

THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMUT ROOM 76 CAPPER STREET TUMUT, ON THURSDAY 24 OCTOBER 2019 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: General Manager Matthew Hyde, Acting Director Assets and Infrastructure Heinz Kausche, Acting Director Internal Services Shelley Jones, Acting Director Strategy, Community and Development Phil Stone and Executive Assistant Susan Ivill.

1. ACKNOWLEDGEMENT OF COUNTRY

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

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Acting Director Internal Services Shelley Jones declared a non-significant pecuniary interest in relation to report #7.1 Notice of Motion to alter resolution – Community Pools Operational Update due to having a child employed as casual this summer and will remain in the meeting during this discussion.

Cr Andrianna Benjamin declared a pecuniary interested in relation to report #10.10 Roth's Corner Medical Centre Expression of Interest due to being the General Manager of Back and Foot Clinics Australia and an applicant for the Expression of Interest for Roth's Corner Medical Centre and will leave the room during this discussion.

4. PUBLIC FORUM

Nil

5. CONFIRMATION OF MINUTES

M301/19 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 19 September 2019 be received.

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

M302/19 RESOLVED:

That the Minutes of the Extraordinary Council Meeting held on 24 September 2019 be received.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

5.1 BUSINESS ARISING

Nil

6. CORRESPONDENCE/PETITIONS

Nil

7. NOTICE OF MOTION/NOTICE OF RESCISSION

7.1 NOTICE OF MOTION TO ALTER RESOLUTION - COMMUNITY POOLS - OPERATIONAL UPDATE

M303/19 RESOLVED:

THAT COUNCIL:

1. Amend part 1 to state "review and adjust the operating hours of the community pools to accommodate community needs, demand and budget constraints including:
 - a. discontinue the weekday morning opening hours (6am – 10am) and extend the afternoon opening hours for the Adelong Pool to accommodate community needs
 - b. harmonise the opening hours for the Batlow, Khancoban and Tumbarumba pools to accommodate the needs of the respective communities
 - c. maintain existing access arrangements to community pools outside of normal opening hours for schools, swim clubs and other

- community groups that utilise the community pools for scheduled activities.
- d. maintain existing swipe card access arrangements to community pools, noting that hours of access may be adjusted depending on user needs and availability of resources (lifeguards)
 - e. extend the closing time for pools for an additional hour in the afternoon if the temperature is 40 degrees or above during school holidays, subject to the availability of resources
 - f. respond to extended hot summers by extending the pool season subject to utilisation and community needs
 - g. any adjustments to the opening hours and/or access arrangements for community pools will be consulted, advertised and communicated to the relevant community groups
2. Approve the installation of automated movement counters at all of the pools to enable improved monitoring of usage.
 3. Approve the installation of an automated swipe card system at the Tumbarumba and Khancoban Pools, noting that this system is available at the other pools and has proven to be successful in facilitating access to pools outside of the normal operating hours for lap swimmers.
 4. Reallocate funding to support the operation of the pools for the upcoming season as part of the first quarter budget review at the November Council meeting.

Cr James Hayes/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

**7.2 NOTICE OF RESCISSION - TUMBARUMBA TO ROSEWOOD RAIL TRAIL -
DONATION OF SECTION OF UNUSED RAIL
M304/19 RESOLVED:**

THAT COUNCIL:

1. Rescind the Motion of the meeting of the 19th September 2019 that;

COUNCIL:

1. Receive this report on the recommendation for the disposal of a section of disused rail line (and ancillary materials) to a not-for-profit organisation.
2. Endorse the donation of a section of rail measuring approximately 1km (including connecting bolts and plates) which has an estimated salvage value of \$12,000 to the Kerosene Creek Tramway (KCT).

3. The General Manager be delegated to negotiate the establishment of signs or other recognition for the origin of the rail being the Tumbarumba to Rosewood Rail Trail and Snowy Valleys Council.

Cr James Hayes/Cr Bruce Wright

FOR: Mayor Cr James Hayes, Cr Cate Cross, Cr Bruce Wright, Cr Cor Smit, Cr Julia Ham and Cr Andrianna Benjamin.

AGAINST: Cr John Larter, Cr Geoff Pritchard and Cr Margaret Isselmann

M305/19 RESOLVED:

That Council:

1. Notes the advice received from the Tumbarumba to Rosewood Rail Trail Committee;
2. Makes available the 1 km section of rail including connection bolts and plates for purchase to the Kerosene Creek Tramway (KCT) at market rate;
3. Delegate authority for the General Manager to negotiate the purchase.

