

**THE MINUTES OF THE COUNCIL MEETING HELD VIA VIDEO LINK, ON THURSDAY
16 SEPTEMBER 2021 COMMENCING AT 2.00pm**

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

IN ATTENDANCE: 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 AND REMOTE ATTENDANCE

All attending remotely.

3. DECLARATIONS OF INTEREST

Cr John Larter declared a non-pecuniary interest in relation to report # 13.2 'Request for Tender 2021-06 – Design and Installation of Aeronautical Ground Lighting (APL/PAPI) – Tumut Aerodrome' due to ownership of an aircraft hangered with the Tumut Aero Club at Tumut Aerodrome and will remain in the room during discussion.

Cr John Larter declared a non-pecuniary interest in relation to report #13.3 'Request for Tender 2021/08 – Supply of Bulk Materials' due to ownership of an aircraft hangered with the Tumut Aero Club at Tumut Aerodrome and will remain in the room during discussion.

4. PUBLIC FORUM

Nil.

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING - 19 AUGUST 2021

M191/21 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 19 August 2021 be received.

Cr Margaret Isselmann/Cr Julia Ham

CARRIED UNANIMOUSLY

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Mayor

Chief Executive Officer

5.2 BUSINESS ARISING

Nil.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

Nil.

8. MAYORAL MINUTE**M192/21 RESOLVED** to move into Committee of the Whole.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY**M193/21 RESOLVED** to move out of Committee of the Whole.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY**8.1 PUBLIC FORUM - ELLIOTT WAY CLOSURE AND THE SNOWY MOUNTAINS SPECIAL ACTIVATION PRECINCT - 1 SEPTEMBER 2021****M194/21 RESOLVED:**

That Council:

1. Write to the Minister for Energy & Environment to:
 - a. thank him for his departmental staff presentation on repairs to the Elliott Way to the Public Forum;
 - b. request the Department make available regular fortnightly updates through local media on progress of the Elliott Way road and bank stabilisation works to the public recognising that it has significant economic disadvantage to the Snowy Valleys community while the road remains closed;
 - c. request that the Department look to procurement methods that allow important projects to be expedited, noting that Council has the capacity and is well experienced to undertake emergency and scheduled works for other agencies under a cost-plus arrangement, similar to that which is currently in place for Alpine Way with Transport for NSW;

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Mayor

Chief Executive Officer

- d. request consideration of the opening of the whole route be made a priority noting the economic disadvantage currently experienced by preventing the link of local businesses to Snowy 2.0 opportunities;
 - e. request the access to O'Hare's be opened as soon as practical as a goodwill gesture to support community wellbeing
2. Write to the Minister for Energy and Environment and the Minister for Planning and Public Spaces:
 - a. thanking them for their departmental staff presentation on the Special Activation Precincts at the Public Forum;
 - b. requesting full consultation with Indigenous People who have a connection to the land in the Snowy Valleys Council area before projects are commenced.
 3. Write to the Deputy Premier and Minister for Planning and Public Spaces advising:
 - a. that the Snowy Valleys Council looks with interest at the SAPs for Snowy Mountains (Jindabyne) and Wagga Wagga
 - b. that Council and the community anticipate what opportunities the Snowy Valleys community has in supporting these SAPs and connecting these two important areas
 - c. notes that Council has made a submission to the Snowy Mountains SAP including a request for extension of time for submissions.

Cr James Hayes

CARRIED UNANIMOUSLY

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE PERIOD ENDING 4 DECEMBER 2021

**M195/21 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the election of mayor and deputy mayor for the period ending 4 December 2021.
2. Elect the mayor and deputy mayor for the period ending 4 December 2021 by voting in the event of there being more than one candidate by way of:

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Mayor



Chief Executive Officer

- c. Open voting by way of show of hands, noting that an open ballot is required given that Council is meeting virtually and not in person.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

Recommendation 10.1.3 *'Invite nominations for the election of mayor and deputy mayor for the period ending 4 December 2021 or for a maximum period of one year ending on the next date of the NSW Local Government Elections'* was facilitated by the Returning Officer as follows:

The CEO as Returning Officer read aloud the conditions of voting for the positions of Mayor and Deputy Mayor for the period of time up to the Local Government Elections date of 4 December 2021.

The CEO as Returning Officer advised that one nomination had been received for the position of Mayor and called for any further nominations from the floor. There being no further nominations received from the floor, the CEO as Returning Officer declared Cr James Hayes as Mayor.

The CEO as Returning Officer advised that one nomination had been received for the position of Deputy Mayor and called for any further nominations from the floor. There being no further nominations received from the floor, the CEO as Returning Officer declared Cr John Larter as Deputy Mayor.

