

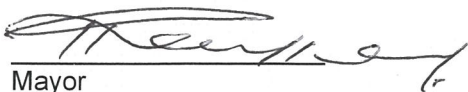


ORDINARY MEETING

MINUTES

Thursday, 14 December 2023

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


Mayor


Interim General Manager



Thursday, 14 December 2023
Council Chambers 76 Capper Street Tumut and Via Video Link
2:00 PM

MINUTES

1. ACKNOWLEDGEMENT OF COUNTRY5
2. PUBLIC FORUM.....5
3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE5
4. DECLARATIONS OF PECUNIARY INTEREST5
5. CONFIRMATION OF MINUTES.....6
5.1. MINUTES - ORDINARY COUNCIL - 16 NOVEMBER 20236
6. CORRESPONDENCE/PETITIONS6
7. MAYORAL MINUTE.....6
8. NOTICE OF MOTION/NOTICE OF RESCISSION6
8.1. NOTICE OF MOTION - NSW SEVERE WEATHER AND FLOOD GRANT - CLR JAMES HAYES6
8.2. NOTICE OF MOTION - REMOVAL OF WEEDS ALONG SVC RAIL CORRIDORS - CLR JAMES HAYES.....7
8.3. NOTICE OF MOTION - USE OF COUNCIL PARKS AND FACILITIES FOR COMMUNITY EVENTS - CLR TRINA THOMSON.....7
8.4. NOTICE OF MOTION - CCTV - VANDALISM TO COUNCIL INFRASTRUCTURE - CLR TRINA THOMSON.....7
8.5. NOTICE OF MOTION - ROAD POLICY - CLR HANSIE ARMOUR.....7
9. URGENT BUSINESS WITHOUT NOTICE8
10. GOVERNANCE AND FINANCIAL REPORTS8
10.1. ATTENDANCE - 2023 LGNSW ANNUAL CONFERENCE - 12-14 NOVEMBER 20238

Minutes of the Meeting of the Snowy Valleys Council Ordinary Meeting held in Council Chambers 76 Capper Street Tumut and Via Video Link on Thursday, 14 December 2023 Page 2

Mayor

Interim General Manager

10.2. 2024 MEETING CALENDAR 8

10.3. DRAFT LEGISLATIVE COMPLIANCE POLICY & DRAFT ACCESS TO INFORMATION POLICY - PUBLIC EXHIBITION 8

10.4. DRAFT PUBLIC INTEREST DISCLOSURES POLICY - FOR PUBLIC EXHIBITION 9

10.5. DRAFT INFORMATION GUIDE 2023/2024 - FOR PUBLIC EXHIBITION 9

10.6. CODE OF CONDUCT COMPLAINTS STATISTICS FOR THE REPORTING PERIOD 01 SEPTEMBER 2022 - 31 AUGUST 2023 9

10.7. STATEMENT OF INVESTMENT - NOVEMBER 2023 9

11. MANAGEMENT REPORTS 10

11.1. DA2023/0025 - PROPOSED TOURIST AND VISITOR ACCOMMODATION - 404 GOOBARRAGANDRA ROAD GOOBARRAGANDRA 10

11.2. DA2023/0120 - PROPOSED BOUNDARY ADJUSTMENT AT 702-712 BOMBOWLEE CREEK ROAD, BOMBOWLEE 11

11.3. TUMBARUMBA START STRONG PRESCHOOL - REQUEST FOR REFUND AND WAIVER OF FEES AND CHARGES 11

11.4. THE BATLOW CIDER RAIL TRAIL - STEERING COMMITTEE 12

11.5. ELECTRIC VEHICLE (EV) CHARGING STATIONS 13

11.6. OPTIONS ANALYSIS TUMUT AERODROME 13

11.7. COMMUNITY AND RECREATION FACILITIES MANAGEMENT POLICY - FOR ADOPTION 14

12. MINUTES OF COMMITTEE MEETINGS 14

12.1. MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - 08 NOVEMBER 2023 14

12.2. MINUTES - FIRST NATIONS LIAISON COMMITTEE - 15 NOVEMBER 2023 14

12.3. MINUTES - LOCAL TRAFFIC COMMITTEE MEETING - 8 NOVEMBER, 2023 15

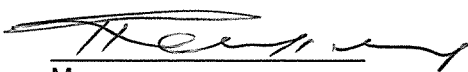
12.4. MINUTES - GLENROY HERITAGE RESERVE COMMITTEE - 4 NOVEMBER 2023 16