Cr James Hayes/Cr Bruce Wright

FOR: Mayor Cr James Hayes, Cr Cate Cross, Cr Bruce Wright, Cr Cor Smit, Cr Julia Ham and Cr Andrianna Benjamin.

AGAINST: Cr John Larter, Cr Geoff Pritchard and Cr Margaret Isselmann

8. MAYORAL MINUTE

Nil

9. GOVERNANCE AND FINANCIAL REPORTS

9.1 PECUNIARY INTEREST RETURNS FOR COUNCILLORS AND DESIGNATED STAFF

M306/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on Pecuniary Interest Returns for Councillors and Designated Staff.
2. Note the following Declaration of Pecuniary Interest Returns from Councillors and Designated Officers as at 30 June 2019 as listed in accordance with the Code of Conduct:

Councillors: Clr Andrianna Benjamin, Clr Cate Cross, Clr Julia Ham, Clr James Hayes, Clr Margaret Isselmann, Clr John Larter, Clr Geoff Pritchard, Clr Cornelis Smit, Clr Bruce Wright.

Designated Staff:

General Manager; Former Director Assets & Infrastructure; Former Director Internal Services; Former Director Strategy, Community & Development; Division Manager Finance & IT and Division Manager Development & Environment; Audit Risk & Improvement Committee Chairperson and Committee Member.

3. Approve for the redacted Pecuniary Interest Returns for the Councillors and Designated Staff to be placed on council website in accordance with the current Information and Privacy Commission Guideline.

Cr John Larter/Cr Margaret Isselmann

CARRIED UNANIMOUSLY**9.2 RECRUITMENT OF AUDIT RISK AND IMPROVEMENT COMMITTEE MEMBER****M307/19 RESOLVED:****THAT COUNCIL:**

1. Receive the report on Recruitment of Audit, Risk and Improvement Committee member
2. Accept the resignation of Ian Chaffey as an independent external Audit, Risk and Improvement Committee member
3. Recruit for one independent external Audit, Risk and Improvement Committee member as per Internal Audit Guidelines and the Audit, Risk and Improvement Committee Terms of Reference

Cr Cor Smit/Cr Julia Ham

CARRIED UNANIMOUSLY**9.3 DELEGATION OF AUTHORITY TO SIGN "STATEMENT BY COUNCIL ON ITS OPINION OF THE ACCOUNTS" FOR THE 2018/19 ANNUAL FINANCIAL STATEMENTS****M308/19 RESOLVED:**

That Council in accordance with Section 413 of the Local Government Act, and subject to endorsement from the Audit, Risk & Improvement Committee, resolve:

1. That its 2018/19 Annual Financial Statements:
 - a. Are in accordance with the Local Government Act 1993 (as amended and the Regulations made there under);
 - b. Are in accordance with the Australian Accounting Standards and Professional Procurements;
 - c. Are in accordance with the Local Government Code of Accounting Practice and Financial Reporting;
 - d. Present fairly the Council's 2018/19 operating result and financial position;

- e. Are in accord with Council's accounting and other records; and
 - f. That Council is not aware of any matter that would render this report false or misleading in any way.
2. To delegate authority to the Mayor, Deputy Mayor, General Manager and the Responsible Accounting Officer to sign the 'Statement by Council on its Opinion of the Accounts' (clause 215 of the Local Government General Regulation).
 3. That the General Manager be 'authorised to issue' the 2018/19 accounts immediately upon receipt of the auditor's report.
 4. To invite Council's Auditor to attend the November Ordinary Council Meeting to present the 2018/19 Financial Reports.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

9.4 STATEMENT OF INVESTMENTS - SEPTEMBER 2019
M309/19 RESOLVED:

THAT COUNCIL:

1. Receive the Statement of Investments as at 30 September 2019

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY

10. MANAGEMENT REPORTS

10.1 PROPOSED ORGANISATION STRUCTURE
M310/19 RESOLVED:

THAT COUNCIL:

1. Note that a review of the organisation structure of Snowy Valleys Council has been completed in compliance with the legislative requirements of the Local Government Act 1993;
2. Under section 332(1) of the Local Government Act 1993, adopt the organisational structure to be implemented by transition commencing 4 November 2019;
3. Endorse the investment in a number of pathway positions in the Organisation Structure to be implemented incrementally over a 2 year period to ensure the appropriate support mechanisms are in place for success;

4. Continue the delegation to the General Manager to vary the FTE by 5 % without referral to Council for approval.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

**10.2 ROAD NAME FOR TUMBARUMBA NEW DEVELOPMENT
M311/19 RESOLVED:**

THAT COUNCIL:

1. Receive this road naming report for an un-named road within a new development in Tumbarumba
2. Approve the naming of the unnamed road identified as Road Corridor (CAD ID 104379322) in Tumbarumba as Corundum Road
3. Receive a further report for placing a new Draft Road Naming Policy including a list of proposed road names for public exhibition in March 2020. This allows time for consulting with the community across the entire Local Government Area on future road names

Cr Julia Ham/Cr Geoff Pritchard

CARRIED UNANIMOUSLY

**10.3 MANNUS LAKE BLUE-GREEN ALGAE BLOOM MANAGEMENT UPDATE
M312/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Draft Mannus Lake Blue-Green Algae Bloom Management Policy and update on measures to mitigate against future algal blooms on Mannus Lake
2. Approve placing the Draft Mannus Lake Blue-Green Algae Bloom Management Policy on public exhibition for a minimum of 28 days
3. Adopt the Draft Mannus Lake Blue-Green Algae Bloom Management Policy if no submissions are received during the exhibition period
4. Note 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
5. Note that funding has been allocated in this year's budget for continued water quality testing and assisting impacted residents with supplying water for domestic purposes, if required, in response to Blue Green Algal Blooms

6. Endorse proceeding with the installation of additional upgraded warning signage at Mannus Lake that clearly indicates the alert status and implications of algal blooms
7. Endorse advocating for funding for the supply, installation and commissioning of a mechanical mixer on the Lake as identified in the study prepared by the University of Technology, Sydney and detailed in this report, noting
 - a. Council staff may be required to project manage the installation and commissioning of the mixer and provide associated works such as access road to support the installation of a mixer and its ongoing operation and maintenance
 - b. Responsibility for the ongoing maintenance and operation of the mixer will likely reside with Council
8. Should the funding commitment be made that Council progress this project swiftly.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.4 BATLOW SHOWGROUND - SUPPLY OF WATER FOR IRRIGATION FOR RUGBY LEAGUE FIELD

M313/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the supply of water for irrigation for the Batlow Rugby League Field.
2. Approve the installation of a new raw water pipeline, suitable access point and connections required to supply raw water to the Batlow Rugby League Field funded from the water reserve.
3. Adopt allocating additional funding for the maintenance of the Batlow Rugby League Field, noting the additional funding to maintain the field will be considered as part of the Quarterly Budget Review process.
4. Note that any irrigation will be subject to water restrictions where applicable.
5. Endorse entering into discussions with the users to facilitate the irrigation of the field once established ensuring that Council adheres to the requirements for the appropriate management of volunteers.

Cr Margaret Isselmann/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.5 DRAFT HOME DIALYSIS REBATE POLICY - FEEDBACK FROM PUBLIC EXHIBITION

M314/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the Home Dialysis Rebate Policy
2. Note the submission received in response to the Draft Dialysis Rebate Policy being placed on public exhibition
3. Adopt the amended Dialysis Rebate Policy
4. Write to the resident who made the submission, thanking them for their input and advising them of the outcome of their submission

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

10.6 DRAFT DRINKING WATER QUALITY POLICY - PUBLIC EXHIBITION

M315/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the Drinking Water Quality Policy
2. Note that no submissions were received during the exhibition period for this policy
3. Adopt the Drinking Water Quality Policy.

Cr Cate Cross/Cr Cor Smit

CARRIED UNANIMOUSLY

10.7 DRAFT ZERO WASTE STRATEGY - FEEDBACK FROM PUBLIC EXHIBITION

M316/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the adoption of the Zero Waste Strategy
2. Note the submissions received within the exhibition period on the Draft Zero Waste Strategy
3. Approve the Zero Waste Strategy, noting that the implementation of the initiatives referred to in the strategy will be managed in accordance with Councils Project Management Framework and Methodologies along with the appropriate budgeting processes.
4. Acknowledge submissions, thanking them for their input and advising them of the outcome of their submission.

Cr Julia Ham/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

10.8 ADOPTION OF SNOWY VALLEYS COUNCIL DEVELOPMENT CONTROL PLAN 2019**M317/19 RESOLVED:****THAT COUNCIL:**

1. Receive the report on the Development Control Plan 2019 from the Acting Director Strategy, Community and Development
2. Adopt the Snowy Valleys Development Control Plan 2019 with the recommended changes as outlined in Column 5 'Proposed Changes' in Attachment 1 'Consideration of Submissions' to this report to the exhibited Draft Development Control Plan.
3. Give public notice of its decision to adopt the Snowy Valleys Development Control Plan 2019, with changes, in the local newspapers within 28 days so that the DCP comes into effect on the date that public notice of its approval is given in the local newspapers in accordance with the requirements of the Environmental Planning & Assessment Regulation 2000.
4. Publish Council policies, specifications and design manuals referred to in the Snowy Valleys Development Control Plan 2019 to Council's web site so they can easily be sourced by the public
5. Review any commercial development applications requiring car parking.

