

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE SNOWY VALLEYS
COUNCIL CHAMBERS AT TUMBARUMBA AND VIA VIDEO LINK, ON THURSDAY 17
FEBRUARY 2022 COMMENCING AT 2.00PM**

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

IN ATTENDANCE: Chief Executive Officer Matthew Hyde, Executive Director Infrastructure Heinz Kausche, Executive Director Community and Corporate Paul Holton, Executive Chief of Staff Shelley Jones, Chief Financial Officer Susanne Andres and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

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

M38/22 RESOLVED:

A motion was moved and seconded that in accordance with Section 369 of the Local Government Act 1993 that the chair of the meeting be delegated to the Deputy Mayor.

Cr Julia Ham

CARRIED UNANIMOUSLY

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

There were no apologies or Leave of Absence received.

Requests for remote attendance have been received by Councillors Hayes, Larter and Chaffey.

M39/22 RESOLVED that councillors Hayes, Larter and Chaffey attend remotely.


Cr Johanna (Hansie) Armour/Cr Julia Ham

CARRIED UNANIMOUSLY

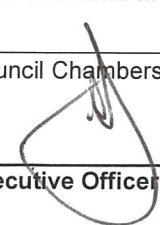
3. DECLARATIONS OF PECUNIARY INTEREST

Cr Julia Ham declared a significant non-pecuniary interest in relation to report # 11.6 'In Principle Support for the Establishment of a New Pre-school in Tumbarumba' due to being

Minutes of the Meeting of the Snowy Valleys Council held in the Tumbarumba Council Chambers and Via Video Link on Thursday 17 February 2022



Mayor



Chief Executive Officer

a member of a Tumbarumba Pre-school Working Group and will remain in the room during discussion and will participate in voting.

Cr Ian Chaffey declared a significant non-pecuniary interest in relation to report # 11.5 'Plan of Management for Council Managed Community Crown Reserves due to adjoining a managed Crown Reserve and will remain in the room during discussion however abstain from discussing.

4. PUBLIC FORUM

Mr Michael Blenkins, Principal Tumbarumba High School and Ms Jennifer Lumsden, Principal Tumbarumba Primary School attended the Public Forum held immediately prior to the 17 February 2022 Ordinary Meeting of Council to speak in support of Item # 11.6 'In Principle Support for the Establishment of a New Preschool in Tumbarumba'.

M40/22 RESOLVED that Item # 11.6 In Principle Support for the Establishment of a new Pre-school in Tumbarumba' be brought forward to beginning of the meeting.

Cr Johanna (Hansie) Armour/Cr Brent Livermore

CARRIED UNANIMOUSLY

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING - 20 JANUARY 2022

M41/22 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 20 January 2022 be received.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

5.2 BUSINESS ARISING

Councillor Hayes raised a matter from the previous minutes and no resolutions were made.

11.6 IN PRINCIPLE SUPPORT FOR THE ESTABLISHMENT OF A NEW PRE SCHOOL IN TUMBARUMBA

M42/22 RESOLVED:
THAT COUNCIL:

1. Receive the report on In Principle support for the establishment of a new preschool in Tumbarumba.

2. Provide In Principle support for the establishment of a New Pre School in Tumbarumba.
3. Determine In Principle, to make Council controlled land available for the establishment of a new Pre School in Tumbarumba.
4. Authorise the CEO to write a letter outlining Councils In Principle support for the establishment of a new Pre School in Tumbarumba, to accompany the application for funding to the Start Strong Capital Works Grants Program.

Cr Julia Ham/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

Nil.

8. MAYORAL MINUTE

Nil.

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1 COUNCILLORS TRAINING OPPORTUNITIES - LGNSW COURSES FOR COUNCILLORS

**M43/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on Councillors Training Opportunities – LGNSW Courses for Councillors.
2. Approve the attendance of Cr Hughes at the following courses, provided there is sufficient funds within his budget allocation at the time of registering his attendance:
 - a. “Understanding LG Finances for Councillors”, offered online.
 - b. “Communicating Council Information – Priorities & Initiatives”, offered online.
 - c. “Chairing & Effective Meeting Procedures for Councillors”, offered online.

- d. "Personal Branding for Career Success", offered in-person.
3. Approve the attendance of Cr Ham at the online LGNSW course "Speed Reading", provided there is sufficient funds within her budget allocation at the time of registering her attendance.
4. Discuss and confirm the attendance of additional councillors for any of the abovementioned LGNSW courses, provided it is within the councillor's budget allocation at the time of registering attendance.