13. CONFIDENTIAL 16


13.1. CONFIDENTIAL - RFT 2023/01 - TUMUT MULTI-PURPOSE CENTRE ASSESSMENT 17

13.2. CONFIDENTIAL - RFT 2023/08 - TOOMA HALL RENOVATIONS 18

13.3. CONFIDENTIAL - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP MEMORANDUM OF AGREEMENT RENEWAL 19

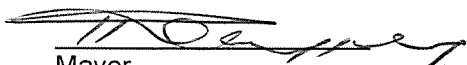


Mayor



Interim General Manager

14. MEETING CLOSURE.....19


Mayor


Interim General Manager

- PRESENT:** Mayor, Cr Ian Chaffey (Chair), Cr Johanna (Hansie) Armour, Cr Julia Ham, Cr Sam Hughes, Cr James Hayes, Cr Mick Ivill, Cr John Larter, Cr Brent Livermore, Cr Trina Thomson
- IN ATTENDANCE:** Interim General Manager Steven Pinnuck, Director Community & Corporate Jessica Quilty, Director Infrastructure & Works Duncan Mitchell, Manager Finance Parthiv Parekh, Executive Manager Growth & Development Nick Wilton

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by Cr Brent Livermore.

2. PUBLIC FORUM

Two speakers addressed Council as follows:

- Brian Clout speaking for Item 8.5 Notice of Motion - Road Policy - Cr Armour

Cr Hayes left the room at 2.09pm.

- Ray Piper speaking against Item DA2023/0120 - Proposed Boundary Adjustment at 702-712 Bombowlee Creek Road, Bombowlee

3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

Nil.

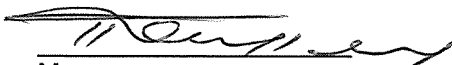
4. DECLARATIONS OF PECUNIARY INTEREST

Cr Hayes returned to the room 2.18pm.

Cr James Hayes declared a pecuniary interest in relation to report # 11.2 DA2023/0120 - Proposed Boundary Adjustment at 702-712 Bombowlee Creek Road, Bombowlee due to a conflict and will leave the room during discussion.

Cr Julia Ham declared a pecuniary interest in relation to report # Item 11.3 Tumbarumba Start Strong Preschool - Request for Refund and Waiver of Fees and Charges due to being on the committee and will leave the room during discussion.

Cr Sam Hughes declared a non significant non pecuniary interest in relation to report # Item 11.7 Community and Recreation Facilities Management Policy - For Adoption and will remain in the room during discussion.



Mayor



Interim General Manager

5. CONFIRMATION OF MINUTES

5.1. MINUTES - ORDINARY COUNCIL - 16 NOVEMBER 2023

M247/23 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 16 November 2023 be received and confirmed as an accurate record.

Cr Trina Thomson/Cr John Larter

CARRIED UNANIMOUSLY

6. CORRESPONDENCE/PETITIONS

A petition has been received regarding the relocated sculpture in Batlow and will be considered at the February 2024 meeting of Council.

Cr Hayes advised that there has also been an on-line submission through change.org as well as hard copy (tabled) made regarding retaining the Adelong Caravan Park lease with the Adelong Services and Citizens Club. This petition will also be brought to the February 2024 meeting of Council.

7. MAYORAL MINUTE

No formal Mayoral Minute however the Mayor wished all a happy and prosperous Christmas and New Year.