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

M318/19 RESOLVED that Council move into Committee of the Whole for discussion.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

M319/19 RESOLVED that Council move out of Committee of the Whole.

Cr Margaret Isselmann/Cr Cate Cross

CARRIED UNANIMOUSLY**10.9 DRAFT COMMUNITY PARTICIPATION PLAN 2019 FOR PUBLIC EXHIBITION****M320/19 RESOLVED:****THAT COUNCIL:**

1. Receive the report on the Draft Community Participation Plan 2019 from the Acting Director of Strategy, Community & Development.

2. Endorse the public exhibition of the Draft Snowy Valleys Community Participation Plan in accordance with the requirements of Schedule 1 Community participation requirements of the Environmental Planning & Assessment Act 1979

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

Cr Andrianna Benjamin left the room, the time being 3:16 pm.

**10.10 ROTH'S CORNER MEDICAL CENTRE EXPRESSION OF INTEREST
M321/19 RESOLVED:**

THAT COUNCIL:

1. That the report on Roth's Corner Medical Centre Expression of Interest from the Acting Director Strategy, Community and Development be received
2. Note that Council has received four formal expressions of interest; two to lease the centre, one from a medical practitioner to purchase the centre and one submission on behalf of the Tumbarumba community to purchase the centre.
3. Not accept any expressions of interest to purchase the site, including the submission by the Tumbarumba Community.
4. Convene a panel to assess the expressions of Interest submissions to lease the centre; consisting of:
 - a. Councillor Julia Ham and Councillor Bruce Wright
 - b. Division Manager, Assets, Planning and Design
 - c. Coordinator Economic Development
 - d. The Batlow Nursing Manager
 - e. One suitably qualified medical or healthcare professional, nominated by the Tumbarumba Local Health Advisory Committee.
 - f. Two members of the Tumbarumba community from the local Service Clubs.
 - g. A Principal from one of the local schools
5. Write to the submitters thanking them for their submission and advising them of Council's decision.

Cr Julia Ham/Cr Bruce Wright

M322/19 RESOLVED that Council move into Committee of the Whole for discussion.

Cr Cor Smit/Cr Julia Ham

CARRIED UNANIMOUSLY

M323/19 RESOLVED that Council move out of Committee of the Whole.

Cr Julia Ham/Cr Cor Smit

FOR: Mayor Cr James Hayes, Cr John Larter, Cr Bruce Wright, Cr Cate Cross, Cr Geoff Pritchard, Cr Cor Smit and Cr Julia Ham.

AGAINST: Cr Margaret Isselmann

Cr Andrianna Benjamin re-joined the meeting, the time being 3:43 pm.

M324/19 RESOLVED that Council adjourn the meeting for a break until 4 pm.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

M325/19 RESOLVED that Council resume the meeting at 4 pm.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

10.11 ACQUISITION OF KHANCOBAN PRESCHOOL BUILDING

M326/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the acquisition of Khancoban Preschool building from Acting Director Strategy, Community and Development.
2. Accept the gifted Khancoban Preschool building from the Khancoban and District Children's Resource Centre Committee with stated caveat.
3. Allocate \$25,000 to achieve compliance issues stated in the building and assessment report.
4. Write to the Khancoban and District Children's Resource Centre Committee with thanks, advising of Council's decision.

- 5. Delegate authority to the General Manager to give effect to the transfer.
- 6. Apply for additional capital grant funding as soon as possible.

Cr Julia Ham/Cr Cate Cross

CARRIED UNANIMOUSLY

M327/19 RESOLVED that council move into Committee of the Whole for discussion.

Cr Margaret Isselmann/Cr Julia Ham

CARRIED UNANIMOUSLY

M328/19 RESOLVED that Council out of Committee of the Whole.

Cr Bruce Wright/Cr Julia Ham

CARRIED UNANIMOUSLY

10.12 LIBRARY FUNDING FROM NSW AND FEDERAL GOVERNMENTS

M329/19 RESOLVED:

THAT COUNCIL:

- 1. Receive the report on Additional Library Funding from NSW government from acting Director Strategy Community & Development.
- 2. Allocate the additional \$33,201 in extra library funding towards enhancing the fit-out of the new Batlow Library Project

Cr Margaret Isselmann/Cr John Larter

CARRIED UNANIMOUSLY

11. MINUTES OF COMMITTEE MEETINGS

**11.1 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE
EXTRAORDINARY MEETING - 25 SEPTEMBER 2019**

M330/19 RESOLVED:

THAT COUNCIL:

- 1. Receive the report on the Minutes - Audit, Risk and Improvement Committee Extraordinary Meeting – 25 September 2019 from Acting Director Internal Services.
- 2. Note the Minutes of the Audit, Risk and Improvement Committee Extraordinary meeting held on 25 September 2019.