10.1 ELECTION OF MAYOR AND DEPUTY MAYOR FOR THE PERIOD ENDING 4 DECEMBER 2021

M196/21 RESOLVED:
THAT COUNCIL:

4. Conduct the election for mayor and deputy mayor in accordance with the Local Government (General) Regulation 2005 Schedule 7.
5. Elect a mayor in accordance with Sections 227 and 230 of the Local Government Act for the period ending 4 December 2021 or for a maximum period of one year ending on the next date of the NSW Local Government Elections.
6. Elect a deputy mayor in accordance with Section 231 of the Local Government Act for the period ending 4 December 2021 or for a maximum period of one year ending on the next date of the NSW Local Government Elections.
7. Confirm the successful candidates as being Cr Hayes for Mayor and Cr Larter for Deputy Mayor.
8. Following the election, approve for all nomination documents (and ballot papers if used) used in connection with the election of the mayor and deputy mayor be destroyed.
9. The Chief Executive Officer advise the NSW Office of Local Government

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Mayor

Chief Executive Officer

and Local Government NSW of the result of the election.

Cr Bruce Wright/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

M197/21 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

M198/21 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

10.2 VOTING DELEGATES AND PROPOSED MOTIONS FOR THE LG NSW ANNUAL CONFERENCE 2021

M199/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on Voting Delegates and Proposed Motions for the Local Government NSW (LGNSW) Annual Conference 2021.
2. Authorise the mayor and deputy mayor as Snowy Valleys Council's voting delegates for the LGNSW Board Elections and the LGNSW Annual Conference.
3. Authorise the Chief Executive Officer to advise LGNSW of the voting delegates.
4. Approve the following motions for submission to the LGNSW Annual Conference 2021:
 - a. That LGNSW calls on the NSW Government to acknowledge the long term financial sustainability challenges of local government, and to specifically address:
 - i. The detrimental impacts on council financial sustainability as a result of cost shifting to local government by both the Federal and NSW Governments, such as:
 - (1) The transfer of the emergency services levy to Councils
 - (2) The requirement to provide concessions (eg. pensioner concessions) without adequate compensation payments
 - (3) The failure to provide appropriate indexation for fees and

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Chief Executive Officer

- charges prescribed under State legislation
- (4) The vesting of Rural Fire Service assets in council, leaving councils to bear the cost burden of depreciation
 - (5) The transfer of management of Crown Lands to local councils without appropriate compensation to alleviate the financial and resource burden on councils for the development of Plans of Management
- ii. The antiquated rating system and its restrictions on council's ability to raise appropriate levels of revenue to fund the provision of an increasing range of services to their communities
 - iii. The impediment of maintaining Rural Centre employment numbers for merged councils in achieving long term efficiencies and savings
 - iv. The lack of ongoing operational funding for new and upgraded assets once they are commissioned under a capital funding stream
 - v. The inequity of taxation distribution among the 3 tiers of Australian government, including the reduction of the Financial Assistance Grants Scheme grant as a percentage of total taxation revenue
- b. That LGNSW calls on the NSW Government to clarify and expedite the matters relating to the Boundaries Commission independent statutory review announced on 20 July 2021:
- i. The Terms of Reference (ToR) for the Boundaries Commission be placed on Public Exhibition and the Minister's intent on the purpose and role be made clear in an attached briefing paper;
 - ii. The Minister include a section in the ToR relating to the evaluation of de-amalgamation under Section 218C and that this be at no cost to the ratepayers of the Council making the request;
 - iii. The Minister expedite the finalisation of the ToR once public exhibition is complete;
 - iv. The Minister immediately seeks expressions of interest for members for the Boundaries Commission and fill any vacancies with persons suitably qualified to fulfill the roles expected under the ToR.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

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Mayor

Chief Executive Officer

10.3 FINANCIAL PERFORMANCE AS AT 31 JULY 2021

M200/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on financial performance as at 31 July 2021.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

10.4 STATEMENT OF INVESTMENTS - AUGUST 2021

M201/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on Statement of Investments – August 2021.

Cr John Larter/Cr Cate Cross

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS**11.1 DA2020/0191 - CARAVAN PARK - 30 PADDYS RIVER FALLS ROAD BURRA**

M202/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on DA2020/0191 – Caravan Park – 30 Paddys River Falls Road, Burra.
2. Defer consideration of approval for DA2020/0191 and request the provision of conditions of consent and more detailed information in a future report.
3. Include the DA2020/0191 – Caravan Park – 30 Paddys River Falls Road, Burra on the agenda of the 7 October 2021 Extraordinary Meeting.

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

11.2 COMMUNITY RECOVERY REPORT SEPTEMBER 2021

M203/21 RESOLVED:
THAT COUNCIL:

1. Receive and note the Community Recovery Report September 2021.

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Mayor



Chief Executive Officer

2. Authorise the CEO to write to NSW State Government Emergency Management Committee requesting that the Local Recovery Plan Template be approved in the immediate future.