8. NOTICE OF MOTION/NOTICE OF RESCISSION

8.1. NOTICE OF MOTION - NSW SEVERE WEATHER AND FLOOD GRANT - CLR JAMES HAYES

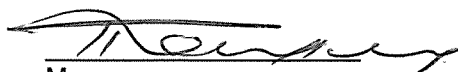
M248/23 RESOLVED:

THAT COUNCIL:

1. Reallocate \$115,000 funding from the NSW Severe Weather and Flood Grant currently allocated for the Caravan Park and Itinerant Worker Facilities Strategy and Management Plan to a revision of the 2017 Adelong Flood Study.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY


Mayor


Interim General Manager

8.2. NOTICE OF MOTION - REMOVAL OF WEEDS ALONG SVC RAIL CORRIDORS - CLR JAMES HAYES**M249/23 RESOLVED:**

THAT COUNCIL request UGL to immediately control weeds, particularly blackberries and pest harbour from the rail corridors within the Snowy Valleys Council Local Government Area.

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

8.3. NOTICE OF MOTION - USE OF COUNCIL PARKS AND FACILITIES FOR COMMUNITY EVENTS - CLR TRINA THOMSON**M250/23 RESOLVED:**

THAT COUNCIL receive a report for review of the policy/policies that relate to the use of Council parks and facilities for community events.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

8.4. NOTICE OF MOTION - CCTV - VANDALISM TO COUNCIL INFRASTRUCTURE - CLR TRINA THOMSON**M251/23 RESOLVED:**

THAT COUNCIL receive a report detailing Snowy Valleys Council's infrastructure that is continually being targeted by vandals across the Local Government Area (LGA). The report is to include the investigations for options and costings for the installation of CCTV to be included for consideration in the budget process.

Cr Trina Thomson/Cr Mick Ivill

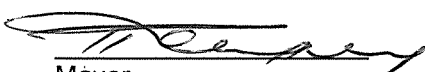
CARRIED UNANIMOUSLY

8.5. NOTICE OF MOTION - ROAD POLICY - CLR HANSIE ARMOUR**M252/23 RESOLVED:**

THAT COUNCIL receive a report that considers allowing a stock grid to be installed approximately 150 metres back from the junction of Gocup Road and Meadow Creek Road. Installation, cost of grid and maintenance to be paid for by landowner.

Cr Johanna (Hansie) Armour/Cr Trina Thomson

CARRIED UNANIMOUSLY



Mayor



Interim General Manager

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. ATTENDANCE - 2023 LGNSW ANNUAL CONFERENCE - 12-14 NOVEMBER 2023

M253/23 RESOLVED:

THAT COUNCIL:

1. Note the report on the 2023 LGNSW Annual Conference outcomes.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

10.2. 2024 MEETING CALENDAR

M254/23 RESOLVED:

THAT COUNCIL:

1. Note the 2024 Meeting Calendar complete with Committee dates.

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY

10.3. DRAFT LEGISLATIVE COMPLIANCE POLICY & DRAFT ACCESS TO INFORMATION POLICY - PUBLIC EXHIBITION

M255/23 RESOLVED:

That Items 10.3 and 10.5 be deferred for discussion at a Council Workshop prior to the February 2024 Ordinary Meeting of Council.

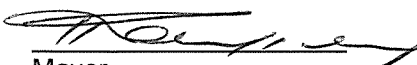
Cr Trina Thomson/Cr Mick Ivill

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

Against: Cr Larter, Cr Ham

7/2

CARRIED


Mayor


Interim General Manager

10.4. DRAFT PUBLIC INTEREST DISCLOSURES POLICY - FOR PUBLIC EXHIBITION**M256/23 RESOLVED:**

THAT COUNCIL:

1. Endorse the DRAFT *Public Interest Disclosures Policy* - SVC-COR-PO-039-04 to be placed on internal exhibition for no less than 28 days;
2. Note if submissions are received during the exhibition, a further report will be provided to Council; and
3. Adopt the *Public Interest Disclosures Policy* - SVC-COR-PO-039-04 if no submissions are received on the day after the completion of the public exhibition period.

