

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMUT ROOM, 67  
CAPPER STREET, TUMUT ON THURSDAY 17 MARCH 2022 COMMENCING AT  
2.04PM**

**PRESENT:** Mayor Ian Chaffey (Chair), Councillor Johanna (Hansie) Armour, Councillor Julia Ham, Councillor James Hayes, Councillor Sam Hughes, Councillor John Larter, Councillor Brent Livermore, Councillor Trina Thomson.

**IN ATTENDANCE:** Chief Executive Officer Matthew Hyde, 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.

**2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE**

A Leave of Absence for the meeting was previously granted to Cr Michael Ivill.

**M70/22 RESOLVED:**

That the previously granted request for Leave of Absence from Cr Michael Ivill be received and noted and leave of absence be granted.

Cr Trina Thomson/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**3. DECLARATIONS OF PECUNIARY INTEREST**

Cr Larter declared a non-significant non-pecuniary interest in relation to report # 7.1 Notice of Motion – Tumut Multi-purpose Centre and Tumut Aerodrome Upgrade Projects – Cr Hansie Armour and report # 10.4 Committee Membership Recruitment – Application Approval Tumut Aerodrome Committee’ due to ownership of aircraft hangered with the Tumut Aero Club at Tumut Aerodrome and will remain in the room during discussion and will participate in the voting.

Cr Hayes declared a non-pecuniary interest in relation to report # 7.1 ‘Notice of Motion – Tumut Multi-purpose Centre and Tumut Aerodrome Upgrade Projects – Cr Hansie Armour’ due to being a member of the Rural Fire Service and will remain in the room during discussion and participate in the voting.

Cr Livermore declared a non-pecuniary interest in relation to report #11.3 Tumbarumba Chamber of Commerce – Request for Funding’ due to provision of voluntary support for

the Khancoban Hall project to Chamber of Commerce and will leave the room during discussion.

#### **4. PUBLIC FORUM**

Four individuals addressed the Public Forum held immediately prior to the 17 March 2022 Ordinary Meeting of Council as follows:

Donna Martin spoke against Item 7.1 'Notice of Motion – Tumut Multi-purpose Centre and Tumut Aerodrome Upgrade Projects'.

Jon Gregory ESM JP, District Manager, Riverina Highlands, Rural Fire Service attended the Public Forum spoke against Item 7.1 'Notice of Motion – Tumut Multi-purpose Centre and Tumut Aerodrome Upgrade Projects'.

Mick Gray, Gray Surveyors spoke against Item 11.4 'DA2021/0106 Proposed Consolidation of Lots and Boundary Adjustment at Wondalga Road, Cooleys Creek and against Item 11.5 'DA2022/0023 Proposed Lot Consolidation and Boundary Adjustment – 738 Goobarragandra Road (Walls Creek Road East) Goobarragandra'.

David Hunter, Director, Habitat Planning representing Todd and Alex Arentz spoke against Item 11.6 'Review of Determination (REV2021/001) Proposed Dwelling and Ancillary Structures at Lot 11 Bombowlee Avenue, Tumut'.

#### **5. CONFIRMATION OF MINUTES**

##### **5.1 ORDINARY MEETING - 17 FEBRUARY 2022**

##### **M71/22 RESOLVED:**

That the Minutes of the Ordinary Council Meeting held on 17 February 2022 be received with the correction on page 5 of the minutes under Point 2 Apologies, to include Cr Armour's last name.

Cr Trina Thomson/ Cr Julia Ham

**CARRIED UNANIMOUSLY**

##### **5.2 BUSINESS ARISING**

Cr Ham requested some information on Items 11.1 and 11.8 of the previous meeting and no resolutions were made in association. The CEO advised that deputation to Minister Ayres and Destination NSW Chair Christine Mclaughlin may proceed as per 17 February 2022 resolution M63/22 'Destination Network Boundary Changes'.

#### **6. CORRESPONDENCE/PETITIONS**

Nil.