Cr James Hayes/Cr Michael Ivill

CARRIED UNANIMOUSLY

10.2 2021/22 DELIVERY PROGRAM HALF YEARLY PROGRESS REPORT (JULY - DECEMBER 2021)

M44/22 RESOLVED:
THAT COUNCIL:

1. Receive the report on 2021/22 Delivery Program Half Yearly Progress Report (July–December 2021);
2. Endorse the 2021/22 Delivery Program Half Yearly Progress Report (July–December 2021).

Cr Ian Chaffey/Cr Julia Ham

CARRIED UNANIMOUSLY

10.3 REVIEW OF PROCUREMENT POLICY - FOR PUBLIC EXHIBITION

M45/22 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Review of Procurement Policy – for Public Exhibition.

Cr Brent Livermore/Cr Julia Ham

CARRIED UNANIMOUSLY

M46/22 RESOLVED to move into Committee of the Whole.

Cr Brent Livermore/Cr Johanna (Hansie) Armour

Division

For
Cr Armour
Cr Chaffey
Cr Ham
Cr Hayes
Cr Hughes

Against
Cr Larter

Cr Ivill
Cr Livermore
Cr Thomson

8/1
CARRIED

M47/22 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

10.3 REVIEW OF PROCUREMENT POLICY - FOR PUBLIC EXHIBITION

RECOMMENDATION:
THAT COUNCIL:

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.

10.4 COMMUNITY ASSISTANCE POLICY - FOR PUBLIC EXHIBITION

M48/22 RESOLVED:
THAT COUNCIL:

1. Receive the report on the Community Assistance Policy – for Public Exhibition;
2. Approve the Community Assistance Policy SVC-FIN-PO-127-01 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 James Hayes/Cr Brent Livermore

CARRIED UNANIMOUSLY

10.5 STATEMENT OF INVESTMENTS - JANUARY 2022

M49/22 RESOLVED:
THAT COUNCIL:

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

Cr Ian Chaffey/Cr Julia Ham

CARRIED UNANIMOUSLY

10.6 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2021

M50/22 RESOLVED:
THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 31 December 2021;
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the December Quarterly Budget Review.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

M51/22 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Ian Chaffey

CARRIED UNANIMOUSLY

M52/22 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS**11.1 KHANCOBAN VACANT LAND - LOTS 11, 12, 13, 14, 15 AND 16 OF DP220570 - REQUEST FOR PURCHASE**

M53/22 RESOLVED:
THAT COUNCIL:

1. Proceed to sell the Land – Lots 11, 12, 13, 14, 15 and 16 of DP220570 at a public auction at a time and place to be determined;
2. Delegates authority to the Chief Executive Officer & Mayor to take the following actions pertaining to the properties specified in the report; to set reserve prices for sale of the properties at auction;

3. Negotiate by private treaty and accept offers for sale of any property that fails to sell at auction;
4. Authorise the application of the Council seal on the sale of land.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

M54/22 RESOLVED to move into Committee of the Whole

Cr Julia Ham/Cr Brent Livermore

For	Division	Against
Cr Armour		Cr Hayes
Cr Chaffey		Cr Larter
Cr Ham		
Cr Hughes		
Cr Ivill		
Cr Livermore		
Cr Thomson		

**7/2
CARRIED**

M55/22 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

11.2 SALE OF WATER RACE - WITHIN LOT 1 DP 791035 - TUMBARUMBA

**M56/22 RESOLVED:
THAT COUNCIL:**

1. Receive the report on the Sale of Water Race – within Lot 1 DP791035 – Tumbarumba;
2. Approve the sale of the reserved water race contained within Lot 1 DP 791035 Tumbarumba;
3. Approve the landowner to pay all costs associated with the sale and transfer of reserved water race, and that the nominal sale price will be \$1;
4. Approve the delegation to the Mayor and Chief Executive Officer to affix Council seal and execute documentation required to complete the sale of the reserved water race.

Cr Julia Ham/Cr Johanna (Hansie) Armour

Division**For**

Cr Armour
 Cr Chaffey
 Cr Ham
 Cr Hughes
 Cr Ivill
 Cr Larter
 Cr Livermore
 Cr Thomson

Against

Cr Hayes

8/1

CARRIED

M57/22 RESOLVED to move into Committee of the Whole.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

M58/22 RESOLVED to move out of Committee of the Whole.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

11.3 REQUEST FOR PURCHASE OF COUNCIL ROAD RESERVE - ADELONG ROAD, TUMUT

M59/22 RESOLVED:
THAT COUNCIL:

1. Receive this report for the request for partial road closure, subdivision and sale of the part road reserve fronting number 67-69 Adelong Road, Tumut
2. Approve the partial road closure, subdivision and sale of the formed lot subject to the terms of sale being met including:
 - I. Compliance with the legislation framework for the closing of public roads contained within the Roads Act 1993, and sale of land contained within the Real Property Act 1900.
 - II. Sale price to be determined by an independent land valuation and all survey, administration and application fees applicable to be covered by the purchaser upon settlement.
 - III. Parties to meet own legal costs.

