

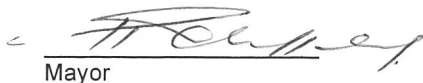


**SNOWY VALLEYS COUNCIL
ORDINARY MEETING**

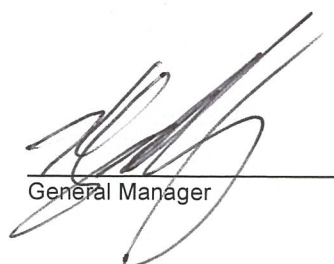
MINUTES

Thursday, 16 March 2023

THE MEETING WAS HELD AT 2:00 PM
IN THE COUNCIL CHAMBERS 76 CAPPER STREET TUMUT



Mayor



General Manager

Statement of Ethical Obligations

Councillors are reminded of the oath or affirmation of office they made under section 233A of the Local Government Act 1993 and the obligation under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Disclosure of Pecuniary Interests at meetings (extract from the Code of Conduct – Section 4)

- 4.28** Councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29** The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- (a) at any time during which the matter is being considered or discussed by the council or committee, or
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30** In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31** Disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

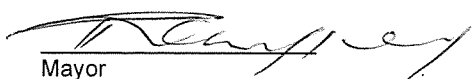
Disclosure of Political Donations and Gifts

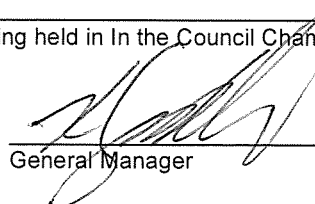
The *Environmental Planning and Assessment Act 1979* places obligations on Councillors, staff, applicants and any person who makes a public submission, to disclose information relating to political donations and gifts during the environmental plan making or development assessment process.

The fact that political donations or gifts have been made by applicants / proponents of a planning application should not affect whether an application is approved or refused. Political donations or gifts should not be relevant in making a determination. The matter should be determined on its merits. Nor do they provide grounds for challenging the determination of any applications.

For further information, visit www.planning.nsw.gov.au/donations

Furthermore, for each planning decision made at a Council or Committee Meeting, the names of Councillors who supported the decision and those that oppose the decision must be recorded. (Sec. 375A of the *Local Government Act 1993*)


Mayor


General Manager

**Use of mobile phones and the unauthorised recording of meetings
(extract from the Code of Meeting Practice – Section 15)**

- 15.21** Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.22** A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.23** Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.24** If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Livestreaming of Meetings (extract from the Code of Meeting Practice – Section 5)

This meeting is live streamed on Council's website to allow the community to follow Council debates and decisions without the need to attend meetings in person. Members of the public attending or speaking at a meeting agree to have their image, voice and personal information (including name and address) recorded and publicly broadcast. Snowy Valleys Council does not accept liability for any defamatory remarks or inappropriate comments that are made during the course of a meeting. Any part of the meeting that is held in closed session will not be streamed.

- 5.19** All meetings of the council and committees of the council are to be webcast on the council's website.

Photography

Flash photography is not permitted at a meeting of the Council or a Committee of the council without the consent of the General Manager.

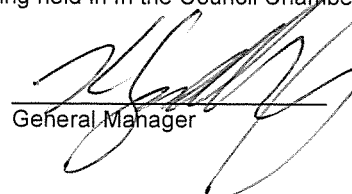
Public Forum (extract from the Code of Meeting Practice – Section 4)

- 4.1** The Council may hold a public forum prior to each Ordinary Council meeting for the purpose of hearing oral submissions on items of business to be considered at the meeting.
- 4.2** Public forums are to be chaired by the mayor or their nominee.