Cr Brent Livermore/Cr Julia Ham

For: Cr Chaffey, Cr Ham, Cr Hayes, Cr Hughes, Cr Ivill, Cr Larter, Cr Livermore, Cr Thomson**Against:** Cr Armour

8 / 1

CARRIED**10.5. DRAFT INFORMATION GUIDE 2023/2024 - FOR PUBLIC EXHIBITION**

Resolved M255/23 that 10.5 be deferred for discussion at a Council Workshop prior to the February 2024 Ordinary Meeting of Council.

10.6. CODE OF CONDUCT COMPLAINTS STATISTICS FOR THE REPORTING PERIOD 01 SEPTEMBER 2022 - 31 AUGUST 2023**M257/23 RESOLVED:**

THAT COUNCIL:

1. Note the Model Code of Conduct Complaint statistics for the reporting period 01 September 2022 - 31 August 2023.

Cr Julia Ham/Cr James Hayes

CARRIED UNANIMOUSLY**10.7. STATEMENT OF INVESTMENT - NOVEMBER 2023****M258/23 RESOLVED:**

THAT COUNCIL:

1. Note the report on Statement of Investment - 30 November 2023;
2. Receive a report on the potential to renegotiate low interest-bearing investments.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY
Mayor
Interim General Manager

11. MANAGEMENT REPORTS

11.1. DA2023/0025 - PROPOSED TOURIST AND VISITOR ACCOMMODATION - 404 GOOBARRAGANDRA ROAD GOOBARRAGANDRA

MOTION:

THAT COUNCIL:

1. Determine Development Application 2023/0025 which seeks development consent for tourist and visitor accommodation at Lot 2 in Deposited Plan 630937 by way of approval subject to draft conditions of consent as outlined in Attachment 2.

Cr John Larter/Cr Julia Ham

M259/23 RESOLVED to move into Committee of the Whole.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

Cr Hayes left the room at 3.00pm and returned at 3.02pm.

M260/23 RESOLVED to move out of Committee of the Whole.

Cr John Larter/Cr Trina Thomson

CARRIED UNANIMOUSLY

AMENDMENT:

THAT COUNCIL:

1. Determine Development Application 2023/0025 which seeks development consent for tourist and visitor accommodation at Lot 2 in Deposited Plan 630937 by way of approval subject to draft conditions of consent as outlined in Attachment 2 subject to amendment to Condition 40 'Capacity Limits of Development':

The capacity limit of visitors and guests utilising the facilities on the subject land, being the commercial development, is restricted to a maximum of twelve (12) at any one time.

Cr Brent Livermore/Cr Julia Ham

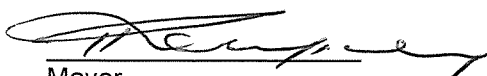
The amendment was put and carried.

For: Cr Chaffey, Cr Ham, Cr Hayes, Cr Hughes, Cr Ivill, Cr Larter, Cr Livermore, Cr Thomson

Against: Cr Armour

8/1

CARRIED



Mayor



Interim General Manager

M261/23 RESOLVED:

THAT COUNCIL:

1. Determine Development Application 2023/0025 which seeks development consent for tourist and visitor accommodation at Lot 2 in Deposited Plan 630937 by way of approval subject to draft conditions of consent as outlined in Attachment 2 subject to amendment to Condition 40 'Capacity Limits of Development':

The capacity limit of visitors and guests utilising the facilities on the subject land, being the commercial development, is restricted to a maximum of twelve (12) at any one time.

Cr Brent Livermore/Cr Julia Ham

The amendment became the motion and was put and carried.

For: Cr Chaffey, Cr Ham, Cr Hughes, Cr Ivill, Cr Larter, Cr Livermore

Against: Cr Armour, Cr Hayes, Cr Thomson

6/3

CARRIED

Cr Hayes left the meeting at 3.24pm.

