sign off by the Local Government Minister will be required of the lease.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

Nil

OPTIONS:

1. Endorse the recommendations provided
2. Do nothing and let the Pre-School source their own land. However, this would require an amendment to the previous resolutions and jeopardise funding already received by the group.

COUNCIL SEAL REQUIRED:

Yes

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Upon approval of the Facility by the Department of Education, a Development Application will be required. This will provide the need for standard development application notifications and the formalisation of a lease inclusive of all the required notifications.

ATTACHMENTS

1 - Tumbarumba Preschool Location Option - King Georges Park - Map (Under separate cover)

12. MINUTES OF COMMITTEE MEETINGS

12.1. MINUTES - EXTRA-AUDIT RISK AND IMPROVEMENT COMMITTEE - 21 SEPTEMBER 2022

REPORT AUTHOR: COORDINATOR GOVERNANCE

RESPONSIBLE DIRECTOR: INTERIM DIRECTOR COMMUNITY AND CORPORATE

EXECUTIVE SUMMARY:

The Audit, Risk & Improvement Committee (ARIC) was established by Council in August 2016 and is pursuant to Section 428A of the *Local Government Act 1993*. The ARIC reports to Council after each meeting.

RECOMMENDATION:

THAT COUNCIL:

1. **Note the Minutes of the Audit Risk and Improvement Committee held on 21 September 2022.**
2. **Note the following recommendations from the minutes:**
 - a. **That the Audit Risk and Improvement Committee support the Council's approach in not recognising the RFS Assets and are aware that this may result in a qualified audit.**
 - b. **Unrestricted cash was discussed in detail and additional information to be provided to Council regarding the discrepancy with the Financial Reserve Management Policy.**
 - c. **Additional information be provided to Council regarding the cash flow amount shown as 'other' under receipts in Statement of Cash Flows.**

BACKGROUND:

The objective of the Audit, Risk and Improvement Committee is to provide independent assurance and advice to Council on risk management, control, governance, and external accountability responsibilities.

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference. This advice aims to facilitate the decision making of Council in relation to the discharge of its responsibilities.

In discharging its responsibilities, the Committee reviews and considers:

- The integrity of external financial reporting, including accounting policies
- The scope of work, objectivity, performance and independence of the external and internal auditors
- The establishment, effectiveness and maintenance of controls and systems to safeguard the Councils financial and physical resources.

REPORT:

All information including notes and actions have been captured in the ARIC minutes which are attached to this report.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:**Integrated Planning and Reporting Framework:****Delivery Program and Operation Plan Strategic Directions**

Theme 5 - Our Civic Leadership

Community Strategic Plan Objectives

CSP5 Our Civic leadership and organisation government fosters open and transparent partnership with our community

Delivery Program Principal Activities

5.4 Maintain and deliver a governance framework that guides good decision making, accountability and legislative compliance

FINANCIAL AND RESOURCES IMPLICATIONS:

The approved budget for the operation of the ARIC for 2022/2023 is \$40,000 and includes member remuneration, training and the engagement of the internal auditor

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Council has established an Audit, Risk and Improvement Committee which functions under the Internal Audit Guidelines, September 2010 issued under Section 23A the *Local Government Act 1993*.

Council is transitioning to the Draft Guidelines for Risk Management and Internal Audit Framework for Local Councils in NSW, full compliance is expected by 01 July 2024.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

The Committee is charged with the responsibility of:

- Reviewing Council's enterprise risk management framework and associated procedures for effective identification and management of Council's business and financial risks
- Making a determination as to whether a sound and effective approach has been followed in managing Council's major risks including those associated with individual projects, program implementation and activities.
- Assessing the impact of the Council's enterprise risk management framework on its control environment and insurance arrangements.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

No

ATTACHMENTS

1. Minutes - Audit Risk and Improvement Committee - 21 September 2022 (Under separate cover)

12.2. MINUTES - TUMUT AERODROME COMMITTEE - 13 SEPTEMBER 2022

REPORT AUTHOR: SURVEY & DESIGN ENGINEER

RESPONSIBLE DIRECTOR: ACTING EXECUTIVE DIRECTOR INFRASTRUCTURE

EXECUTIVE SUMMARY:

The Tumut Aerodrome Committee is an advisory committee of Snowy Valleys Council. 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 Aerodrome Committee meeting on 13 September 2022.