**7. NOTICE OF MOTION/NOTICE OF RESCISSION****7.1 NOTICE OF MOTION - TUMUT MULTI-PURPOSE CENTRE AND TUMUT AERODROME UPGRADE PROJECTS - CR HANSIE ARMOUR**

**MOTION:**  
THAT COUNCIL:

1. Receive the Notice of Motion regarding putting on hold the Tumut Multi-purpose Centre and Tumut Aerodrome upgrade project.

Cr Johanna (Hansie) Armour/Cr Trina Thomson

**M72/22 RESOLVED:**

to move into Committee of the Whole.

Cr John Larter/Cr James Hayes

<b>Division</b>	
<b>For</b>	<b>Against</b>
Cr Chaffey	Cr Armour
Cr Ham	Cr Thomson
Cr Hayes	
Cr Hughes	
Cr Larter	
Cr Livermore	
<b>6/2</b>	

**CARRIED**

**M73/22 RESOLVED:**

to move out of Committee of the Whole.

Cr Julia Ham/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY**

**AMENDMENT:**  
THAT COUNCIL:

1. Is committed to support both the Tumut Multi-purpose Centre and Tumut Aerodrome upgrade project.

The amendment was put and carried.

Cr James Hayes/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M74/22 RESOLVED:**  
THAT COUNCIL:

1. Is committed to support both the Tumut Multi-purpose Centre and Tumut Aerodrome upgrade project.

The amendment became the motion and was put and carried. The original motion moved by Cr Armour and seconded by Cr Thomson therefore lapsed.

Cr James Hayes/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**8. MAYORAL MINUTE**

**8.1 TRANSGRID HUMELINK PROJECT**

**M75/22 RESOLVED:**

THAT COUNCIL:

1. Write to Matt Kean MP, State Minister for Energy and Environment requesting for the Minister or a member of his team to explain the compensation implications of the *Land Acquisition (Just Terms Compensation) Act 1991* for landholders likely to be impacted by the Transgrid proposal.
2. Write to Matt Kean MP, State Minister for Energy and Environment reiterating that Snowy Valleys Council's position is for the powerlines to go on public land as opposed to private land, and underground on private land.
3. Engage with Transgrid to:
  1. Further understand the implications of the *Land Acquisition (Just Terms Compensation) Act 1991* on the community
  2. Advocate for external funds to improve the road infrastructure on Elliott Way needed for safety reasons prior to the Maragle substation build (estimated to be at least \$16 million).
4. Advocate for a vision to provide high quality, long lasting, and stable high capacity methods of transmission for the long term, considering current and future developments in the energy industry; Write to CEO Transgrid:
  1. requesting their assessment of the proposed economic benefits created by Transgrid for Snowy Valleys Council and our community now and into the future
  2. to provide substantive options for ongoing annual compensation to

affected properties and the Snowy Valleys community in general

3. Advocate for the transmission network to be built to withstand increased frequency of severe weather events and a method of construction that minimises obstructing emergency services
5. Write to the Valuer General to give an estimate of the economic loss or gain expected on the valuation of properties in the Snowy Valleys area
6. Prioritise advocacy to Transgrid and government on this matter in the draft Delivery Program.
7. Write to Matt Kean MP, State Minister for Energy and Environment asking for a change to the *Land Acquisition (Just Terms Compensation) Act 1991* to include equivalent financial compensation for landholders as is currently provided for biodiversity offsets in public lands such as National Parks.

Cr Ian Chaffey

**CARRIED UNANIMOUSLY**

## **9. URGENT BUSINESS WITHOUT NOTICE**

Nil.

