



ORDINARY MEETING

MINUTES

Thursday, 16 November 2023

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



Thursday, 16 November 2023
Council Chambers 76 Capper Street Tumut / Via Video Link
2:00 PM

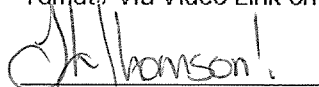
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[Signature]
Deputy Mayor

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Interim General Manager

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Deputy Mayor


Interim General Manager

PRESENT: Deputy Mayor, Cr Trina Thomson (Chair), Cr Johanna (Hansie) Armour, Cr Julia Ham, Cr Sam Hughes, Cr James Hayes, Cr Mick Ivill, Cr John Larter, Cr Brent Livermore

IN ATTENDANCE: Interim General Manager, Steven Pinnuck, Director Community & Corporate Jessica Quilty, Director Infrastructure & Works Duncan Mitchell, Manager Finance Parthiv Parekh, Manager Growth & Activation Nick Wilton

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by Deputy Mayor, Cr Trina Thomson.

2. PUBLIC FORUM

Rural Fire Service (RFS) Deputy Commissioner Kyle Stewart and Director Logistics and Equipment Joshua Torrens addressed Council via video link regarding the preparedness of NSW RFS for the 2023/2024 fire season; the status of the Heads of Agreement between Council and NSW RFS for the construction of a new Fire Control Centre at Tumut Aerodrome; the status of the new Zone Service Level Agreement and the status of the occupation of a hanger at Tumut Aerodrome.

3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

A Request for a Leave of Absence has been received from Mayor, Cr Ian Chaffey.

M222/23 RESOLVED that the Leave of Absence from Cr Ian Chaffey be received and granted.

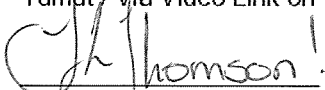
Cr Johanna (Hansie) Armour/Cr Julia Ham

CARRIED UNANIMOUSLY

4. DECLARATIONS OF PECUNIARY INTEREST

Cr Julia Ham declared a **non-pecuniary, significant interest** in relation to report # 10.1 Country Universities Centre due to being on the CUC Working Committee and **remain** the room during discussion.

Cr James Hayes declared a **non-pecuniary, significant interest** in relation to report # 10.1 Country Universities Centre due to being on the CUC Working Committee and will **remain** the room during discussion.


Deputy Mayor


Interim General Manager

5. CONFIRMATION OF MINUTES

5.1. MINUTES - ORDINARY COUNCIL - 17 OCTOBER 2023

M223/23 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 17 October 2023 be received and confirmed as an accurate record.

Cr Mick Ivill/Cr Brent Livermore

For: Cr Armour, Cr Ham, Cr Hughes, Cr Ivill, Cr Larter, Cr Livermore, Cr Thomson

Against: Cr Hayes

CARRIED

7/1

6. CORRESPONDENCE/PETITIONS

Nil.

7. MAYORAL MINUTE

Nil.

8. NOTICE OF MOTION/NOTICE OF RESCISSION

Nil.

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

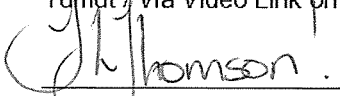
M224/23 RESOLVED that Item 10.5 be brought forward.

Cr Brent Livermore/Cr Julia Ham

CARRIED UNANIMOUSLY

10.5. PRESENTATION OF THE 2022/23 ANNUAL FINANCIAL STATEMENTS

A verbal report was provided by Council's Audit Service Provider Partner Dannielle MacKenzie.


Deputy Mayor


Interim General Manager

M225/23 RESOLVED:

THAT COUNCIL:

1. Note the report on the Presentation of the 2022/2023 Annual Financial Statements; and
2. Formally present the 2022/2023 Audited Financial Statements and Audit Reports to the public in accordance with Sections 418 and 419 of the *Local Government Act 1993*.

Cr James Hayes/Cr Mick Ivill

CARRIED UNANIMOUSLY

M226/23 RESOLVED to move back to the order of business.

Cr Julia Ham/Cr James Hayes

CARRIED UNANIMOUSLY

10.1. COUNTRY UNIVERSITIES CENTRE

M227/23 RESOLVED

THAT COUNCIL:

1. Note the report on the progression and formation of a Working Party for Country Universities Centre;
2. Approve the use of part of the former Tumut Shire Council building as the preferred location for the Country University Centre.

Cr Julia Ham/Cr James Hayes

CARRIED UNANIMOUSLY

10.2. ATTENDANCE - 2023 DIGITAL AGRIFOOD SUMMIT 11-12 OCTOBER WAGGA WAGGA - CRS HAM AND ARMOUR

M228/23 RESOLVED:

THAT COUNCIL:

1. Note the report on the 2023 Digital Agrifood Summit outcomes from Councillor Julia Ham and Councillor Hansie Armour.

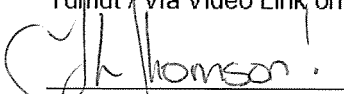
Cr Julia Ham/Cr John Larter

For: Cr Armour, Cr Ham, Cr Hayes, Cr Hughes, Cr Ivill, Cr Livermore, Cr Thomson

Against: Cr John Larter

CARRIED

7/1


Deputy Mayor


Interim General Manager

10.3. AICD ESSENTIAL GOVERNANCE FOR COUNCILLORS TRAINING PROGRAM - 19-20 OCTOBER 2023 - CANBERRA

M229/23 RESOLVED:

THAT COUNCIL:

1. Note the participation of Cr Armour, Cr Hayes and Cr Hughes in the AICD Essential Governance for Councillors Training Program on 19-20 October 2023 in Canberra.