3. Delegate to the Mayor and Chief Executive Officer to affix Council seal and execute document relevant to the closure of the road reserve and sale of the land.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

11.4 REQUEST FOR PARTIAL ROAD CLOSURE AND SALE - 17 YORK STREET, TUMBARUMBA

**M60/22 RESOLVED:
THAT COUNCIL:**

1. Receive this report on partial road closure and sale at York Street, Tumbarumba.
2. Approve the partial road closure and sale of formed lot adjacent to Lot 5 DP759003, subject to the terms of sale being met including:
 - I. Compliance with the legislative framework for the closing of public roads contained within the Roads Act 1993, and sale of land contained within the Real Property Act 1900
 - II. Sale price to be determined by an independent land valuation and all survey, administration application fees applicable to be covered by the purchaser upon settlement
 - III. Parties to meet own legal costs
3. Authorise the Mayor and Chief Executive Officer to affix Council seal and execute documents relevant to the closure of the road reserve and sale of the land.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

Mayor Cr Ian Chaffey left the meeting, the time being 03:10 pm.

Mayor Cr Ian Chaffey returned to the meeting, at 03:11 pm.

11.5 PLAN OF MANAGEMENT FOR COUNCIL MANAGED COMMUNITY CROWN RESERVES

**M61/22 RESOLVED:
THAT COUNCIL:**

1. Receive this report for the Plan of Management for Council Managed Community Crown Reserves.
2. Approve the draft Council Managed Crown Land Plan of Management to be forwarded to the landowner, Crown Lands (NSW Department of Planning, Industry and Environment), seeking endorsement to proceed to public exhibition of the draft Plan of Management and authorise

administrative and corrective amendments to the documents by the CEO.

- 3. Delegate authority to the Chief Executive Officer to revise the draft Council Managed Crown Land Plan of Management in accordance with any direction received from Crown Lands, prior to placing on public exhibition for a minimum period of 28 days and inviting the public to make submission over a period of 42 days.
- 4. Bring the final version of the Council Managed Crown Land Plan of Management to a future Council meeting for consideration and adoption.

Cr Brent Livermore/Cr Julia Ham

Division

For

- Cr Armour
- Cr Chaffey
- Cr Ham
- Cr Hughes
- Cr Ivill
- Cr Livermore
- Cr Thomson

Against

- Cr Hayes
- Cr Larter

7/2

CARRIED

11.7 SNOWY VALLEYS COUNCIL MOVE TO THE SOUTH-EAST AND TABLELANDS PLANNING AREA

**M62/22 RESOLVED:
THAT COUNCIL:**

- 1. Receive the report on Snowy Valleys Council move to the South-East and Tablelands Planning Area;
- 2. Advise the Department of Planning and Environment that it supports the move of Snowy Valleys to the South-East and Tablelands Planning area;
- 3. Request that as Snowy Valleys is a border community between two planning areas that Snowy Valleys remain involved in planning for the Riverina Planning Area.

Cr James Hayes/Cr Sam Hughes

Division

For

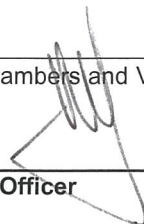
- Cr Armour
- Cr Chaffey
- Cr Ham
- Cr Hayes
- Cr Hughes
- Cr Ivill

Against

- Cr Livermore



Mayor



Chief Executive Officer

Cr Larter
Cr Thomson

8/1
CARRIED

11.8 DESTINATION NETWORK BOUNDARY CHANGES

M63/22 RESOLVED:
THAT COUNCIL:

1. Receive and note the report on Destination Network Boundary Changes.
2. Write a letter of disappointment to Minister Ayres, local NSW State members Justin Clancy MP, Dr Joe McGirr MP and Destination NSW Chair, Christine McLaughlin AM regarding making a decision with no consultation with Council or local stakeholders and ask for an immediate review of the decision.