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

11.2 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP (DIARG) COMMITTEE MEETING - 5TH SEPTEMBER 2019

M331/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Disability Inclusion Access Reference Group from the Acting Director Strategy, Community & Development.
2. Note the Minutes of the Disability Inclusion Access Reference Group (DIARG) meeting held on 5 September 2019.
3. Adopt the updated Terms of Reference for the DIARG with amended clause 7.k): "A sub - committee may be formed to undertake affiliated tasks, and that minutes of the sub – committee to be presented to the Disability Inclusion Access Reference Group to form part of the Disability Inclusion Access Reference Group minutes presented to Council".

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

11.3 MINUTES - DISABILITY INCLUSION ACCESS REFERENCE GROUP (DIARG) COMMITTEE MEETING - 26 SEPTEMBER 2019

M332/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Disability Inclusion Access Reference Group from the Acting Director Strategy, Community and Development.
2. Note the Minutes of the Disability Inclusion Access Reference Group meeting held on 26 September 2019

Cr Margaret Isselmann/Cr Julia Ham

CARRIED UNANIMOUSLY

11.4 MINUTES - FRIENDS OF TUMUT WETLANDS COMMITTEE - 17 SEPTEMBER 2019

M333/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the Friends of Tumut Wetlands Committee meeting
2. Note the Minutes of the Friends of Tumut Wetlands Committee meeting held on 17 September 2019.

Cr Bruce Wright/Cr Cor Smit

CARRIED UNANIMOUSLY

11.5 MINUTES - LOCAL TRAFFIC COMMITTEE - 25 SEPTEMBER 2019
M334/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the Local Traffic Committee meeting
2. Note the Minutes of the Local Traffic Committee meeting held on 25 September 2019
3. Adopt the following recommendations from the minutes:

4.1 Speed Zone Request - Tumut Street

THAT COUNCIL:

- 4.1.1 Receive the request for the speed zone review in Tumut Street, Adelong.
- 4.1.2 Present a report with evidence and recommendations at the next Local Traffic Committee Meeting.

4.2 Speed Zone Request - Batlow Road, Batlow CBD

THAT COUNCIL:

- 4.2.1 Reconsider the request for the speed zone review in Batlow Road, Batlow.
- 4.2.2 Present a report with evidence and recommendations at the next Local Traffic Committee Meeting.

4.3 Speed Zone Request - Wagga Road, Rosewood

THAT COUNCIL:

- 4.3.1 Receive the request for the speed zone review in Wagga Road, Rosewood between Humula Street and Broadleaf Park Road.
- 4.3.2 Present a report with evidence and recommendations at the next Local Traffic Committee Meeting.

4.4 Site Investigation and Community Update – Gocup Road, Capper Street and Snowy Mountains Highway

THAT COUNCIL:

- 4.4.1 Request Transport for NSW for updates on progress regarding the treatment of the intersection.
- 4.4.2 Investigate what strategies Transport for NSW and Council can make to reduce the hazards of the intersection.

4.5 Rural School Bus Application 272 Old Tumbarumba Road, Batlow

THAT COUNCIL:

- 4.5.1 Approve the application for the rural bus stop located 50m north of the driveway to the residence of 242 Old Tumbarumba Road, Batlow for south bound traffic only.

- 4.5.2 Approve the bus route incorporating a previously used bus turning point located outside 342 Old Tumbarumba Road, Batlow.

4.6 Rural Bus Stop Application - 4064 Batlow Road Batlow

THAT COUNCIL:

- 4.6.1 Approve the application for the rural bus stop located in front of 4064 Batlow Road, Batlow, 50m north of the junction with Herrings Road/Stewarts Road (western lane) for northbound traffic.
- 4.6.2 Approve the application for the rural bus stop located 50m south of the junction with Herrings Road/Stewarts Road (Eastern lane) for south bound traffic.

4.7 Special Event Application – 2020 Tumut Classic

THAT COUNCIL:

- 4.7.1 Receive the Special Event Application – 2020 Tumut Cycle Classic.
- 4.7.2 Support the Special Event Application for the 2020 Tumut Cycle Classic on 12 January 2020 to enable the event to go ahead, subject to Council's standard conditions.