11.2. DA2023/0120 - PROPOSED BOUNDARY ADJUSTMENT AT 702-712 BOMBOWLEE CREEK ROAD, BOMBOWLEE

M262/23 RESOLVED that the matter be deferred for further discussion and site visit.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

Cr Ham left the meeting at 3.26pm.

Cr Hayes returned to the meeting at 3.26pm.

11.3. TUMBARUMBA START STRONG PRESCHOOL - REQUEST FOR REFUND AND WAIVER OF FEES AND CHARGES**RECOMMENDATION:**

THAT COUNCIL:

1. Refund the Council related development application fee and notification costs of DA 2023/0155 (excluding state government levies being plan first levy and commissions and the planning portal lodgment fee). The total refundable amount being \$4,217.29 GST not applicable;
2. Waive the Construction Certificate application fee where Council is nominated as the Principal Certifier including inspection fees and Occupation Certificate application associated with DA 2023/0155 (excluding State Government statutory fees such as Long Service Levy and Long Service Levy Commissions). The total amount waived being \$8,678 inc. GST;



Mayor



Interim General Manager

3. Waive the Section 68 *Local Government Act 1993* Approval fees associated with DA 2023/0155. The total amount waived being \$176 GST not applicable.
4. Waive the Section 138 *Roads Act 1993* application fees associated with DA 2023/0155, being \$352 GST not applicable; and
5. Record the donation of \$13,423.29 to the Tumbarumba Start Strong Preschool in the Snowy Valleys Council Annual Report for community donations.

Cr Mick Ivill/Cr John Larter

For: Cr Ivill, Cr Larter, Cr Hayes

Against: Cr Chaffey, Cr Armour, Cr Thomson, Cr Hughes, Cr Livermore

3/5

LOST

M263/23 RESOLVED:

That correspondence be forwarded to the Tumbarumba Start Strong committee requesting further information on funding and the cost of the pre-school construction to enable their request for further consideration of refund and waiver of application fees.

Cr Mick Ivill/Cr Brent Livermore

CARRIED UNANIMOUSLY

Cr Ham returned to the meeting at 3.45pm.

11.4. THE BATLOW CIDER RAIL TRAIL - STEERING COMMITTEE

M264/23 RESOLVED:

THAT COUNCIL:

1. Rename the 'Batlow-Tumut Rail Trail - Stage 1: Batlow to Wybalena' to the 'Batlow Cider Rail Trail';
2. In accordance with the NSW Rail Trails Framework 2022, establish the Batlow Cider Rail Trail Steering Committee; and
3. Authorise the General Manager to engage with Transport for NSW for the purposes of obtaining a lease of the Batlow Cider Trail rail corridor.

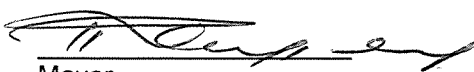
Cr Trina Thomson/Cr Brent Livermore

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

Against: Cr Hayes

8/1

CARRIED


Mayor


Interim General Manager

11.5. ELECTRIC VEHICLE (EV) CHARGING STATIONS

M265/23 RESOLVED:

THAT COUNCIL:

1. Endorse in principle participation in the Drive Electric NSW EV Destination Charging Grant Fund to apply for Electric Vehicle (EV) Charging stations in the Snowy Valleys local government area;
2. Consider partnering with a third party to assist in funding the contribution costs of the EV Charging stations in the Snowy Valleys local government area and submit additional applications for charging stations in partnership with the third party who will cover the contribution costs.

Cr Julia Ham/Cr Trina Thomson

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

Against: Cr Larter

8/1

CARRIED

11.6. OPTIONS ANALYSIS TUMUT AERODROME

RECOMMENDATION:

THAT COUNCIL:

1. Proceed with Option 3 (Upgraded Code 2 Non-instrument (No RESA)) as recommended in the consultant's options analysis report.