Those attending must comply with the terms and conditions of the Code of Meeting Practice which can be viewed on Council's website;

<http://www.snowyvalleys.nsw.gov.au/Council/Governance/Policies>


Mayor


General Manager

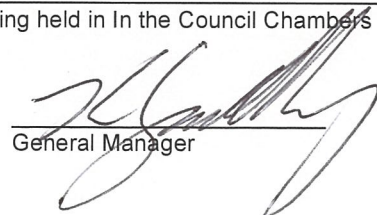


Thursday, 16 March 2023
In the Council Chambers 76 Capper Street Tumut
2:00 PM

MINUTES

1. ACKNOWLEDGEMENT OF COUNTRY	6
2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE	6
3. DECLARATIONS OF PECUNIARY INTEREST	6
4. CONFIRMATION OF MINUTES	6
4.1. MINUTES - ORDINARY COUNCIL - 16 FEBRUARY 2023	6
5. CORRESPONDENCE/PETITIONS	7
6. NOTICE OF MOTION/NOTICE OF RESCISSION.....	7
7. MAYORAL MINUTE.....	7
8. URGENT BUSINESS WITHOUT NOTICE	7
9. GOVERNANCE AND FINANCIAL REPORTS	7
9.1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - 2023 NATIONAL GENERAL ASSEMBLY - 13-16 JUNE 2023.....	7
9.2. PECUNIARY INTEREST RETURNS FOR DESIGNATED STAFF	8
9.3. STATEMENT OF INVESTMENTS - FEBRUARY 2023	8
10. MANAGEMENT REPORTS	8
10.1. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM FUNDING ROUND FOUR.....	8
10.2. APPLICATION TO ACQUIRE CROWN LAND FOR INFRASTRUCTURE PURPOSES - LOT 7026 AND LOT 7027 DP94611 TUMUT.....	9
10.3. TALBINGO LIBRARY ALTERNATIVE SERVICE ARRANGEMENT	9


Mayor


General Manager

10.4. WINTER BITES AND KHANCOBAN LONG LUNCH 10

10.5. SNOWY VALLEYS REGIONAL TRACKS AND TRAILS MASTERPLAN - FOR ADOPTION 10

10.6. DRAFT ONSITE SEWER MANAGEMENT STRATEGY 2023 - FOR PUBLIC EXHIBITION. 10

10.7. DEVELOPMENT CONTROL PLAN 2019 - ADMINISTRATIVE AMENDMENTS 10

10.8. DEVELOPMENT APPLICATION DA 2022/0163 -PROPOSED ARTISAN FOOD AND DRINK PREMISES - MICRODISTILLERY 11

11. MINUTES OF COMMITTEE MEETINGS..... 12

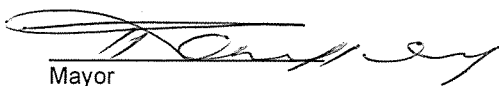
11.1. MINUTES - FLOODPLAIN RISK MANAGEMENT COMMITTEE - 25 JANUARY 2023..... 12

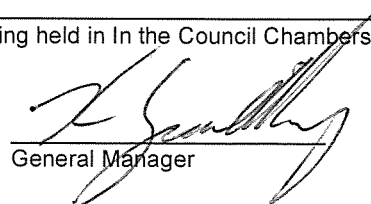
11.2. MINUTES - LOCAL TRAFFIC COMMITTEE - 8 FEBRUARY 2023 13

12. CONFIDENTIAL..... 14

12.1. CONFIDENTIAL - HUME & HOVELL STRATEGIC PLAN PROJECT..... 14

13. MEETING CLOSURE..... 15


Mayor


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 Trina Thomson.

IN ATTENDANCE: General Manager Ken Gouldthorp, Acting Director Infrastructure & Works Glen McGrath, Director Community & Corporate Jessica Quilty, Manager Finance Parthiv Parekh.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by Cr Johanna (Hansie) Armour.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

Apologies been received from Cr Brent Livermore and Cr John Larter for the 16 March 2023 Ordinary Meeting of Council.

M24/23 RESOLVED:

That the apologies from Cr Brent Livermore and Cr John Larter be received.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

3. DECLARATIONS OF PECUNIARY INTEREST

Nil.

4. CONFIRMATION OF MINUTES

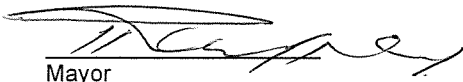
4.1. MINUTES - ORDINARY COUNCIL - 16 FEBRUARY 2023

M25/23 RESOLVED:

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

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY



Mayor



General Manager

5. CORRESPONDENCE/PETITIONS

Nil.