Cr James Hayes/Cr Sam Hughes

CARRIED UNANIMOUSLY

10.4. DRAFT SNOWY VALLEYS COUNCIL ANNUAL REPORT 2022-2023

M230/23 RESOLVED:

THAT COUNCIL:

1. Endorse a copy of the 2022-2023 Annual Report including the Audited Financial Statement to be placed on Council's website;
2. In accordance with section 428 of the *Local Government Act 1993*, provide a copy of the 2022-2023 Annual Report to the NSW Office of Local Government by 30 November 2023.
3. Amend the 1.2.28 Provision of Supervision for Safety of Patrons from 'Completed' to 'Behind Schedule'

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

10.5. PRESENTATION OF THE 2022/23 ANNUAL FINANCIAL STATEMENTS

Item 10.5 was brought forward to the beginning of the meeting.

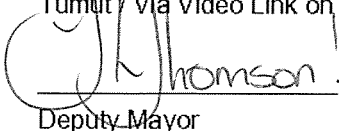
10.6. QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2023

MOTION:

THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 30 September 2023 including the Addendum; and
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the September Quarterly Budget Review.
3. Receive a historical report post 2016 on the cost to Council of the Tumbarumba Roths Medical Centre.

Cr Julia Ham/Cr Mick Ivill


Deputy Mayor


Interim General Manager

M231/23 RESOLVED to move into Committee of the Whole

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

Cr Ivill left the room at 3.23pm and returned at 3.27pm.

M232/23 RESOLVED to move out of Committee of the Whole

Cr Julia Ham/Cr Johanna (Hansie) Amour

CARRIED

M233/23 RESOLVED:

THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 30 September 2023 including the Addendum; and
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the September Quarterly Budget Review.
3. Receive a historical report post 2016 on the cost to Council of the Tumbarumba Roths Medical Centre.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

10.7. STATEMENT OF INVESTMENTS - OCTOBER 2023

M234/23 RESOLVED:

THAT COUNCIL:

1. Note the report on Statement of Investment - 31 October 2023.

Cr Brent Livermore/Cr Mick Ivill

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS

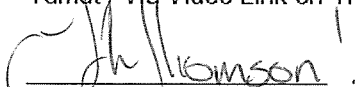
11.1. DRAFT SNOWY VALLEYS DEVELOPMENT CONTROL PLAN 2024 - POST-EXHIBITION AMENDMENTS


MOTION:

THAT COUNCIL:

1. Amend Clause 4.8.4 to delete the statement: "No additional parking is required for the secondary dwelling";
2. Adopt the amended Snowy Valleys Development Control Plan 2024 with the changes taking effect from Tuesday 2nd January 2024;

Cr John Larter/Cr Brent Livermore


Deputy Mayor


Interim General Manager

AMENDMENT:

1. Amend Clause 4.8.4 to delete the statement: "No additional parking is required for the secondary dwelling";
2. Adopt the amended Snowy Valleys Development Control Plan 2024 with the changes taking effect from Tuesday 2nd January 2024;
3. That the future structure of the Snowy Valleys Development Control Plan 2024 be referred to a Councillor Workshop in the first quarter of 2024.

The amendment was put and carried.

Cr Johanna (Hansie) Armour/Cr Julia Ham

CARRIED**M235/23 RESOLVED**

THAT COUNCIL

1. Amend Clause 4.8.4 to delete the statement: "No additional parking is required for the secondary dwelling";
2. Adopt the amended Snowy Valleys Development Control Plan 2024 with the changes taking effect from Tuesday 2nd January 2024;
3. That the future structure of the Snowy Valleys Development Control Plan 2024 be referred to a Councillor Workshop in the first quarter of 2024.

The amendment became the motion and was put and carried.

Cr Johanna (Hansie) Armour/Cr Julia Ham

CARRIED**11.2. DRAFT SPORTS FIELD AND FACILITIES POLICY - PUBLIC EXHIBITION****M236/23 RESOLVED**

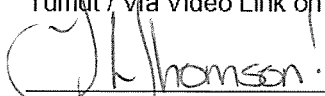
THAT COUNCIL:

1. Endorse the Draft Sports Field and Facilities Policy (where amended) SVC-ENG-PO-073-02 for public exhibition for a period of no less than 28 days;
2. Note that if any feedback is received during the exhibition period, a further report will be provided to Council on the submissions; and
3. Adopt the amended Sports Field and Facilities Policy SVC-ENG-PO-073-02 if no submissions are received on the day after the completion of the public exhibition period.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY**11.3. DISASTER RECOVERY FUNDING ARRANGEMENTS GRANT****M237/23 RESOLVED**

THAT COUNCIL:


Deputy Mayor


Interim General Manager

1. Note the Disaster Recovery Funding projects listed in the attachment to this report and the amount of \$7,119,522.65 available for essential public road asset reconstruction works which is required to be spent by 30 June 2025.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

11.4. DRINKING WATER MANAGEMENT SYSTEM ANNUAL REPORT FOR 2022-23

M238/23 RESOLVED

THAT COUNCIL:

1. Note this report on the Drinking Water Management System Annual Report for 2022-23; and
2. Endorse the Drinking Water Management System Annual Report 2022-23 for submission to the local Public Health Unit (PHU), NSW Health.