Cr Trina Thomson/Cr Mick Ivill

M266/23 RESOLVED to move into Committee of the Whole

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

M267/23 RESOLVED to move out of Committee of the Whole

Cr Julia Ham/Cr James Hayes

CARRIED UNANIMOUSLY

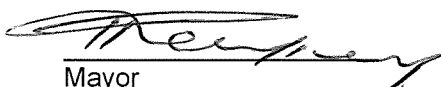
M268/23 RESOLVED:

THAT COUNCIL:

1. Proceed with Option 3 (Upgraded Code 2 Non-instrument (No RESA)) as recommended in the consultant's options analysis report;
2. Subject to further funding, undertake work towards acquiring additional land for the extension of the runway at the Tumut Aerodrome as identified in Option 5 of the consultant's report by Aviation Projects.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY


Mayor


Interim General Manager

11.7. COMMUNITY AND RECREATION FACILITIES MANAGEMENT POLICY - FOR ADOPTION

M269/23 RESOLVED:

THAT COUNCIL:

1. Adopt the Community and Recreational Facilities Management Policy (SVC-ENG-PO-130-01); and
2. Note the submissions that were received and the responses to those submissions provided in this report.

Cr Julia Ham/Cr Sam Hughes

Cr Ivill left the room at 4.25pm and returned at 4.27pm.

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS

12.1. MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - 08 NOVEMBER 2023

M270/23 RESOLVED:

THAT COUNCIL:

1. Note the Minutes of the Audit Risk and Improvement Committee held on 08 November 2023 and in particular:
 - a. Bring to Councillors' attention that Management and Council need to acknowledge and accept the risks associated with the High-risk rating items being beyond Council's risk tolerance and are not being addressed or progressed to resolution.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

12.2. MINUTES - FIRST NATIONS LIAISON COMMITTEE - 15 NOVEMBER 2023

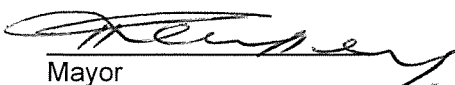
M271/23 RESOLVED:

THAT COUNCIL:

1. Note the minutes of the First Nations Liaison Committee held on 15 November 2023; and
2. Advertise to fill the First Nations Liaison Committee vacant positions.

Cr Sam Hughes/Cr Mick Ivill

CARRIED UNANIMOUSLY


Mayor

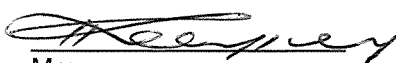

Interim General Manager

12.3. MINUTES - LOCAL TRAFFIC COMMITTEE MEETING - 8 NOVEMBER, 2023**M272/23 RESOLVED:**

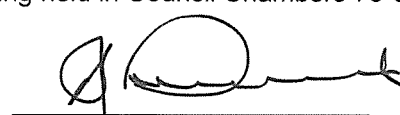
THAT COUNCIL:

1. Note the Minutes of the Local Traffic Committee held on Wednesday 8 November, 2023; and
2. Adopt the following recommendations from the minutes:
 - a. ROAD SAFETY AUDIT - WILLIGOBUNG FIRE BRIGADE STATION ACCESS ASSESSMENT
 1. Provide a copy of the report along with its recommendations to Transport for NSW (TfNSW) for their review and comment; and
 2. Endorse TfNSW engagement with the Rural Fire Service for appropriate road safety improvements at suitable locations near the entry of the Willigobung Fire Shed.
 - b. REQUEST - CHANGE SCHOOL SPEED ZONE - HOWICK STREET, TUMUT
 1. Reject the request for a school speed zone adjacent to the Tumut Community Pre-School in Howick Street, Tumut, and that Council undertake a traffic survey to review the speed and traffic volumes, from February 2024.
 - c. REQUEST - INSTALLATION OF STOP SIGN - CNR BROUGHTON AND SIMPSON STREET, TUMUT
 1. Reject the request for a stop sign at the intersection of Broughton and Simpson Street, Tumut; and
 2. Renewal of the linemarking at the intersection.
 - d. REQUEST - TUMUT TOWN BAND - CHRISTMAS MORNING PLAY OUT
 1. Reject the request of the Tumut Town Band to undertake the Christmas Morning Play Out activities due to its breaching current road rules.
 - e. SPECIAL EVENT APPLICATION - ADELONG ANZAC DAY 2024
 1. Support the Special Event Application for the Adelong 2024 ANZAC Day event, subject to Council's standard conditions.
 - f. SPECIAL EVENT APPLICATION - TUMBARUMBA ANZAC DAY 2024
 1. Support the Special Event Application for the Tumbarumba 2024 ANZAC Day event, subject to Council's standard conditions.
 - g. SPECIAL EVENT APPLICATION - TUMUT ANZAC DAY 2024
 1. Support the Special Event Application for the Tumut 2024 ANZAC Day event, subject to Council's standard conditions.
 - h. SPECIAL EVENT APPLICATION - BATLOW CIDERFEST
 1. Support the Special Event Application for the Batlow Ciderfest event to be held on the 18 May 2024, subject to Council's standard conditions.
 - i. SPECIAL EVENT APPLICATION - FALLING LEAF FESTIVAL
 1. Support the Special Event Application for the Falling Leaf Festival to be held on the 27 April 2024, subject to Council's standard conditions.

Cr James Hayes/Cr Mick Ivill

CARRIED UNANIMOUSLY

Mayor



Interim General Manager

M273/23 RESOLVED:

That Council write to the responsible Minister, local state members and LGNSW with regard to early education and care services seeking the same consideration as school speed zones.

Cr John Larter/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

12.4. MINUTES - GLENROY HERITAGE RESERVE COMMITTEE - 4 NOVEMBER 2023**M274/23 RESOLVED:**

THAT COUNCIL:

1. Note the Minutes of the Glenroy Heritage Reserve Annual General Committee Meeting and the Glenroy Heritage Reserve Ordinary Meeting held on 4 November 2023; and
2. Endorse the nominations of the following committee members:
 - a. President: Neil Christie
 - b. President Elect: Bruce Wright
 - c. Treasurer: Stephen Weeks
 - d. Secretary: Jamie Metcalf
 - e. Committee Members: Anne Thoroughgood, Doug Keiselback, Brenda Wiggett, Colleen McAuliffe.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

13. CONFIDENTIAL

M275/23 RESOLVED:

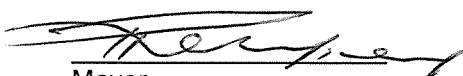
That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A(2) of the *Local Government Act 1993* for the reasons specified:

CONFIDENTIAL - DA2023/0120 - PROPOSED BOUNDARY ADJUSTMENT AT 702-712 BOMBOWLEE CREEK ROAD BOMBOWLEE - ATTACHMENTS

Attachment 4 (under separate cover) to Item 11.2 is confidential under the *Local Government Act 1993* Section 10A (2) (g) as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

CONFIDENTIAL - OPTIONS ANALYSIS TUMUT AERODROME - ATTACHMENTS

Attachments 1 & 2 (under separate cover) to Item 11.6 are 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.



Mayor



Interim General Manager

CONFIDENTIAL - RFT 2023/01 - TUMUT MULTI-PURPOSE CENTRE ASSESSMENT

Item 13.1 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.

CONFIDENTIAL - RFT 2023-08 - TOOMA HALL REDEVELOPMENT

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.

CONFIDENTIAL - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP MEMORANDUM OF AGREEMENT RENEWAL

Item 13.2 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.

Cr Mick Ivill/Cr John Larter

CARRIED UNANIMOUSLY

The meeting was closed to the public at 4.42pm.

M276/23 RESOLVED to move out of Confidential session.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

Returned to open session at 5.00pm.