6. NOTICE OF MOTION/NOTICE OF RESCISSION

Nil.

7. MAYORAL MINUTE

M26/23 RESOLVED:

THAT COUNCIL:

Hold the next Ordinary Meeting of Council, Thursday 20 April 2023 at the Snowy Valleys Council Tumbarumba Council Chambers.

Cr Ian Chaffey

CARRIED UNANIMOUSLY

8. URGENT BUSINESS WITHOUT NOTICE

Nil.

9. GOVERNANCE AND FINANCIAL REPORTS

9.1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - 2023 NATIONAL GENERAL ASSEMBLY - 13-16 JUNE 2023

M27/23 RESOLVED:

THAT COUNCIL:

1. Note the report on Australian Local Government Association – 2023 National General Assembly – 13-16 June 2023 at the National Convention Centre;
2. Propose the June Councillor Workshop be moved from the 1st to the 8th and the June Council meeting be moved from the 15th to the 22nd;
3. Approve the in-person attendance of the Mayor and Deputy Mayor to the 2023 National General Assembly, provided there is sufficient funds within budget allocations at the time of registering attendance;
4. Approve the in-person or remote attendance of additional Councillors to the 2023 National General Assembly, provided there is sufficient funds available in their Training Budget at the time of registering attendance;

5. Confirm the Mayor as the voting delegate for Snowy Valleys Council, and in the event of the Mayor's absence, the Deputy Mayor as the alternate voting delegate;
6. Councillors submit any proposed motions to Council by Monday 20 March 2023;
7. The Mayor and General Manager, jointly, be authorised to finalise and approve any motions for final submission to the Assembly;
8. Approve the in-person attendance to the 2023 Australian Council of Local Government (ACLG) held on Friday 16 June immediately following the 2023 National General Assembly.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

9.2. PECUNIARY INTEREST RETURNS FOR DESIGNATED STAFF

M28/23 RESOLVED:

THAT COUNCIL:

1. Note the following Declarations of Pecuniary Interest Returns from newly appointed Designated Persons as at 28 February 2023 as listed in accordance with the Code of Conduct:

Designated Persons:

General Manager; Director Community & Corporate; Acting Director Infrastructure & Works, Manager Growth & Activation; and

2. Approve for the redacted Pecuniary Interest Returns Designated Staff to be placed on Council's website in accordance with the current Information and Privacy Commission Guideline 1.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

9.3. STATEMENT OF INVESTMENTS - FEBRUARY 2023

M29/23 RESOLVED:

THAT COUNCIL:

1. Note the report on Statement of Investments - February 2023.

Cr Julia Ham/Cr Trina Thomson

CARRIED UNANIMOUSLY

10. MANAGEMENT REPORTS

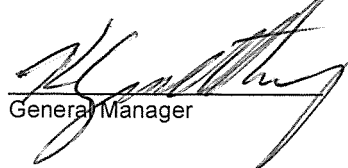
10.1. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM FUNDING ROUND FOUR

M30/23 RESOLVED:

THAT COUNCIL:



Mayor



General Manager

1. Note the report on Local Roads and Community Infrastructure Program Round Four;
2. Note the allocation of \$871,816 to Snowy Valleys Council, through the Australian Governments Local Roads and Community Infrastructure Program;
3. Endorse proceeding with the delivery of the following high priority infrastructure projects funded through the Australian Governments Local Roads and Community Infrastructure Program:
 - a. Tumut pool works - \$300,000
 - b. Batlow pool works - \$150,000
 - c. Tumbarumba pool works - \$321,816; and
4. Authorise the General Manager to negotiate and/or amend the project list as described in Item 3 above, as required to comply with the Local Roads and Community Infrastructure Program funding arrangements.
5. Prepare a footpath masterplan to enable prioritization of future footpaths for grant funding, commencing with Tumut.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

10.2. APPLICATION TO ACQUIRE CROWN LAND FOR INFRASTRUCTURE PURPOSES - LOT 7026 AND LOT 7027 DP94611 TUMUT

M31/23 RESOLVED:

THAT COUNCIL:

1. Apply to Crown Lands to adjust the property boundary of Lot 7026 and Lot 7027 of DP94611 Lambie Street in Tumut adjacent to Tumut Hospital including the balance of land between these two lots to form a single lot; and
2. Apply to Crown Lands for the management of Lot 7026 and Lot 7027 of DP94611 Lambie Street in Tumut adjacent to Tumut Hospital including the balance of land between these two lots as operational land.