## **10. GOVERNANCE AND FINANCIAL REPORTS**

### **10.1 TRAINING OPPORTUNITIES FOR COUNCILLORS - LGNSW**

**M76/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Training Opportunities for Councillors – LGNSW;
2. Ratify the approval received from the Mayor and CEO on 22 February for the attendance of Cr Armour to the “Integrated Planning & Reporting” online course;
3. Approve the attendance of Cr Armour to the “Audit Risk & Improvement Committee Training” offered online, providing there are sufficient funds within her budget allocation at the time of registering attendance;
4. Discuss and confirm the attendance of additional councillors for any of the abovementioned LGNSW training opportunities for councillors.

Cr Trina Thomson/Cr Sam Hughes

**CARRIED UNANIMOUSLY**

**10.2 ENDORSEMENT OF THE DRAFT INTEGRATED PLANNING AND REPORTING SUITE 2022 FOR PUBLIC EXHIBITION****M77/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Endorsement of the Draft Integrated Planning & Reporting Suite 2022 for Public Exhibition.
2. Endorse the following draft Integrated Planning & Reporting strategies and plans and place on public exhibition for a period for a minimum 28 days commencing 18 March 2022:
  - i. Draft Towards 2042 Community Strategic Plan;
  - ii. Draft combined Delivery Program (2022-2026) and Operational Plan (2022-2023) incorporating the Operational Budget (2022-2023) and Revenue Policy 2022-2023;
  - iii. Draft 2022-2023 Fees and Charges;
  - iv. Draft Resourcing Strategy documents including Draft Long-Term Financial Plan (2022-2032), Draft Strategic Asset Management Plan (2022-2026) and Draft Workforce Management Plan (2022-2026).
3. Endorse the draft community consultation overview and calendar for the public exhibition period.
4. Receive submissions from the community in relation to the above documents throughout the exhibition period.

Cr Julia Ham/Cr Trina Thomson

**CARRIED UNANIMOUSLY**

**10.3 CODE OF MEETING PRACTICE - ADOPTION****M78/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Code of Meeting Practice – Adoption;
2. Adopt the Code of Meeting Practice SVC-EXE-M-023-04 following this meeting;
3. Rescind the Code of Meeting Practice SVC-EXE-M-023-03 as superseded version.

Cr James Hayes/Cr Brent Livermore

**CARRIED UNANIMOUSLY**

**10.4 COMMITTEE MEMBERSHIP RECRUITMENT - APPLICATION APPROVAL  
TUMUT AERODROME COMMITTEE****M79/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Committee Membership Recruitment – Application Approval – Tumut Aerodrome Committee
2. Approve the nomination and re-nomination from Tony Clee, Craig Cullinger, Fred Kell, Bridget Ryan and Graham Smith to the Tumut Aerodrome Committee

Cr James Hayes/Cr Trina Thomson

**CARRIED UNANIMOUSLY****10.5 REVIEW OF PROCUREMENT POLICY - FOR PUBLIC EXHIBITION****M80/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Review of Procurement Policy – for Public Exhibition;
2. Approve the updated Procurement Policy SVC-FIN-PO-049-02 for Public Exhibition for a period of no less than 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 policy;
4. Adopt the policy if no submissions are received on the day after the completion of the public exhibition period.

Cr Julia Ham/Cr John Larter

**CARRIED UNANIMOUSLY****10.6 STATEMENT OF INVESTMENTS - FEBRUARY 2022****M81/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Statement of Investments – February 2022.

Cr Julia Ham/Cr John Larter

**CARRIED UNANIMOUSLY**

**11. MANAGEMENT REPORTS**

*Item 11.1 Withdrawn - superseded by 11.8 Tooma Hall Bushfire Local Economic Recovery Fund Grant - Updated Late Report.*

**11.8 TOOMA HALL BUSHFIRE LOCAL ECONOMIC RECOVERY FUND GRANT - UPDATED LATE REPORT**

**M82/22 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on Tooma Hall Bushfire Local Economic Recovery Fund (BLERF) Grant – Updated Late Report.
2. Authorise the Chief Executive Officer to sign acceptance of the funding deed on behalf of Council's Tooma Recreation Reserve s355 Committee.
3. Authorise the Chief Executive Officer, upon receipt of the funding, to transfer the value received to the Tooma Recreation Reserve s355 Committee for the direct management of the project, subject to compliance with Council's policy and procedures and project management framework which includes regular project progress and financial reports
4. Authorise the Mayor and Chief Executive Officer to affix Council seal and execute any documents relevant to the project
5. Write to the Tooma Recreation Reserve Committee, indicating that Council accepts their proposal for project management by their subcommittee, and stipulate compliance with Council's project management framework.