4.8 Special Event Application – 2020 Snowy Valleys Cycle Challenge

THAT COUNCIL:

- 4.8.1 Receive the Special Event Application – 2020 Snowy Valleys Cycle Challenge.
- 4.8.2 Support the Special Event Application for the 2020 Snowy Valleys Cycle Challenge on 22 March 2020 to enable the event to go ahead, subject to Council's standard conditions.

4.9 Special Event Application – 2019 Upper Murray Challenge

THAT COUNCIL:

- 4.9.1 Receive the Special Event Application – 2019 Upper Murray Challenge.
- 4.9.2 Support the Special Event Application for the 2019 Upper Murray Challenge on 5 October 2019 to enable the event to go ahead, subject to Council's standard conditions.

4.10 Special Event Application – 2019 Tumut Valley Air Show

THAT COUNCIL:

- 4.10.1 Receive the Special Event Application – 2019 Tumut Valley Air Show.
- 4.10.2 Support the Special Event Application for the 2019 Tumut Valley Air Show on 2 November 2019 to enable the event to go ahead, subject to Council's standard conditions.

4.11 Special Event Application – 2020 Camaro – Firebird Nationals

THAT COUNCIL:

- 4.11.1 Receive the Special Event Application – 2020 Camaro-Firebird Nationals.
- 4.12.2 Upon receipt of the organisers insurance policy that covers the dates of the event then support the Special Event Application for the 2020 Camaro-Firebird Nationals on 11 April 2020 to enable the event to go ahead, subject to Council's standard conditions.

4.12 Special Event Application - 2019 Tumut Christmas Family Fun Night

THAT COUNCIL:

- 4.12.1 Receive the Special Event Application 2019 Tumut Christmas Family Fun Night.
- 4.12.2 Support the Special Event Application for the 2019 Tumut Christmas Family Fun Night to be held on 5 December 2019 to enable the event to go ahead, subject to Council's standard conditions.

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

**11.6 MINUTES - TUMUT AERODROME COMMITTEE - 10 SEPTEMBER 2019
M335/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Minutes – Tumut Aerodrome Committee – 10 September 2019
2. Note the Minutes of the Tumut Aerodrome Committee meeting held on Tuesday 10 September 2019

Cr John Larter/Cr Andrianna Benjamin

CARRIED UNANIMOUSLY

**11.7 MINUTES - TUMUT RAILWAY PRECINCT COMMITTEE - 1 OCTOBER 2019
M336/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Minutes – Tumut Railway Precinct Committee
2. Note the Minutes of the Tumut Railway Precinct Committee meeting held on 1 October 2019.
3. Adopt the following recommendation/s from the minutes:

- i. Develop a business case for the extension of the area currently leased from John Holland Group to include the old train turntable and have this preserved and become part of the Tumut Railway Precinct.
- ii. Approve the Tumut Railway Precinct Advisory Committee cease being an advisory committee and become a working group of Council with an annual meeting to be held between financial years but not on a formal basis.

Cr Geoff Pritchard/Cr Cate Cross

CARRIED UNANIMOUSLY

11.8 MINUTES - TUMUT SALEYARDS COMMITTEE MEETING - 9 SEPTEMBER 2019

M337/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the Tumut Saleyards Committee meeting
2. Note the Minutes of the Tumut Saleyards Committee meeting held on 9 September 2019
3. Note that the committee resolved to move forward with the first stage of the Saleyards becoming an incorporated body and that the first draft of the agreement be sent to all committee members so they can make
4. Adopt the following recommendation/s from the minutes:
 - a. Approve the nominations from Nick Gilvarry – Elders and Ross Tout – Elders to be part of the Tumut Saleyards Committee

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

11.9 MINUTES - TUMUT YOUTH COUNCIL COMMITTEE MEETING – 2 OCTOBER 2019

M338/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Minutes - Tumut Youth Council Committee Meeting from the Acting Director Strategy, Community and Development.
2. Note the Minutes of the Tumut Youth Council Committee meeting held on 2 October 2019.

Cr Cate Cross/Cr John Larter

CARRIED UNANIMOUSLY

11.10 MINUTES - BATLOW DEVELOPMENT LEAGUE - 4 SEPTEMBER 2019
M339/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Batlow Development League Minutes from Acting Director Strategy, Community and Development
2. Note the Minutes of the Batlow Development League meeting held on 4 September 2019.