Cr Sam Hughes/Cr Mick Ivill

CARRIED UNANIMOUSLY

10.3. TALBINGO LIBRARY ALTERNATIVE SERVICE ARRANGEMENT

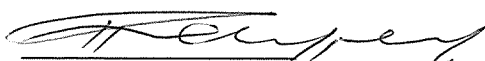
M32/23 RESOLVED:

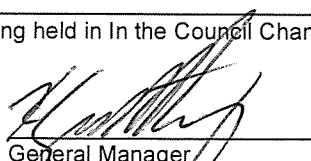
THAT COUNCIL:

1. Note the report on Talbingo Library alternative service arrangement.
2. Endorse the alternate service delivery model outlined in the report.
3. Receive a further report at the end of the 12-month trial on the results from the alternate service delivery model.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY



Mayor

General Manager

10.4. WINTER BITES AND KHANCOBAN LONG LUNCH

M33/23 RESOLVED:

THAT COUNCIL:

1. Note the report on Winter Bites and Khancoban Long Lunch;
2. Call for Expressions of Interest from the community to deliver the Winter Bites event at Adelong in 2023; and
3. Call for Expressions of Interest from the community to deliver the Khancoban Long Lunch in Khancoban in 2023.

Cr Julia Ham/Cr Joanna (Hansie) Armour

CARRIED UNANIMOUSLY

10.5. SNOWY VALLEYS REGIONAL TRACKS AND TRAILS MASTERPLAN - FOR ADOPTION

M34/23 RESOLVED:

THAT COUNCIL:

1. Note the report on the Snowy Valleys Regional Tracks and Trails Masterplan; and
2. Adopt the Snowy Valleys Regional Tracks and Trails Masterplan.

Cr Sam Hughes/Cr Julia Ham

CARRIED UNANIMOUSLY

10.6. DRAFT ONSITE SEWER MANAGEMENT STRATEGY 2023 - FOR PUBLIC EXHIBITION

M35/23 RESOLVED:

THAT COUNCIL:

1. Endorse the Draft On-site Sewage Management Strategy 2023 - SVC-RP-STY-007-01 - for public exhibition for a period of not less than 28 days;
2. Note that if submissions are received during the exhibition period, a further report will be provided on any proposed amendments to Council; and
3. Adopt the Draft Onsite Sewer Management Strategy, if no submissions are received on the day after the completion of the public exhibition period.

Cr Trina Thomson/Cr Julia Ham

CARRIED UNANIMOUSLY

10.7. DEVELOPMENT CONTROL PLAN 2019 - ADMINISTRATIVE AMENDMENTS

MOTION:

THAT COUNCIL:

1. Endorse the Draft administrative amendments to the Snowy Valleys Council Development Control Plan 2019 for public exhibition for a period of no less than 28 days;
2. Note if submissions are received during the exhibition period, a further report will be provided to council; and
3. Adopt the administrative amendments to the Snowy Valleys Council Development Control Plan 2019 if no submissions are received on the day after the completion of the public exhibition period.

Cr Mick Ivill/Cr Julia Ham

M36/23 RESOLVED:

THAT COUNCIL:

1. Endorse the Draft administrative amendments to the Snowy Valleys Council Development Control Plan 2019 for public exhibition for a period of no less than 28 days;
2. Note if submissions are received during the exhibition period, a further report will be provided to council; and
3. Adopt the administrative amendments to the Snowy Valleys Council Development Control Plan 2019 if no submissions are received on the day after the completion of the public exhibition period.
4. Remove the wording on Page 12 paragraph 3 'within main street, i.e. 'fronting the 'main street' for change of use developments' and include the wording at the bottom of page 12 'For the purposes of change of use development utilising existing buildings within the main street area, a prescribed onsite parking rate shall not apply'.