Cr Julia Ham/Cr James Hayes

**CARRIED UNANIMOUSLY**

**M83/22 RESOLVED:**

to move into Committee of the Whole.

Cr Julia Ham/ Cr James Hayes

**CARRIED UNANIMOUSLY**

**M84/22 RESOLVED:**

to move out of Committee of the Whole

Cr Julia Ham/Cr Trina Thomson

**CARRIED UNANIMOUSLY**

  
Mayor

  
Chief Executive Officer



**11.2 FEEDBACK RECEIVED FROM PUBLIC EXHIBITION OF FORMER BATLOW CANNERY SITE - COMMUNITY CONSULTATION FINDINGS REPORT AND SPATIAL ASSESSMENT PLANS.**

**M85/22 RESOLVED:  
THAT COUNCIL:**

1. Note the feedback received regarding the Former Batlow Cannery Site - Community Consultation Findings and Spatial Assessment Plan Report which was placed on public exhibition from 10 September to 5 November 2021.
2. Adopt the Former Batlow Cannery Site - Community Consultation Findings and Spatial Assessment Plan Report as a useful reference in the development of other Council Planning documents such as:
  - Local Community 'Place Plans'
  - The Local Environmental Plan
  - The Tracks and Trails Masterplan

Cr James Hayes/Cr Julia Ham

**CARRIED UNANIMOUSLY**

Cr Livermore left the meeting at 3.18pm during discussion of Item 11.3 'Tumbarumba Chamber of Commerce – Request for Funding'.

**11.3 TUMBARUMBA CHAMBER OF COMMERCE - REQUEST FOR FUNDING**

**M86/22 RESOLVED:  
THAT COUNCIL:**

1. Receive and note the report on Tumbarumba Chamber of Commerce – Request for Funding;
2. Agree to the Tumbarumba Chamber of Commerce's request for funding and allocate \$60,304.79 from the Project Development Reserve for the purpose of completing repairs to the roof of the Khancoban Hall;
3. Reimburse the Project Development Reserve with income derived from the pending sale of investment properties currently owned by Council.

Cr John Larter/Cr Julia Ham

**CARRIED UNANIMOUSLY**

Cr Livermore returned to the meeting at 3.22pm after discussion of Item 11.3 'Tumbarumba Chamber of Commerce – Request for Funding' had concluded.

**11.4 DA2021/0106 - PROPOSED CONSOLIDATION OF LOTS AND BOUNDARY ADJUSTMENT AT WONDALGA ROAD, COOLEYS CREEK****RECOMENDATION:****THAT COUNCIL:**