Cr Julia Ham/Cr James Hayes

Division

For

Cr Armour
Cr Chaffey
Cr Ham
Cr Hughes
Cr Ivill
Cr Livermore
Cr Thomson

Against

Cr Hayes
Cr Larter

7/2
CARRIED

12. MINUTES OF COMMITTEE MEETINGS

12.1 MINUTES - LOCAL TRAFFIC COMMITTEE - 24TH NOVEMBER 2021

M64/22 RESOLVED:
THAT COUNCIL:

1. Receive this report on the Minutes – Local Traffic Committee – 24 November 2021
2. Note the Minutes of the Local Traffic Committee meeting held on 24 November 2021
3. Note the following recommendations from the minutes, noting that the special event applications referred to in items 4.4 and 4.5 are being advised in retrospect of the events being held and item 4.10 has been completed:

- a. Item 4.1 - Special Event Application - Tumut Cycle Classic
 - i. Receive the report on the Special Event Application for the 2022 Tumut Cycle Classic.
 - ii. Support the Special Event Application for the 2022 Tumut Cycle Classic to enable this event to go ahead, subject to Council's standard conditions.
- b. Item 4.2 - Special Event Application - Snowy Valleys Challenge
 - i. Receive the report on the Special Event Application for the 2022 Snowy Valleys Challenge.
 - ii. Support the Special Event Application for the 2022 Snowy Valleys to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of Road Occupancy License, concurrence from TfNSW and approval from NSW Police.
- c. Item 4.3 - Special Event Application - Lifestyles Snowy Valley
 - i. Receive the report on the Special Event Application for the Lifestyles Snowy Valley.
 - ii. Support the Special Event Application for the Lifestyles Snowy Valley to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of completed risk assessments, Traffic Guidance Scheme and approval from NSW Police.
- d. Item 4.4 – Special Event Application - Tumbarumba Rodeo Reunion Parade
 - i. Receive the report on the Special Event Application for the 2021 Tumbarumba Rodeo Reunion Parade.
 - ii. Support the Special Event Application for the 2021 Tumbarumba Rodeo Reunion Parade to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of Road Occupancy License, concurrence from TfNSW and approval from NSW Police.
- e. Item 4.5 – Special Event Application - Tumbarumba Community Main Street Christmas Carnival

- i. Receive the report on the report on the Special Event Application for the 2021 Tumbarumba Community Main Street Christmas Carnival.
 - ii. Support the Special Event Application for the 2021 Tumbarumba Community Main Street Christmas Carnival to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of Road Occupancy License, concurrence from TfNSW and approval from NSW Police.
- f. Item 4.6 – Special Event Application – Zone 20 Pony Club Street Parade
- i. Receive the report on Zone 20 Pony Club Street Parade.
 - ii. Support the Special Event Application for the 2022 Zone 20 Pony Club Street Parade to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of Road Occupancy License, concurrence from TfNSW and approval from NSW Police.
- g. Item 4.7 – Special Event Application Tumberfest
- i. Receive the report on the Special Event Application for the 2022 Tumbafest.
 - ii. Support the Special Event Application for the 2022 Tumbafest to enable this event to go ahead, subject to Council's standard conditions.
 - iii. Endorse the Special Event application subject to receipt of Road Occupancy License, Traffic Guidance Scheme for the event, Temporary Bus Zone approvals, concurrence from TfNSW and approval from NSW Police.
- h. Item 4.8 – Special Event Application – Batlow Ciderfest 2022
- i. Receive the report on Special Event Application for the 2022 Batlow Ciderfest.
 - ii. Support the Special Event Application for the 2022 Batlow Ciderfest to enable this event to go ahead, subject to Council's standard conditions.
- i. Item 4.9 - Goobragandra Road Advisory Speed Signs
- i. Receive the report on Goobragandra Road Advisory Speed Signs.
 - ii. Request Transport for NSW to conduct a Vericom analysis of the Goobragandra Road to determine recommend advisory speeds for the curves and review the speed zone for Walls

- Creek Road.
- iii. 3. Investigate the installation of road advisory signs for curves with appropriate speeds along the Goobragandra Road.
- j. Item 4.10 - McAulay Catholic Central School, Upgraded Pedestrian Crossing
 - i. Receive the report on McAulay Catholic Central School, upgraded pedestrian crossing.
 - ii. Endorse the pedestrian crossing at McAuley Catholic Central School across Capper Street be upgraded.
 - k. Item 4.11 - McAuley School, Capper Street Bus Routes
 - i. Receive the report on McAuley School, Capper Street Bus Routes.
 - ii. Recommend that the bus zone at McAuley Catholic Central School be moved from the East side of Capper Street to the North Side of Carey Street before the construction of the roundabout at the intersection of Gocup Road, Snowy Mountains Highway and Capper Street.
4. Note the general business items raised at the meeting:
- a. Tumbarumba Hospital, No Parking Zone along Mitchell Street - consultation is required between Council and Murrumbidgee Health and NSW Ambulance regarding the request for a No Parking Zone along the East Side of Mitchell Street, Tumbarumba.
 - b. Bridge Street, Tumbarumba - requests be made to Transport for NSW to evaluate the installation of flashing lights for school zones. Traffic data needs to be collected by council for traffic along Bridge Street and Selwyn Street and submitted to Transport for NSW to support the evaluation. The proposed traffic calming project (Safer Roads Project 5124) is acknowledged and will be considered in the application for the flashing lights for school zones.
 - c. Safer Roads Submissions for Tooma Road and Grahamstown Road - Council has requested and received Road Safety audits for Tooma Road between the Elliott Way and Tumbarumba as well as Grahamstown Road between Quartz Street, Adelong and the Boundary of the LGA. Treatments for the outcomes of the audits have been suggested. Application towards the Federal funded Safer Roads program are in process.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