Cr James Hayes/Cr Sam Hughes

CARRIED UNANIMOUSLY

11.5. DRAFT CYBER SECURITY & IT CHANGE MANAGEMENT POLICIES

M239/23 RESOLVED

THAT COUNCIL:

1. Adopt the Draft Cyber Security Policy SVC-IT-PO-013-01 and Draft IT Change Management Policy SVC-IT-PO-131-01; and
2. Note these policies will not be released for community consultation or be placed on Council's website for security purposes.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS

12.1. MINUTES - YOUTH COUNCIL COMMITTEE MEETING - 25 OCTOBER 2023

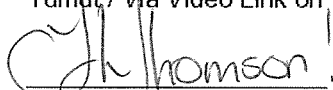
M240/23 RESOLVED

THAT COUNCIL:

1. Note the minutes of the Youth Council Committee held on 25 October 2023; and
2. Appoint Amy Murphy and Aiyana Ironside as voting members of the Youth Council Committee.

Cr Sam Hughes/Cr Brent Livermore

CARRIED UNANIMOUSLY


Deputy Mayor


Interim General Manager

13. CONFIDENTIAL

M241/23 RESOLVED to move into Confidential Session.

Cr John Larter/Cr James Hayes

CARRIED UNANIMOUSLY

M242/23 RESOLVED to move back into Open Session.

Cr John Larter/Cr Brent Livermore

CARRIED UNANIMOUSLY

At this stage, the time being 4.11pm the meeting was re-opened to the public.

The Interim General Manager advised that during the closed session, Council made the following resolutions:

13.1. CONFIDENTIAL - WRITE-OFF OF DEBTS

M243/23 RESOLVED:

THAT COUNCIL:

1. Note the write-off and adjustments totalling \$10,615.26 made under delegated authority for the period 1 March 2023 to 31 August 2023.

Cr Julia Ham/Cr Mick Ivill

For: Cr Hughes, Cr Ivill, Cr Larter, Cr Livermore, Cr Thomson

Against: Cr Hayes; Cr Ham; Cr Armour

CARRIED

5/3

13.2. CONFIDENTIAL - OUTCOME OF LITTLE RIVER ROAD MEDIATION

M244/23 RESOLVED:

THAT COUNCIL:

1. Endorse the actions of the Mayor and Interim General Manager to reach a mediation agreement with the landholder on Little River Road as outlined in Attachment 2 of the report - '13 October 2023 Signed Mediation Agreement'.

Cr Brent Livermore/Cr Mick Ivill

CARRIED UNANIMOUSLY

13.3. CONFIDENTIAL - RFT 2023-02 - HUME & HOVELL MAINTENANCE SERVICES TENDER

M245/23 RESOLVED:

THAT COUNCIL:

1. In accordance with Section 178 (3)(e) Local Government (General) Regulation 2021:
 - a. Reject all offers for Request for Tender (RFT) 2023-02 for the Hume & Hovell Track Maintenance Services due to all tenders exceeding the available budget;
 - b. Not invite fresh tenders, because it is considered that re-tendering, rather than negotiating, will not attract additional suitable submissions;
2. Authorise the Interim General Manager or delegate to enter into direct negotiation with all the original tenderers and other suitable contractors for the Hume & Hovell Track Maintenance Services;
3. Authorise the Interim General Manager at the end of successful negotiations to enter into a contract with suitably qualified contractors for the Hume & Hovell Track Maintenance Services for a three (3) year period ending 30 June 2026; and
4. Upon execution of the Contract, advertise information relating to the successful award of the contract in accordance with the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with Private Sector.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

13.4. CONFIDENTIAL - SNOWY 2.0 CONNECTOR ROAD MAINTENANCE AGREEMENT

M246/23 RESOLVED:

THAT COUNCIL:

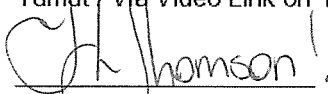
1. Authorise the Interim General Manager to execute the Road Maintenance Agreement between Snowy Valleys Council and Transgrid for the maintenance of Elliott Way and Tooma Road as part of the Snowy 2.0 Connector Project.

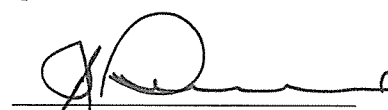
Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

14. MEETING CLOSURE

There being no further business to discuss, the meeting closed at 4.14pm.


Deputy Mayor


Interim General Manager