1. Receive the report relating to DA 2021/0106 which seeks development consent for a boundary adjustment and consolidation of lots at Wondalga Road Cooleys Creek.
2. Determine Development Application DA2021/0106 by way of refusal, for boundary adjustment and consolidation of lots into two Torrens title lots for use as agricultural use and transfer of a dwelling entitlement to an unrelated new lot to the north at Lots 955, 958, 1056, 1057, 1096 & 1097 DP 757211 & Lot 5 DP 115071, excluding Lot 739 DP757291, for the following reasons:
  - a. The proposed development is inconsistent with the objectives of the RU1 Primary Production zone of the Tumut Local Environmental Plan 2012. [Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, 1979];
  - b. Pursuant to Section 4.15(a)(i) of the Environmental Planning and Assessment Act, 1979, the proposal is unsatisfactory in respect to the matters for consideration under Clause 4.1, 4.2, 4.2A, 4.2B, 4.2C of Tumut Local Environmental Plan 2012.
  - c. Pursuant to Section 4.15(a)(iii) of the Environmental Planning and Assessment Act, 1979, the proposal is unsatisfactory in respect to Rural Subdivision Part 9.8 of Snowy Valleys Development Control Plan with particular reference to Part 9.8.1, 9.8.2, 9.8.4, and 9.8.5 as the boundary adjustment and consolidation results in a less efficient use of land resources and creates an inappropriate subdivision by the proposed transfer of a holding to an unrelated lot thereby adversely affecting the viability and promoting fragmentation of agricultural land of the proposed Lot.
  - d. Pursuant to Section 4.15(a)(iii) of the Environmental Planning and Assessment Act, 1979, the proposal is unsatisfactory in respect to Rural Subdivision Part 9.8 of Snowy Valleys Development Control Plan with particular reference to Part 9.8.7 and 9.8.9 as the subdivision will isolate Lot 739 DP757291 by failing to provide easements for access and services as part of this subdivision and denies the efficient use of this land for agricultural purposes.
  - e. The proposed development represents an unacceptable level of impact of the locality. [Pursuant to Section 4.15(1)(b) Environmental Planning and Assessment Act, 1979];
  - f. The site is considered unsuitable for the proposed development [Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979];

- g. The development is not considered to be in the public interest [Pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*].

Cr James Hayes/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M87/22 RESOLVED:**

to move into Committee of the Whole.

Cr Brent Livermore/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY**

**M88/22 RESOLVED:**

to move out of Committee of the Whole

Cr Julia Ham/John Larter

**CARRIED UNANIMOUSLY**

**M89/22 RESOLVED:**

THAT COUNCIL:

Consider Recommendations 1 and 2 separately.

Cr Trina Thomson/Cr James Hayes

**CARRIED UNANIMOUSLY**

**M90/22 RESOLVED:**

THAT COUNCIL:

1. Receive the report relating to DA 2021/0106 which seeks development consent for a boundary adjustment and consolidation of lots at Wondalga Road Cooleys Creek.

Cr Julia Ham/Cr Trina Thomson

**CARRIED UNANIMOUSLY**



Mayor



Chief Executive Officer

**M91/22 RESOLVED:**  
THAT COUNCIL:

Determine development application 2021/0106 seeking development consent for a boundary adjustment, consolidation of lots and transfer of a building entitlement to an unrelated allotment by way of approval and delegate to the Chief Executive Officer to apply standard conditions of development consent to the notice of determination, ensuring that the neighbours are advised.

Cr James Hayes/Cr Trina Thomson

**CARRIED UNANIMOUSLY**

**11.5 DA2022/0023 - PROPOSED LOT CONSOLIDATION AND BOUNDARY ADJUSTMENT - 738 GOOBARRAGANDRA ROAD (WALLS CREEK ROAD EAST), GOOBARRAGANDRA**

**M92/22 RESOLVED:**  
THAT COUNCIL:

1. Receive the report relating to DA2022/0023 which seeks consent for a boundary adjustment and lot consolidation at 738 Goobarragandra Road, Goobarragandra.

Cr Julia Ham/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY**

**MOTION**  
THAT COUNCIL:

Determine development application 2022/0023 seeking development consent for a boundary adjustment, consolidation of lots and transfer of a building entitlement to an unrelated allotment by way of approval and delegate to the Chief Executive Officer delegation to apply standard conditions of development consent to the notice of determination.

Cr Julia Ham/Cr John Larter

**M93/22 RESOLVED:**

to move into Committee of the Whole.

Cr Julia Ham/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY**

**M94/22 RESOLVED:**

to move out of Committee of the Whole.

Cr Trina Thomson/Cr Julia Ham

**CARRIED UNANIMOUSLY**

**M95/22 RESOLVED:  
THAT COUNCIL:**

Defer consideration of Development Application 2022/0023 in order to seek further information regarding access and fire and consult the adjacent neighbours regarding access.