Cr Cor Smit/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

11.11 MINUTES - TALBINGO PROGRESS AND RATEPAYERS ASSOCIATION
MEETING - 4 SEPTEMBER 2019
M340/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Talbingo Progress and Ratepayers Association committee from Acting Director Internal Services.
2. Note the Minutes of the Talbingo Progress and Ratepayers Association Annual General Meeting held on 4 September 2019.
3. Accept the membership of Kevin Trevaskis, James Smith, Regina Roach, Frank McCorry, Leanne Dunne, Darryl Dunne, Lorraine Oliver, Bruce Oliver, Joy Otto, Ross Sheild, Bob Quarmby, Jo Erskine, Bob Erskine, Allan Leggett, Leanne Leggett, Theresa Caffery, Heather Byatt, Antti Roppola and Gary Bilton to the Talbingo Progress and Ratepayers Association committee.
4. Notes the Minutes of the Talbingo Progress and Ratepayers Association general meeting holder on 4 September 2019.
5. Fund a business case to identify options, feasibility and costs of relocating the existing Talbingo Library service from the Talbingo Public School to an alternate location within the town shopping precinct from the Talbingo Reserve.

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

11.12 MINUTES - TUMBAFEST COMMITTEE MEETING - 11 SEPTEMBER 2019
M341/19 RESOLVED:

THAT COUNCIL:

1. Receive the report on the Tumbafest Committee Minutes from Acting Director Strategy, Community and Development.
2. Note the Minutes of the Tumbafest Committee Meeting held on 11 September 2019

Cr Julia Ham/Cr Margaret Isselmann

CARRIED UNANIMOUSLY

12. CONFIDENTIAL

M342/19 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.

12.1 NOTICE OF RESCISSION - CODE OF CONDUCT COMPLAINT - INDEPENDENT ARIC MEMBER

Item 12.1 is confidential under the Local Government Act 1993 Section 10A 2 (a) as it relates to personnel matters concerning particular individuals (other than councillors) and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

12.2 RTF 2019/03 - REPLACEMENT OF FERGUSONS ROAD BRIDGE TENDER

Item 12.2 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.

12.3 SNOW VIEWS ESTATE STAGE 2 - SALE OF UNSOLD LOTS

Item 12.3 is confidential under the Local Government Act 1993 Section 10A 2 (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Cr John Larter/Cr Cate Cross

CARRIED UNANIMOUSLY

At this stage, the time being 4:33 PM Council went into Confidential.

M343/19 RESOLVED that Council move out of the Confidential Session to report in open Council resolutions from reports 12.1 Notice of Rescission – Code of Conduct Complaint – Independent ARIC Member, 12.2 RTF 2019/03 – Replacement of Fergusons Road Bridge Tender, and 12.3 - Snow Views Estate Stage 2 – Sale of unsold lots, and 12.3.

Cr Julia Ham/Cr Cor Smit

CARRIED UNANIMOUSLY

**12.1 NOTICE OF RESCISSION - CODE OF CONDUCT COMPLAINT -
INDEPENDENT ARIC MEMBER**

M344/19 RESOLVED:

THAT COUNCIL:

1. Rescind the Motion of the Extraordinary Council Meeting of the 24th September 2019 that;

COUNCIL:

1. Receive the report on Code of Conduct Complaint concerning Audit Risk Improvement Committee member Ian Chaffey.
2. Resolves to undertake an independent investigation into the matter.
3. Resolves to immediately suspend Ian Chaffey from the Audit Risk and Improvement Committee pending investigation findings.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

**12.2 RTF 2019/03 - REPLACEMENT OF FERGUSONS ROAD BRIDGE TENDER
M345/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the outcomes of tender process for the replacement of Ferguson Bridge (RTF 2019/03).
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the tender submitted by Murray Valley Piling Pty Ltd for the replacement of Fergusons Road Bridge, based on the schedule of quantities and prices submitted, of \$264,550 GST inclusive.
3. Advise the unsuccessful tenderers in writing.

4. Authorise the General Manager to enter into a contract with Murray Valley Piling Pty Ltd for the replacement of the Fergusons Road Bridge.

Cr John Larter/Cr Cor Smit

CARRIED UNANIMOUSLY

**12.3 SNOW VIEWS ESTATE STAGE 2 - SALE OF UNSOLD LOTS
M346/19 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the sale of unsold lots in Stage 2 of the Snow Views Estate from the Acting Director of Strategy, Community & Development.
2. Delegate authority to the General Manager, to respond to the recent purchase offer for both lots 31 and 32, with discretion to proceed with the sale if it represents fair value to Council.
3. Delegate authority to the General Manager, authorising the reduction in price of remaining unsold lots in Stage 2 by \$5,000
4. Delegate authority to the General Manager to consider or negotiate offers within fair value in consultation with the Mayor and Deputy Mayor of the revised sale prices for unsold lots in Stage 2

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

M347/19 RESOLVED that Council move into Confidential to consider the matters listed (Late Reports) in the confidential section of the agenda in accordance with Section 10(2) of the Local Government Act 1993 for the reasons specified.