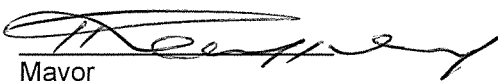
The Interim General Manager advised that during the closed session, Council made the following resolutions:

13.1. CONFIDENTIAL - RFT 2023/01 - TUMUT MULTI-PURPOSE CENTRE ASSESSMENT**M277/23 RESOLVED:**

THAT COUNCIL:

1. In accordance with Section 178 (3)(e) Local Government (General) Regulation 2021:

- Reject all offers for Request for Tender (RFT) 2023/01 for the Tumut Multi-Purpose Centre due to all tenders exceeding the available budget;
- Not invite fresh tenders, because it is considered that re-tendering, rather than negotiating, will not attract additional suitable submissions;



Mayor



Interim General Manager

2. Authorise the Interim General Manager or delegate to enter into direct negotiation with all the original tenderers and other suitable contractors for the delivery of Tumut Multi-Purpose Centre using a new price and non-price tender evaluation process to ensure value for money can be achieved.
3. Authorise the Interim General Manager at the end of successful negotiations to enter into a contract with suitably qualified contractors for the Tumut Multi-Purpose Centre and that the outcome of the Reject and Negotiate process is reported back to Council.
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.
5. Notes the current budget for the project and grant funding that has been approved by the Federal Government Bushfire Local Economic Recovery Fund (BLERF) to date.
6. Council undertakes consultation with all user groups that are interested in using the new facility and formulates a draft Occupation Agreement with user groups that will be brought back to Council for adoption prior to construction of the project commencing.

Cr Trina Thomson/Cr Mick Ivill

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

Against: Cr Larter, Cr Hayes

CARRIED

7/2

13.2. CONFIDENTIAL - RFT 2023/08 - TOOMA HALL RENOVATIONS

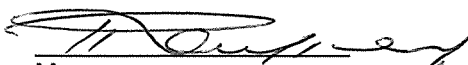
M278/23 RESOLVED:


THAT COUNCIL:

1. Note the report on RFT 2023/08 – Tooma Hall Renovations;
2. Resolve in accordance with Section 178(1)(b) of the NSW Local Government (General) Regulation 2021 to decline to accept any of the tenders for the Tooma Hall Renovations;
3. Resolve in accordance with Section 178(3)(e) of the NSW Local Government (General) Regulation 2021 to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender;
4. Resolve in accordance with Section 178(4)(b) of the Local NSW Local Government (General) Regulation 2021 not to invite fresh tenders, noting that it is considered that inviting fresh tenders would not enable the Council to achieve its objectives for the Project;
5. Advise the tenderers in writing that their tender was not accepted; and
6. Authorise the General Manager to enter into a contract for the Tooma Hall Renovations subject to the successful outcome of negotiations.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY


Mayor


Interim General Manager

13.3. CONFIDENTIAL - SOUTH WEST REGIONAL WASTE MANAGEMENT GROUP MEMORANDUM OF AGREEMENT RENEWAL

M279/23 RESOLVED:

THAT COUNCIL:

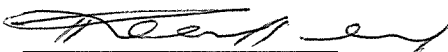
1. Endorse the updated Memorandum of Agreement between the Council's of the South West Regional Waste Management Group under Section 355 of the *Local Government Act 1993* (exercise functions jointly by Council and another council or councils).
2. Delegate to the General Manager to execute all necessary documentation associated with the Memorandum of Agreement, commencing on 24/12/2023 for a term of 5 years;
3. Delegate to the South West Regional Waste Management Group, under section 377 of the *Local Government Act 1993*, the powers and functions of Council as required to manage the agreement with Bald Hill Quarry Pty Ltd trading as Ecofill, and manage the collection of waste from group councils' facilities.

Cr Julia Ham/Cr Trina Thomson


CARRIED UNANIMOUSLY

14. MEETING CLOSURE

There being no further business to discuss, the meeting closed at 5.05pm.



Mayor



Interim General Manager