Cr Julia Ham/Cr John Larter

**CARRIED UNANIMOUSLY**

Cr Hayes left the room 3.55pm and returned at 3.57pm.

**11.6 REVIEW OF DETERMINATION (REV2021/001) PROPOSED DWELLING AND ANCILLARY STRUCTURES AT LOT 11 BOMBOWLEE AVENUE, TUMUT****M96/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on REV2021/0001 – Proposed dwelling and ancillary structures at Lot 11 DP1123419 Bombowlee Avenue.
2. Determine application REV2021/0001 – Lot 11 DP1123419 Bombowlee Avenue for a dwelling and an attached shed by way of refusal (upholding Council's previous decision) for the following reasons:
  - (a) The proposal does not satisfy the considerations for approval as outlined in Clause 5.21 – Flood Planning of the Tumut LEP 2012. It is considered that there an unacceptable level of risk to occupants of the dwelling due to insufficient safe evacuation routes from the site and locality. The development application is not consistent with the requirements of s4.15(1) of the Environmental Planning & Assessment Act 1979, including a) i) any Environmental Planning Instrument. The proposal does not comply with the requirements of the New South Wales Floodplain Development Manual in particular flood evacuation measures.
  - (b) The proposal is inconsistent with the controls outlined in the Snowy Valleys DCP 2019, specifically Clause 3.2.10 Flooding. The provided

information is not considered to adequately address flooding issues, especially safe evacuation routes from the site and locality. The development application is not consistent with the requirements of s4.15(1) of the *Environmental Planning & Assessment Act 1979*, including a) iii) any Development Control Plan.

- (c) The site is not considered to be suitable for the development given the flood risk posed to occupants of the dwelling. The development application is not consistent with the requirements of s4.15(1) of the *Environmental Planning & Assessment Act 1979*, including c) the suitability of the site for the development.
- (d) The development is not considered to be in the public interest, given the additional risks associated with the potential rescue or evacuation of residents from the dwelling by emergency services personnel during flood events. The development application is not consistent with the requirements of s4.15(1) of the *Environmental Planning & Assessment Act 1979*, including e) the public interest.

Cr Julia Ham/Cr Trina Thomson

**Division**

**For**

Cr Armour  
Cr Chaffey  
Cr Ham  
Cr Hayes  
Cr Hughes  
Cr Livermore  
Cr Thomson

**Against**

Cr Larter

**7/1**

**CARRIED**

**11.7 REVIEW OF DETERMINATION (REV2021/002) PROPOSED DWELLING AND ANCILLARY STRUCTURES AT LOT 12 BOMBOWLEE AVENUE, TUMUT**

**M97/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on REV2021/0002 Proposed Dwelling and ancillary structures– Lot 12 DP1123419 Bombowlee Avenue
2. Determine the Section 8.2 Review of determination application REV2021/002 being Lot 12 DP1123419 Bombowlee Avenue, Tumut for a dwelling and an ancillary shed by way of refusal for the following reasons:
  - a. The proposal does not satisfy the considerations for approval as outlined in Clause 5.21 – Flood Planning of the Tumut LEP 2012. It

is considered that there an unacceptable level of risk to occupants of the dwelling due to insufficient safe evacuation routes from the site and locality. The development application is not consistent with the requirements of s4.15(1) of the Environmental Planning & Assessment Act 1979, including a) i) any Environmental Planning Instrument. The proposal does not comply with the requirements of the New South Wales Floodplain Development Manual in particular flood evacuation measures.