RECOMMENDATION:

THAT COUNCIL:

- 1. Note the Minutes of the Tumut Aerodrome Committee held on 13 September 2022;**
- 2. Accept the new proposed Tumut Aerodrome Committee meeting time of 2:30pm for the 2023 meeting calendar;**
- 3. Include the southern parallel taxiway as a prioritised element of the Stage 2 aerodrome works, budget dependent; and**
- 4. Provide a report to the aerodrome committee regarding the consultant's advice.**

BACKGROUND:

At its meeting on 13 September 2022, the Tumut Aerodrome Committee considered the following matters:

- Meeting time for the 2023 Aerodrome Committee Meetings
- Tumut Aerodrome Masterplan
- Aerodrome Stage 2 Infrastructure Improvement Project and Hangar Spaces

REPORT:

Time for the 2023 Aerodrome Committee Meetings

District Manager of Riverina Highlands Rural Fire Service (RFS), Mr Jon Gregory, spoke to the issue outlining the clash of meeting times with the Local Rescue Committee (LRC) & Local Emergency Management Committee (LEMC) emergency service meetings. The Aerodrome Committee agreed to move future meetings to 2:30pm on the same day. Most members were open to the change and there was no indication that this would cause any additional problems with attendance. The time change has the added advantage of increasing staff availability and reducing hours costed to the organisation.

TUMUT Aerodrome Masterplan

There was general discussion on the masterplan including a review of the items in the Notes for the inquorate June Aerodrome Committee Meeting where the masterplan presentation was given by Council's consultant, Aviation Projects Pty Ltd. In keeping with the Notes of the previous meeting, there was general support expressed by the committee for the southern parallel taxiway, even if the RFS Fire Control Centre is placed to the north of the dam as in 'option 2' in the Masterplan. The reason given for this is that the predominant wind direction in summer means that the majority of the time aircraft will need to take off to the north. Therefore, a southern parallel taxiway is likely to increase efficiencies by producing coordinated circulation and reduce the inefficiencies of back-tracking on the runway.

Stage 2 Project and Hangar Spaces

Bimal Shah was welcomed as the new Project Manager for the project. Bimal provided an overview of the project progress including: ongoing community engagement, interactions with consultants, and the currently fruitless pursuit of CASA for approval for the non-standard runway strip width. The committee discussed the timeline for CASA approval and the significant impact this has had on the project progress and related dependencies. The intent to provide additional space for hangars in conjunction with other functions of the project was also outlined. The committee also discussed the traffic inputs for the pavement design, noting the Pilatus PC-24 (aircraft used for aero-medical transport) has a Maximum Take Off Weight (MTOW) of over 8 ton.

The committee supported a motion to "Recommend Council include southern parallel taxiway with runup bay at suitable location with neighbourly consideration". The motion was originally in support of the southern parallel taxiway but was amended to include the runup bay to reduce noise impacts on property at the southern end of the runway. After the Aerodrome Committee meeting, Council staff discussed this recommendation with Council's specialist aviation consultant, and the following points were raised in relation to the proposed runup bay:

- Currently, there is no runup bay at Tumut Aerodrome.
- Pilots would not do runups and associated aircraft checks at the end of the runway because this would block the runway for other aircraft and be hazardous. Currently, pilots carry out runups and associated checks on the apron area prior to entering the runway for take-off.
- Adding a parallel taxiway does not necessarily change this situation.
- To provide a runup bay part-way down the southern parallel taxiway, the aircraft would have to be located outside of the taxiway strip to allow other aircraft to pass safely. For the proposed Code 2 parallel taxiway, this would mean the design aircraft wingspan of 18 metres would need to be clear of the runway strip which extends 20 metres from the taxiway centreline. This would require significant additional land acquisition and pavement construction costs.
- Runup and checks could be undertaken either: on the apron, at the taxiway stub near the existing RFS facility, or part-way down the parallel taxiway (as long as it did not obstruct traffic).
- Noise impacts on residences could be managed through policy and procedure controls and signage.

