

THE MINUTES OF THE COUNCIL MEETING HELD IN THE VIA VIDEO LINK, ON THURSDAY 10 DECEMBER 2020 COMMENCING AT 2.00PM

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

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

1. ACKNOWLEDGEMENT OF COUNTRY

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

2. APOLOGIES

Leave of Absence for the meeting was previously granted to Cr Cross.

M298/20 RESOLVED:

That the Leave of Absence for the meeting previously granted to Cr Cross be received and granted.

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST

Cr Andrianna Benjamin declared a non-significant non-pecuniary interest in relation to report '11.5 DA2020/0247 Proposed dwelling with attached garage/shed – Bombowlee Avenue, Bombowlee' due to having a professional relationship and employed the owner of the property in the past and will remain in the room during discussion and for the vote.

4. PUBLIC FORUM

M299/20 RESOLVED:

That Council defer Item #10.1 'Presentation of the 2019-2020 Annual Financial Statements' until later in the agenda when our external auditor Mr Brad Bohun from Crowe Horwath is available at approximately 2.30pm.

Cr John Larter/Cr Cor Smit

CARRIED UNANIMOUSLY

5. CONFIRMATION OF MINUTES**M300/20 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 19 November 2020 be received.

Cr Julia Ham / Cr John Larter

CARRIED UNANIMOUSLY

5.1 BUSINESS ARISING

Nil.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

Nil.

8. MAYORAL MINUTE

Nil.

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS**10.2 CODE OF CONDUCT COMPLAINT STATISTICS FOR THE REPORTING PERIOD 1 SEPTEMBER 2019 - 31 AUGUST 2020****M301/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Code of Conduct Complaint Statistics for the reporting period 1 September 2019 – 31 August 2020.
2. Note the Code of Conduct complaints statistics for the reporting period 1 September 2019 – 31 August 2020.
3. Request the Office of Local Government and the Minister for Local Government that this area be provided additional resources to ensure that any matters are investigated and resolved in a more timely and responsible matter without input from the General Manager/CEO of the respective organisation.

Cr Cor Smit/Cr Julia Ham

CARRIED UNANIMOUSLY

10.3 LGNSW ANNUAL CONFERENCE – 23 NOVEMBER 2020**M302/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on LGNSW Annual Conference from the Chief Executive Officer.
2. Note the decisions made on the motions submitted by Snowy Valleys Council.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.4 TRAINING – ONLINE CODE OF CONDUCT FOR COUNCILLORS – COUNCILLOR HAM**M303/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Training – Online Code of Conduct for Councillors – Councillor Ham.
2. Approve the attendance of Councillor Julia Ham at the online Code of Conduct for Councillors training on 20 November 2020.
3. Authorise all Councillors to attend the online Code of Conduct training in 2021.

Cr Cor Smit/Cr Bruce Wright

CARRIED UNANIMOUSLY

10.5 2021 MEETING CALENDAR**M304/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on 2021 Meeting Calendar.
2. Adopt the 2021 Council Meeting Calendar complete with Committee dates.
3. Notes the conflict of dates of the 2021 Local Government NSW Annual Conference with the November Ordinary Council meeting.

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.6 STATEMENT OF INVESTMENTS – NOVEMBER 2020**M305/20 RESOLVED:**

THAT COUNCIL:

1. Receive the Statement of Investments as at 30 November 2020 from the Chief Financial Officer.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

10.7 FINANCIAL REPORT – OCTOBER 2020**M306/20 RESOLVED:**

THAT COUNCIL:

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

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS**11.1 BUDGET 2021/22 – BUDGET PRINCIPLES****M307/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Budget Principles for Budget 2021/22 preparation.
2. Adopt the Budget Principles as per table 1

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

**11.2 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM
FUNDING ROUND TWO****M308/20 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Australian Governments Local Roads and Community Infrastructure Program.
2. Note the allocation of \$961,818 to Snowy Valleys Council, through the Australian Governments Local Roads and Community Infrastructure Program
3. Endorse proceeding with the delivery of the following high priority infrastructure projects funded through the Australian Governments Local Roads and Community Infrastructure Program:
 - a. Grahamstown Road

- b. Khancoban Toilets
 - c. Fitzroy Street Toilets
4. Authorise the Chief Executive Officer to negotiate and/or amend the project list as described in item 3 above, as required to comply with the Local Roads and Community Infrastructure Program funding arrangements

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

M309/20 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Geoff Pritchard

CARRIED UNANIMOUSLY

M310/20 RESOLVED to move out of Committee of the Whole.