- b. The proposal is inconsistent with the controls outlined in the Snowy Valleys DCP 2019, specifically Clause 3.2.10 Flooding. The provided information is not considered to adequately address flooding issues, especially safe evacuation routes from the site and locality. The development application is not consistent with the requirements of s4.15(1) of the Environmental Planning & Assessment Act 1979, including a) iii) any Development Control Plan.
- c. The site is not considered to be suitable for the development given the flood risk posed to occupants of the dwelling. The development application is not consistent with the requirements of s4.15(1) of the Environmental Planning & Assessment Act 1979, including c) the suitability of the site for the development
- d. The development is not considered to be in the public interest, given the additional risks associated with the potential rescue or evacuation of residents from the dwelling by emergency services personnel during flood events. The development application is not consistent with the requirements of s4.15(1) of the Environmental Planning & Assessment Act 1979, including e) the public interest.

Cr Julia Ham/Cr Brent Livermore

**CARRIED UNANIMOUSLY**

## **12. MINUTES OF COMMITTEE MEETINGS**

### **12.1 MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - 09 FEBRUARY 2022**

**M98/22 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the Minutes – Audit Risk and Improvement Committee – 09 February 2022
2. Note the Minutes of the Audit Risk and Improvement Committee meeting held on 09 February 2022

Cr Julia Ham/Cr Brent Livermore

**CARRIED UNANIMOUSLY**

**12.2 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP - 24 FEBRUARY 2022****M99/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on the Minutes Disability Inclusion Access Reference Group Meeting held 24 February 2022.
2. Note the Minutes of the Disability Inclusion Access Reference Group meeting held on 24 February 2022.

Cr Trina Thomson/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY****12.3 MINUTES - LOCAL TRAFFIC COMMITTEE - 23 FEBRUARY, 2022****M100/22 RESOLVED:  
THAT COUNCIL:**

1. Receive this report on the Minutes – Local Traffic Committee – 23 February 2022.
2. Note the Minutes of the Local Traffic Committee meeting held on 23 February 2022.
3. Adopt the following recommendation/s from the minutes:
  - a. Item 4.1 Event Application – Tumbafest
    - i. Support the Special Event Application for the 2022 Tumbafest event held on 26 & 27 February 2022 to go ahead in principle, subject to Council's standard conditions.
  - b. Item 4.2 Event Application – Snowy Valleys Night Markets – Tumbarumba
    - i. Support the Special Event Application for the 2022 Snowy Valleys Night Markets – Tumbarumba held on 23 April 2022 to enable this event to go ahead, subject to Council's standard conditions.
    - ii. Endorse the Special Event application subject to receipt of a Road Occupancy Licence, concurrence from Transport for NSW and approval from NSW Police.
  - c. Item 4.3 Event Application – Snowy Valleys Night Markets – Tumut
    - i. Support the Special Event Application for the Snowy Valleys Night Markets – Tumut held on 25 March 2022 to enable this



event to go ahead, subject to Council's standard conditions.

- d. Item 4.4 Anzac Day Parade – Adelong
  - i. Support the Special Event Application for the ANZAC Day March to be held in Adelong to enable this event to go ahead, subject to Council's standard conditions.
  - ii. Endorse the Special Event application subject to receipt of a Road Occupancy Licence, concurrence from Transport for NSW and approval from NSW Police.
- e. Item 4.5 Anzac Day Parade – Tumbarumba
  - i. Support the Special Event Application for the ANZAC Day March to be held in Tumbarumba to enable this event to go ahead, subject to Council's standard conditions.
  - ii. Endorse the Special Event application subject to receipt of a Road Occupancy Licence, concurrence from Transport for NSW and approval from NSW Police.
- f. Item 4.6 Anzac Day March – Tumut
  - i. Support the Special Event Application for the ANZAC Day March to be held in Tumut to enable this event to go ahead, subject to Council's standard conditions.
- g. Item 4.7 Event Application – Ciderfest
  - i. Support the Special Event Application for the Batlow Ciderfest for the 21st May 2022 to enable this event to go ahead, subject to Council's standard conditions.
- h. Item 4.8 Tumbarumba Road Maintenance
  - i. Communicates with the Local Government Areas of City of Wagga Wagga, Greater Hume with the intention of creating a working committee to oversee the maintenance and upgrade of the Wagga Road.
- i. Item 4.9 McAuley Catholic Central School – Bus Zones
  - i. Support the relocation of the school bus zones in Capper Street to Carey Street (West side of Capper Street).
- j. General Business – Rail Trail Marathon
  - i. Support the Special Event Application for the Rail Trail Marathon for the 23<sup>rd</sup> April 2022 to enable this event to go ahead, subject to Council's standard conditions.