12.4 PROCUREMENT OF FOUR TWO-BEDROOM CABINS FOR TUMBARUMBA CARAVAN PARK

Item 12.4 is confidential under the Local Government Act 1993 Section 10A 2 (d)ii as it relates to 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.

12.5 RFT 2019/11 - DESIGN AND CONSTRUCTION OF THE BATLOW LIBRARY
Item 12.5 is confidential under the Local Government Act 1993 Section 10A 2 (d)ii as it relates to 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.

- 12.6 RFT 2019/15 - SPRAYED BITUMEN SURFACING (NEW WORKS)
Item 12.6 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 Julia Ham/Cr Bruce Wright

CARRIED UNANIMOUSLY

- M348/19 RESOLVED** that Council move out of the Confidential Session to report in open Council resolutions from late reports 12.4 Procurement of four two bedroom cabins for Tumbarumba Caravan Park, 12.5 RFT 2019/11 – Design and construction of the Batlow Library, and 12.6 RFT 2019/15 – Sprayed Bitumen Surfacing (New Works).

Cr Bruce Wright/Cr John Larter

CARRIED UNANIMOUSLY

- 12.4 PROCUREMENT OF FOUR TWO-BEDROOM CABINS FOR TUMBARUMBA CARAVAN PARK**
M349/19 RESOLVED:

THAT COUNCIL:

1. Receive this report on the proposed procurement strategy for the four two-bedroom cabins for the Tumbarumba Caravan Park.
2. Endorse the procurement of the four two-bedroom cabins for the Tumbarumba Caravan Park as a variation to the contract with Uniplan Group for the additional works rather than implement a new tender process for the procurement of the cabins.
3. Authorise the General Manager to negotiate a variation with Uniplan Group for the supply and installation of four two-bedroom cabins to a maximum value of \$350,000 ex GST

Cr Cate Cross/Cr Julia Ham

CARRIED UNANIMOUSLY

**12.5 RFT 2019/11 - DESIGN AND CONSTRUCTION OF THE BATLOW LIBRARY
M350/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the Request For Tender (RFT 2019/11) for the Design and Construction of the Batlow Library Project
2. Resolve in accordance with Clause 178(1)(b) of the NSW Local Government (General) Regulation 2005 to decline to accept any of the tenders for the Batlow Library Project
3. Resolve in accordance with Clause 178(3)(e) of the NSW Local Government (General) Regulation 2005 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 178(4)(b) of the Local NSW Local Government (General) Regulation 2005 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 tenders were not accepted
6. Authorise the General Manager in consultation with the Mayor to enter into a contract with a suitably qualified and experienced contractor for the design and construction of the Batlow Library subject to the successful outcome of negotiations

Cr John Larter/Cr Bruce Wright

CARRIED UNANIMOUSLY

**12.6 RFT 2019/15 - SPRAYED BITUMEN SURFACING (NEW WORKS)
M351/19 RESOLVED:**

THAT COUNCIL:

1. Receive this report on the outcomes for the Request For Tender (RFT 2019/15) for Sprayed Bituminous Surfacing (New Works)
2. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the panel of suppliers for Sprayed Bituminous Surfacing (New Works) as recommended by the evaluation panel and listed below in order of ranking:
 - a. LFT Bitumen Pty Ltd
 - b. Menz Plant Pty Ltd
 - c. Bitupave Ltd (Boral)
 - d. Patches Asphalt

- e. Country Wide Asphalt
- 3. Authorise the General Manager to enter into contracts with the companies recommended for the preferred panel of suppliers for Sprayed Bituminous Surfacing (New Works) as summarised in item 2 above.
- 4. Authorise the General Manager to amend the order of the preferred supplier panel for Sprayed Bituminous Surfacing (New Works) as referred to in item 2 above or procure Spayed Bitumen Surfacing through other arrangements if the preferred suppliers fail to provide value for money for Council or comply with the Statement of Requirements or Conditions of Contract for Sprayed Bituminous Surfacing (New Works).
- 5. Authorise the General Manager to exercise the two by one year extension options for the Sprayed Bituminous Surfacing (New Works) Panel Contract subject to the satisfactory performance of the contract.

Cr Bruce Wright/Cr John Larter

CARRIED UNANIMOUSLY

There being no further business to discuss, the meeting closed at 5:10 pm.