13. CONFIDENTIAL**M65/22 RESOLVED:**

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

- 13.1 RFT2021/09 - CONSTRUCTION OF HUME & HOVELL COPPABELLA CREEK TUMBARUMBA SUSPENSION BRIDGE
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.
- 13.2 RFT2021/10 - DESIGN AND CONSTRUCTION OF THE BATLOW & TUMUT UPGRADED LEARN TO SWIM AND WATER PLAY POOLS
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.
- 13.3 RFT2021/11 - DESIGN AND CONSTRUCTION OF THE BATLOW & KHANCOBAN AMENITY BUILDINGS
Item 13.3 is confidential under the Local Government Act 1993 Section 10A 2 (d)i and (d)ii as it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Cr Julia Ham/Cr Brent Livermore

CARRIED UNANIMOUSLY

At this stage, the time being 3.31 pm Council went into Confidential.

13.1 RFT2021/09 - CONSTRUCTION OF HUME & HOVELL COPPABELLA CREEK TUMBARUMBA SUSPENSION BRIDGE

**M66/22 RESOLVED:
THAT COUNCIL:**

1. Receive this report on the Request for Tender - RFT 2021/09 - Construction of Hume & Hovell Coppabella Creek Suspension Bridge;

2. Note this project is funded through Council's current Hume & Hovell construction contract (No:20:1990) with Department of Planning, Industry and Environment – Crown Lands;
3. Resolve in accordance with Section 55 of the NSW Local Government Act 1993 to accept the alternative tender of Cable Span Australia, being for the lump sum amount of \$610,320 excluding GST;
4. Authorise the Chief Executive Officer to enter into a contract for the construction of the Hume & Hovell Coppabella Creek Suspension Bridge;
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

13.2 RFT2021/10 - DESIGN AND CONSTRUCTION OF THE BATLOW & TUMUT UPGRADED LEARN TO SWIM AND WATER PLAY POOLS

**M67/22 RESOLVED:
THAT COUNCIL:**

1. Receive this report on RFT2021/10 – Design and Construction of the Batlow & Tumut Upgraded Learn to Swim and Water Play Pools;
2. Resolve in accordance with Clause 178(1)(b) of the NSW Local Government (General) Regulation 2021 to not accept any of the tenders for the Design and Construction of the Batlow & Tumut Upgraded Learn to Swim and Water Play Pools;
3. Resolve in accordance with Clause 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 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 tenders were not accepted;
6. Authorise the Chief Executive Officer to enter into a contract with a contractor for the Design and Construction of the Batlow & Tumut Upgraded Learn to Swim and Water Play Pools subject to the successful outcome of negotiations, noting that this may require the rationalisation of the scope of works for the project;

Cr James Hayes/Cr Julia Ham

CARRIED UNANIMOUSLY



Mayor



Chief Executive Officer

13.3 RFT2021/11 - DESIGN AND CONSTRUCTION OF THE BATLOW & KHANCOBAN AMENITY BUILDINGS**M68/22 RESOLVED:
THAT COUNCIL:**

1. Receive this report on RFT2021/11 – Design and Construction of the Batlow & Khancoban Amenity Buildings;
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 Design and Construction of the Batlow & Khancoban Amenity Buildings projects;
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 tenderer in writing that their tender was not accepted;
6. Authorise the Chief Executive Officer to enter into a contract for the Design and Construction of the Batlow & Khancoban Amenity Buildings subject to the successful outcome of negotiations.

Cr Julia Ham/Cr Michael Ivill

CARRIED UNANIMOUSLY

M69/22 RESOLVED that at this stage, the time being 4.04pm Council returned to Open Council.

Cr Sam Hughes/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

There being no further business to discuss, the meeting closed at 4.09pm.


Mayor


Chief Executive Officer