Cr James Hayes/Cr John Larter

**CARRIED UNANIMOUSLY**

**12.4 MINUTES - GLENROY HERITAGE RESERVE COMMITTEE - 6 FEBRUARY 2022****M101/22 RESOLVED:  
THAT COUNCIL:**

1. Receive the report on Minutes – Glenroy Heritage Reserve Committee General Meeting 6 February 2022;
2. Note the Minutes of the Glenroy Heritage Reserve Committee General meeting held on 6 February 2022.

Cr Julia Ham/Cr Trina Thomson

**CARRIED UNANIMOUSLY**

**13. CONFIDENTIAL****RECOMMENDATION:**

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

**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 RFT 2022/01 – MR677 ALPINE WAY SLOPE REHABILITATION WORKS (SLOPES 11976 & 11979)**

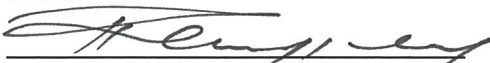
*Item 13.2 is confidential under the Local Government Act 1993 Section 10A 2 (d)i and (d)ii as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

**M102/22 RESOLVED:**

A motion was moved and seconded that Council go into Confidential.

Cr James Hayes/Cr Julia Ham

**CARRIED UNANIMOUSLY**

  
Mayor

  
Chief Executive Officer

At this stage, the time being 4.12pm Council went into Confidential.

### 13.1 WRITE-OFF OF DEBTS

**M103/22 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on Write-off of Debts.
2. Note the write-off and adjustments totalling \$6,103.31 made under delegated authority for the period 1 September 2021 to 28 February 2022; and
3. Authorise the write-off of the debt of \$31,321.91.

Cr Trina Thomson/Cr Julia Ham

**CARRIED UNANIMOUSLY**

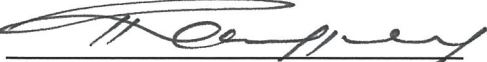
### 13.2 RFT 2022/01 – MR677 ALPINE WAY SLOPE REHABILITATION WORKS (SLOPES 11976 & 11979)

**M104/22 RESOLVED:**  
THAT COUNCIL:

1. Receive the report on the Request for Tender - RFT 2021/01 for the rehabilitation of two slopes (slopes 11976 and 11979) located along the Alpine Way (MR677);
2. Delegate authority for the Chief Executive Officer to not proceed with this project if the budget allocated by TfNSW for this project is insufficient to cover the full cost of the works including allowances for project management, indirect costs and contingencies;
3. Subject to item 2 in the above, resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender of Mulligan Geotechnical Pty Ltd for the rehabilitation of two slopes (slopes 11976 and 11979) located along the Alpine Way (MR677), being for the lump sum amount of \$1,362,884.00 including GST;
4. Subject to item 2 in the above, authorise the Chief Executive Officer to enter into a contract with Mulligan Geotechnical Pty Ltd for the rehabilitation of two slopes (slopes 11976 and 11979);
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr John Larter/Cr Julia Ham

**CARRIED UNANIMOUSLY**



**M105/22 RESOLVED:**

That Council return to Open Council.

Cr John Larter/Cr Johanna (Hansie) Armour

**CARRIED UNANIMOUSLY**

At this stage, the time being 4.17pm Council returned to Open Council and the Chief Executive Officer read aloud the resolutions made during the Confidential session.

There being no further business to discuss, the meeting closed at 4.20pm.

  
Mayor

  
Chief Executive Officer