Cr Mick Ivill/Cr Julia Ham

Division

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

CARRIED UNANIMOUSLY

10.8. DEVELOPMENT APPLICATION DA 2022/0163 -PROPOSED ARTISAN FOOD AND DRINK PREMISES - MICRODISTILLERY

MOTION:

THAT COUNCIL:

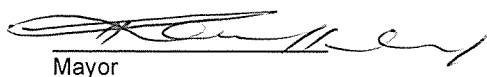
1. Determine the determination application DA2022/0163 for an Artisan Food and Drink Industry at Lot 26, DP 1018407, known as 2-722 Little River Road, Little River by way of APPROVAL subject to the conditions listed in the draft Notice of Determination at Attachment 1.

Cr Trina Thomson/Cr Mick Ivill

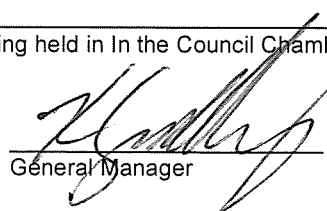
M37/22 RESOLVED to move into Committee of the Whole

Cr John Larter / Cr Julia Ham

CARRIED UNANIMOUSLY



Mayor



General Manager

M38/22 RESOLVED to move out of Committee of the Whole

Cr Trina Thomson / Cr Mick Ivill

CARRIED UNANIMOUSLY

The original motion was amended to add Point 2 by the mover and seconder with the consent of Council.

M39/23 RESOLVED:

THAT COUNCIL:

1. Determine the determination application DA2022/0163 for an Artisan Food and Drink Industry at Lot 26, DP 1018407, known as 2-722 Little River Road, Little River by way of APPROVAL subject to the conditions listed in the draft Notice of Determination at Attachment 1.
2. Note the clarification of the definition of Artisan Food and Drink Industry within the Tumut LEP provided by the Manager Growth & Activation during the meeting.

Cr Trina Thomson/Cr Mick Ivill

Division

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

Against: Cr Armour, Cr Hayes

5 / 2

CARRIED

11. MINUTES OF COMMITTEE MEETINGS

11.1. MINUTES - FLOODPLAIN RISK MANAGEMENT COMMITTEE - 25 JANUARY 2023

M40/23 RESOLVED:

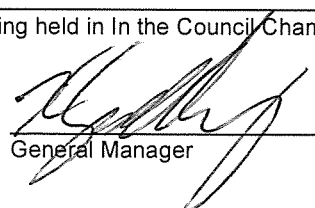
THAT COUNCIL:

1. Note the Minutes of the Floodplain Risk Management Committee Meeting held on 25 January 2023.
2. Adopt the following recommendations from the minutes:
 - a. Amend the Title of the Committee to 'Tumut Floodplain Risk Management Committee' (SVC-TofR-037-01).
 - b. Amend the Terms of Reference to identify that voting rights should only be for Councillors and local community representatives on the Committee.
3. Endorse the appointment of Councillor Livermore as the Chairperson for the Tumut Floodplain Risk Management Committee.

Cr Julia Ham/Cr Mick Ivill

CARRIED UNANIMOUSLY

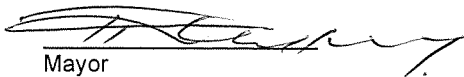

Mayor


General Manager

11.2. MINUTES - LOCAL TRAFFIC COMMITTEE - 8 FEBRUARY 2023**M41/23 RESOLVED:**

THAT COUNCIL:

1. Note the Minutes of the Local Traffic Committee held on Wednesday, 8 February 2023;
2. Note that Cr Sam Hughes attended as an observer rather than a voting member;
3. Adopt the following recommendations from the minutes:
 - a. Endorse changes to the signage at Dowells Lane and Bombowlee Avenue, Tumut to allow improved flow of traffic
 - b. Support the request for Transport for New South Wales (TfNSW) to undertake appropriate assessment of a modification to the speed limit at Cider House, 4066 Batlow Road, Batlow
 - c. Review alternate options for signage in compliance with relevant standards for Maple and Birch Streets, Batlow
 - d. Further investigate traffic calming options for Travers Street and Grahamstown Road, Adelong
 - e. Approve the modification of the "No Stopping" signs with extended bus zone signs at Tumbarumba High School
 - f. Endorse the collection of speed traffic data for a speed reduction in Brungle and send data to both TfNSW and NSW Police for assessment
 - g. Support the Special Event Application for the 2023 Tumut Festival of the Falling Leaf to be held on 29 April 2023, subject to Council's standard conditions
 - h. Support the Special Event Application for the Tumbafest 2023 to be held on 25 - 26 February 2023, subject to Council's standard conditions
 - i. Document the support for the event of 2023 Zone 20 Pony Club Street Parade Tumbarumba retrospectively, noting the non-meeting approval in December 2022, subject to Council's standard conditions
 - j. Endorse an assessment of the pedestrian traffic on Batlow Road (pump station), Batlow and its usage with a report back to Council before the next Local Traffic Committee 10 May 2023 meeting and this report must also include a section 138 TfNSW for Council's approval
 - k. Endorse an assessment of pedestrian traffic on Kurrajong Avenue and Memorial Avenue, Batlow and its usage with a report back to the Local Traffic Committee next meeting 10 May 2023
 - l. Request TfNSW assess and replace the Herb Feint Bridge, Adelong sign due to vandalism
 - m. Request TfNSW assess or move large rocks from Herb Feint Bridge, Adelong to another location in the creekscape
 - n. Note TfNSW advised the section of road between Yarrangobilly to Talbingo Mountain underwent heavy patching and the speed limit change has gone from 80km/hr back to 100km/hr. Furthermore, the section of road between Talbingo and Tumut is still undergoing heavy patching and the speed limit remains 80km/hr



Mayor



General Manager

- o. Note TfNSW has advised the non-standard signage at McAuley Catholic Central School, Tumut is still on their radar and an update will be provided in the Local Traffic Committee meeting on 10 May 2023.

Cr James Hayes/Cr Mick Ivill

CARRIED UNANIMOUSLY

12. CONFIDENTIAL

M42/22 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:

12.1 CONFIDENTIAL - HUME & HOVELL STRATEGIC PLAN PROJECT

Item 12.1 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 Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

The meeting was closed to the public at 2.47pm.

12.1. CONFIDENTIAL - HUME & HOVELL STRATEGIC PLAN PROJECT

M43/23 RESOLVED to return to open council.

Cr Julia Ham/Cr Sam Hughes

CARRIED UNANIMOUSLY

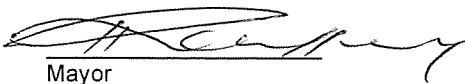
At this stage, the time being 2.51pm the meeting was re-opened to the public.


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

M44/23 RESOLVED:

THAT COUNCIL:

1. Resolve in accordance with Section 55 (3)(n)(i) of the *NSW Local Government Act 1993* to accept the quotation for the development of the Hume & Hovell Strategic Plan of Simon McArthur & Associated PTY LTD for \$279,440.00 excluding GST;
2. Authorise the General Manager to enter into a contract including all necessary arrangements with Simon McArthur & Associated PTY LTD for the development of the Hume & Hovell Strategic Plan on behalf of NSW Department of Planning and Environment - Crown Lands; and
3. Write to the unsuccessful respondent advising of the outcome.


Mayor


General Manager

Cr Sam Hughes/Cr Joanna (Hansie) Armour

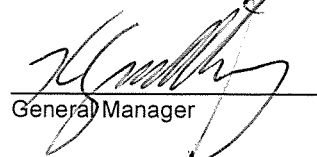
CARRIED UNANIMOUSLY

13. MEETING CLOSURE

There being no further business to discuss, the meeting closed at 2.53pm.



Mayor



General Manager