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

**11.3 PIONEER PARK TUMUT – PROPOSED MASTER PLAN
RECOMMENDATION:**

THAT COUNCIL:

1. Receive this report on the proposed donation from the Blakeney Millar Foundation for the development of a Master Plan for Pioneer Park in Tumut
2. Accept the donation of \$55,680 as offered by the Blakeney Millar Foundation to enter into a consultancy agreement with KI Studios Pty Ltd to develop the Master Plan for Pioneer Park
3. Agree to the following conditions for accepting the donation referred to item 2 above
 - b. Details are as follows:
 - i. Council is engaging KI Studio Pty Ltd to prepare the Master Plan following the processes in the “KI Studio proposal – Tumut Pioneer Park_19-09 dated 21/11/2019” – reissued 12 October 2020
 - ii. Council is entering into a Consultancy Agreement with KI Studio Pty Ltd with the KI Studio proposal attached and forming part of the Consultancy Agreement (copy is attached to this report).
 - iii. Blakeney Millar is to participate in the consultation process with the Council and KI Studio.

- iv. Blakeney Millar agrees to cover direct costs as set out in the Consultancy Agreement.
 - v. Invoices are to be submitted to Blakeney Millar for approval before payment is made by the Council. Blakeney Millar will pay grant funds progressively to the Council to fund payment of KI Studio's invoices.
 - vi. Blakeney Millar may increase the amount of the grant at its discretion to fund additional agreed work or to meet additional agreed expenses.
 - vii. The grant funds may only be used to pay for work performed under the Consultancy Agreement.
 - viii. The grant will be adjusted if the total cost is below that shown in the Consultancy Agreement.
 - ix. In an effort to avoid a conflict with the Master Plan, Council agrees to delay further infrastructure, plantings and installation of lights in Rotary Pioneer Park until after finalisation of the Master Plan. The exception is essential maintenance and where, in consultation with Blakeney Millar, KI Studio agrees to the work.
4. Approve implementing a time limit on the condition as described in item 3 (a) (ix) above of 3 months
 5. Delegate the Chief Executive Officer to negotiate and enter into a consultancy agreement with KI Studio for the development of a Master Plan for Pioneer Park in Tumut
 6. Approve the allocation of a budget of \$8,352 for the administration and management of the project to develop the Master Plan for Pioneer Park as part of the quarterly budget review process

Cr Cor Smit/Cr Julia Ham

Division

For
Cr Ham

Against
Cr Benjamin
Cr Hayes
Cr Isselmann
Cr Larter
Cr Pritchard
Cr Smit
Cr Wright

1/8

LOST

**11.3 PIONEER PARK TUMUT – PROPOSED MASTER PLAN
M311/20 RESOLVED**

THAT COUNCIL:

1. Meets with the full Board of the Blakeney Millar Foundation to discuss funding opportunities.

Cr James Hayes/Cr John Larter

	Division	
For		Against
Cr Benjamin		Cr Isselmann
Cr Ham		Cr Pritchard
Cr Hayes		
Cr Larter		
Cr Smit		
Cr Wright		

6/2

CARRIED

**11.3 PIONEER PARK TUMUT – PROPOSED MASTER PLAN
M312/20 RESOLVED:**

THAT COUNCIL:

1. Form a Working Group to advance the River Walk, Tumut masterplan and
2. Invite the Blakeney Millar Foundation to be a participant in the engagement process

Cr Margaret Isselmann/Cr Cor Smit

CARRIED UNANIMOUSLY

**10.1 PRESENTATION OF THE 2019-2020 ANNUAL FINANCIAL STATEMENTS
M313/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Presentation of the 2019-2020 Annual Financial Statements.
2. Formally present the 2019-2020 Audited Annual Financial Statements and Audit reports to the public in accordance with Section 418 and 419 of the *Local Government Act*, and
3. Note that the 2019-20 Annual Report has been updated based on the finalised Audited Annual Financial Statements.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

11.4 SVC CHILD SAFE ORGANISATION**M314/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the SVC Child Safe Organisation.
2. Undertake the processes to be recognised as Child Safe Organisation in accordance with the Children's Guardian Act 2020.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