For the above reasons, providing a runup bay is likely to be an expensive exercise to achieve outcomes which are more easily achieved by other means. It is recommended that Council should support the provision of the southern parallel taxiway without the provision of a runup bay.

LINK TO COMMUNITY STRATEGIC PLAN AND DELIVERY AND OPERATIONAL PLAN:

Integrated Planning and Reporting Framework:

Delivery Program and Operation Plan Strategic Directions

Theme 4 - Our Infrastructure

Community Strategic Plan Objectives

CSP4 Our infrastructure includes Council services that plan, manage, maintain and renew our community infrastructure and transport networks

Delivery Program Principal Activities

4.2 Manage and plan for affordable infrastructure to meet current and future community needs

FINANCIAL AND RESOURCES IMPLICATIONS:

The southern parallel taxiway was originally planned to serve the existing RFS facility but with the potential movement of the RFS Fire Control Centre (FCC); this would increase costs to the project. Costs will need to be analysed during detailed design stage to confirm what can fit within the project

budget. Preliminary estimates indicate it should be achievable to construct the southern parallel taxiway and the necessary infrastructure to serve the proposed FCC. The implication of this decision is to place prioritised importance on the southern parallel taxiway over other options within the project. While it is important to ensure that the project fits within budget, this decision means that resources could possibly be better utilised because the southern parallel taxiway could be constructed during fire season - this may not necessarily be the case when constructing the runway due to the operational needs of RFS.

POLICY, LEGAL AND STATUTORY IMPLICATIONS:

Land acquisition required in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*. This process has already commenced.

RISK MANAGEMENT / COST BENEFIT ANALYSIS:

RISK CATEGORY	RISK/REWARD DESCRIPTION	COST/RISK	BENEFIT/ REWARD
Legal	If land acquisition is not done correctly	Additional costs to Council, reputational risk, difficulties in asset management	None identified
Environmental & Public Health	Increased efficiency of RFS firefighting operations	None identified	Increased protection of forests and wilderness areas from fire.
Financial	No additional costs - to be completed under the Aerodrome Stage 2 project.	No additional costs - to be completed under the Aerodrome Stage 2 project.	Increased efficiency of RFS firefighting operation resulting in increased protection from fire and protection of: life, property, natural resources, assets, local economy, etc
People	None identified	None identified	None identified
Technology	None identified	None identified	None identified
Stakeholder	Increased efficiency of RFS firefighting operations	None identified	Increased protection from fire resulting in protection of life and property, natural resources, assets, local economy, etc
Service Delivery	None identified	None identified	None identified

OPTIONS:

Council can:

1. Endorse the recommendations and accept the minutes
2. Reject the recommendations and accept the minutes
3. Amend the recommendations and accept the minutes

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

The community has been engaged throughout the Aerodrome Stage 2 project, and with regard to the southern parallel taxiway the Aerodrome Committee is a representative sample of the aviation community. The result of Council's decision will be relayed back to the Aerodrome Committee.

ATTACHMENTS

1. Minutes - Tumut Aerodrome Committee - 13 September 2022 (Under separate cover)

13. CONFIDENTIAL

Section 10D of the *Local Government Act 1993* provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature. Section 10A(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 10A(2) of the *Local Government Act 1993* for the reasons specified:

13.1 CONFIDENTIAL - LAND CLEARING MOODY'S HILL MARAGLE

Item 13.1 is confidential under the *Local Government Act 1993* Section 10A (2) (e) as it relates to information that would, if disclosed, prejudice the maintenance of law and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

13.2 CONFIDENTIAL - RFT 2022/04 - BITUMINOUS SURFACING - NEW WORK

Item 13.2 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 proposed to conduct) business and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

14. MEETING CLOSURE