Cr Cor Smit/Cr Cate Cross

CARRIED UNANIMOUSLY

11.3 20/21 SNOWY VALLEYS COUNCIL LOCAL HERITAGE GRANTS

M204/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on 20/21 Snowy Valleys Council Local Heritage Grants;
2. Endorse the projects recommended for funding through the 20/21 SVC Local Heritage Grants program, being:
 - a. 22-24 Neill St, Adelong - \$3,000
 - b. 243 East Grahamstown Rd, Adelong - \$5,000
 - c. 84 Tumut St, Adelong - \$1,400
 - d. 72 Gilmore St, Adelong - \$3,000
 - e. 31-33 Carey St, Tumut - \$1,350

Cr Geoff Pritchard/Cr Julia Ham

Division

For

Cr Benjamin
Cr Cross
Cr Hayes
Cr Larter
Cr Pritchard
Cr Smit
Cr Wright

Against

Cr Ham
Cr Isselmann

7/2

CARRIED

12. MINUTES OF COMMITTEE MEETINGS

12.1 MINUTES - RRL ADVISORY COMMITTEE EXTRAORDINARY MEETING - 22 JULY 2021

M205/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on Minutes - Riverina Regional Library Advisory Committee Extraordinary Meeting – 22 July 2021;

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2. Note the Minutes of the Riverina Regional Library Advisory Committee Extraordinary Meeting held on 22 July 2021;
3. Note that SVC will not be submitting an Expression of Interest for the role of Executive Council of RRL.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

Councillor Benjamin left the meeting at 3.07pm and returned at 3.07pm.

12.2 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP MEETING - 26 AUGUST 2021

**M206/21 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the Disability Inclusion Access Reference Group Meeting - 26 August 2021;
2. Note the Minutes of the Disability Inclusion Access Reference Group Meeting - 26 August 2021.

Cr Cate Cross/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

13. CONFIDENTIAL

M207/21 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.

13.1 WRITE-OFF OF DEBTS

Item 13.1 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.

13.2 REQUEST FOR TENDER 2021/06 - DESIGN AND INSTALLATION OF AERONAUTICAL GROUND LIGHTING (APL/PAPI) - TUMUT AERODROME

Item 13.2 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

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council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

- 13.3 REQUEST FOR TENDER 2021/08 - SUPPLY OF BULK MATERIALS
Item 13.3 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 Cor Smit/Cr John Larter

CARRIED UNANIMOUSLY

All councillors confirmed their ability to maintain confidentiality within their individual remote locations.

At this stage, the time being 3.11pm Council went into Confidential.

13.1 WRITE-OFF OF DEBTS

M208/21 RESOLVED:
THAT COUNCIL:

1. Receive the report on Write-off of Debts;
2. Note the write-off and adjustments totalling \$6,684.24 made under delegated authority for the period 1 March 2021 to 31 August 2021.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

13.2 REQUEST FOR TENDER 2021/06 - DESIGN AND INSTALLATION OF AERONAUTICAL GROUND LIGHTING (APL/PAPI) - TUMUT AERODROME

M209/21 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Request for Tender RFT 2021/06 – Design and Installation of Aeronautical Ground Lighting at the Tumut Aerodrome;
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender of Avionics Airfield Lighting Pty Ltd for the Design and Installation Aeronautical Airfield Ground Lighting at the Tumut Aerodrome for the lump sum amount of \$595,991.97 excluding GST;
3. Authorise the Chief Executive Officer to enter into a contract with Avionics Airfield Lighting Pty Ltd for the Design and Construction Aeronautical Airfield Ground Lighting (AGL) at the Tumut Aerodrome;

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Chief Executive Officer

4. Advise the unsuccessful tenderers in writing.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

13.3 REQUEST FOR TENDER 2021/08 - SUPPLY OF BULK MATERIALS

M210/21 RESOLVED:
THAT COUNCIL:

1. Receive this report on the outcomes of the RFT 2021/08 - Supply of Bulk Materials;
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the panel of suppliers for the Supply of Bulk Materials as recommended by the tender evaluation panel and listed as follows:
 - a. Premixed Concrete Products
 - i. Bluedime Concrete Tumbarumba Pty Ltd
 - ii. Tegra Australia Pty Ltd
 - iii. Baxters Concrete Pty Ltd
 - b. Precast Concrete Units
 - i. Bruno Alton Co Pty Ltd
 - ii. Rocla Pipeline Products Pty Ltd
 - c. Quarry products
 - i. Bald Hill Quarry Pty Ltd
 - ii. Boral Construction Materials Ltd
 - iii. Brennans Earthmoving Pty Ltd
 - iv. MH Earthmoving Pty Ltd
 - v. Nigel Grant Contracting Pty Ltd
 - vi. R & L Withers Earthmoving Pty Ltd
3. Authorise the Chief Executive Officer to enter into contracts with the companies recommended for the panel of suppliers for the Supply of Bulk Materials as summarised in item 2 above;
4. Authorise the Chief Executive Officer to purchase bulk materials through other procurement arrangements if the panel of suppliers fail to provide value for money for Council or comply with the requirements or conditions of the contract for the Supply of Bulk Materials;
5. Authorise the Chief Executive Officer to exercise the one-year extension option for the Supply of Bulk Materials Panel Contract subject to the satisfactory performance of the contract;

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Chief Executive Officer

6. Advise the unsuccessful tenderers in writing.

Cr Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

M211/21 RESOLVED:

That at this stage, the time being 3.16pm Council return to Open Council.

Cr Margaret Isselmann/Cr John Larter

CARRIED UNANIMOUSLY

The Chief Executive Officer read aloud the Resolutions made within the Confidential session.

There being no further business to discuss, the meeting closed at 3.19pm.

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Chief Executive Officer