11.5 ASSESSMENT OF DA2020/0247 LOT 11 DP1123419 – BOMBOWLEE AVENUE BOMBOWLEE**M315/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Assessment of DA2020/0247 Lot 11 DP 1123419 – Bombowlee Avenue Bombowlee.
2. Defer consideration of DA2020/0247 Lot 11 DP 1123419 – Bombowlee Avenue Bombowlee until such time as a full assessment and notification process has been completed.
3. Request that the CEO ensure that a full assessment and notification process is undertaken in respect of DA2020/0247 Lot 11 DP 1123419 – Bombowlee Avenue Bombowlee.

Cr Cor Smit/Cr John Larter

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS**12.1 MINUTES – DISABILITY INCLUSION ACCESS REFERENCE FROUP MEETING – 23 SEPTEMBER 2020 & 22 OCTOBER 2020****M316/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the Disability Inclusion Access Reference Group (DIARG) from the Executive Director Community & Corporate.
2. Note the Minutes of the Disability Inclusion Access Reference Group meeting held on 22 October 2020.
3. Note the meeting notes, taken from the Disability Inclusion Access Reference Group meeting held on 23 September 2020.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

12.2 MINUTES – BATLOW DEVELOPMENT LEAGUE – ANNUAL GENERAL MEETING – 4 NOVEMBER 2020

M317/20 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Batlow Development League.
2. Note the Minutes of the Batlow Development League Annual General Meeting held on 4 November 2020.
3. Adopt the 2020 election of officer bearers: Chairperson; R Billings, Vice Chairperson; T McDonald, Secretary; A Dickinson, Treasurer; C Agate, Publicity & Media Officer; D Wiltshire.
4. Adopt 2020 core members of Batlow Development League; R Billings, A Dickinson, R Koo, H Tietze, B Hyams, C Agate, N Shaw, B David, T McDonald, K McLaren, D Wiltshire, T Billing

Cr Margaret Isselmann/Cr Cor Smit

Division

For

Cr Benjamin
Cr Ham
Cr Hayes
Cr Larter
Cr Pritchard
Cr Smit
Cr Wright

Against

Cr Isselmann

7/1

CARRIED

12.3 MINUTES – TALBINGO PROGRESS AND RATEPAYERS ASSOCIATION MEETING – 10 NOVEMBER 2020

M318/20 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Talbingo Progress and Ratepayers Association meeting held on 10 November 2020.
2. Note the Minutes of the Talbingo Progress and Ratepayers Association meeting held on 10 November 2020.
3. Note that the Mayor has written to Forestry requesting the road from Talbingo to Batlow be reopened to the public.

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

12.4 MINUTES – RRL ADVISORY COMMITTEE MEETING – OCTOBER 2020**M319/20 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the Riverina Regional Library Advisory Committee Meeting Minutes October 2020.
2. Note the Minutes of the Riverina Regional Library Advisory Committee meeting held on 28 October 2020.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

13. CONFIDENTIAL**M320/20 RESOLVED:**

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

L.1 RFT 2020/04 - REPLACEMENT OF TINTALDRA ROAD AND WITHERS LANE BRIDGES

Item L.1 is confidential under the Local Government Act 1993 Section 10A 2 (d)i and (d)ii as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Cr John Larter/Cr Geoff Pritchard

CARRIED UNANIMOUSLY

At this stage, the time being 3.33pm Council went into Confidential.

L.1 RFT 2020/04 - REPLACEMENT OF TINTALDRA ROAD AND WITHERS LANE BRIDGES**M321/20 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Request for Tender – RFT 2020/04 for the replacement of the Tintaldra Road and Withers Lane Bridges
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender of Murray Valley Piling Pty Ltd for the replacement of the Tintaldra Road and Withers Lane Bridges, based on the schedule of quantities and prices submitted, of \$703,120 GST inclusive

3. Advise the unsuccessful tenderers in writing
4. Authorise the Chief Executive Officer to negotiate and enter into a contract with Murray Valley Piling Pty Ltd for replacement of the Tintaldra Road and Withers Lane Bridges

Cr Cor Smit/Cr John Larter

CARRIED UNANIMOUSLY

M322/20 RESOLVED that Council move out of Confidential into open session.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

There being no further business to discuss, the meeting closed at 3.37pm.

DRAFT