

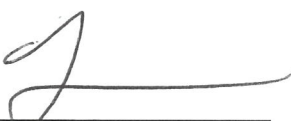


ORDINARY MEETING

MINUTES

Thursday, 15 August 2024

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



Mayor



Interim General Manager



Thursday, 15 August 2024


Council Chambers 76 Capper Street Tumut and Via Video Link

2:00 PM

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Mayor
Interim General Manager

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

IN ATTENDANCE: Interim General Manager Steven Pinnuck, Director Community & Corporate Jessica Quilty, Director Infrastructure & Works Duncan Mitchell, Executive Manager Growth & Development Nick Wilton

1. PUBLIC FORUM

Anne Hallard and Beth David spoke against item 8.2 'Notice of Motion - Libraries Cost Saving Method - Cr Hughes'.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

M167/24 RESOLVED:

That the request from Cr Hayes and Cr Larter to attend this meeting virtually be received and granted.
Cr Ivill/Cr Ham

CARRIED UNANIMOUSLY

4. DECLARATIONS OF PECUNIARY INTEREST

Nil.

5. CONFIRMATION OF MINUTES

5.1. MINUTES - ORDINARY COUNCIL - 18 JULY 2024

M168/24 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 18 July 2024 be received and confirmed as an accurate record.

Cr Livermore/Cr Ivill

CARRIED UNANIMOUSLY


Mayor
Interim General Manager

6. CORRESPONDENCE/PETITIONS

Nil.

7. MAYORAL MINUTE

Nil.

8. NOTICE OF MOTION/NOTICE OF RESCISSION

8.1. NOTICE OF RESCISSION - CARAVAN PARKS - EXPRESSIONS OF INTEREST - CRS THOMSON, ARMOUR & CHAFFEY

M169/24 RESOLVED:

THAT COUNCIL:

1. Rescind Resolution M136/24 points 6, 7 and 9 only;
2. Extend the lease of Riverglade Caravan Park with Riverglade Holdings Pty Ltd for a period of 4 months expiring on 30 November 2024;
3. Ensure all existing lease arrangements and the lessee's obligations for the operation of the Caravan Park remain the same, including the monthly rental payments to Council for the period of the extended lease;
4. Acknowledge that the date for the removal of all cabins and caravans described at paragraph 11 of the June letter (being 30 December 2024) no longer applies, however the lessee's obligations stipulated in the lease once the lease comes to an end remains the subject of further negotiations between Riverglade Holdings Pty Ltd and Council, which Council is committed to negotiating in good faith;
5. Advise Riverglade Holdings Pty Ltd that Council is unable to provide a permanent deferment of any action arising from Resolution number M136/24.

Cr Thomson/Cr Armour

CARRIED UNANIMOUSLY

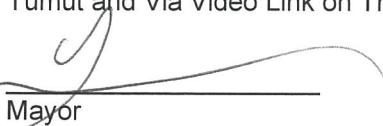
Cr Hayes left the meeting 2.33pm and returned at 2.35pm.

8.2. NOTICE OF MOTION - LIBRARIES COST SAVING METHOD - CR HUGHES

M170/24 RESOLVED:

THAT COUNCIL:

1. Ensure cost saving measures in the Library service area meet the requirements in motion M126/24 and maintain the maximum possible opening hours;
2. Applies the Community Engagement Policy when planning cuts to service levels across the council area;



Mayor



Interim General Manager

3. Responds effectively and in a meaningful way to petitions from the community, as per the Community Engagement Policy;
4. Ensures efficiency and value for money as key considerations when cuts to services are required as per the Community Engagement Policy principle 10;
5. Has Batlow Library open for 5 days a week for 3 hours a day and that the extra 2 hours come from the Tumut Library hours.

Cr Hughes/Cr Ham

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

Against: Cr Larter

CARRIED

8/1

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS

10.1. DE-AMALGAMATION UPDATE

M171/24 RESOLVED:

THAT COUNCIL:

1. Note the report on the de-amalgamation update.

Cr Thomson/Cr Ivill

CARRIED UNANIMOUSLY

10.2. REVIEW AND APPROVAL OF 2024/2025 RE-VOTES


M172/24 RESOLVED:

THAT COUNCIL:

1. Approve the 2023/2024 re-votes and increase the capital budget for 2024/2025 by \$2,705,000; and
2. Note the carry over projects of \$3,938,049 for capital expenditure in 2024/2025.

Cr Thomson/Cr Ham

CARRIED UNANIMOUSLY



Mayor

Interim General Manager

10.3. ATTENDANCE - ALGA 2024 NATIONAL GENERAL ASSEMBLY 1-5 JULY CANBERRA

M173/24 RESOLVED:

THAT COUNCIL:

1. Note the report on the ALGA 2024 National General Assembly outcomes from Deputy Mayor Trina Thomson.

Cr Thomson/Cr Hughes

CARRIED UNANIMOUSLY

10.4. PECUNIARY INTEREST RETURNS FOR DESIGNATED STAFF AND ARIC MEMBERS

M174/24 RESOLVED:

THAT COUNCIL:

1. Note the following Declarations of Pecuniary Interest Returns from Councillors and Designated Officers as at 30 June 2024 as listed in accordance with the *Code of Conduct*:
 - o Councillors: Cr Johanna (Hansie) Armour, Cr Ian Chaffey, Cr Julia Ham, Cr James Hayes, Cr Samuel Hughes, Cr Michael Ivill, Cr John Larter, Cr Brent Livermore, Cr Trina Thomson;
 - o Designated Staff: Interim General Manager-Sтивен Pinnuck, Director Infrastructure & Works-Duncan Mitchell, Director Community & Corporate-Jessica Quilty, Executive Manager Growth & Development-Nicholas Wilton;
 - o Audit Risk & Improvement Committee : Chairperson-Kylie McRae and Committee Members-Carolyn Rosetta-Walsh & Dennis Vaccher; and
2. Approve the redacted Pecuniary Interest Returns for the Councillors and Designated Staff to be placed on Council's website in accordance with the current Information and Privacy Commission Guideline 1 *Returns of Interests*.

Cr Ham/Cr Livermore

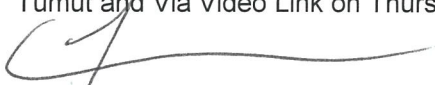
CARRIED UNANIMOUSLY

10.5. WATER AND WASTEWATER CHARGING POLICY ADOPTION

M175/24 RESOLVED:

THAT COUNCIL:

1. Receive the report on the DRAFT Water and Wastewater Charging Policy SVC-ENG-PO-105-03 noting the feedback from public exhibition;
2. Note the two (2) submissions received for the Draft Water and Wastewater Charging Policy;
3. Adopt the exhibited DRAFT Water and Wastewater Charging Policy SVC-ENG-PO-105-03 without changes;


Mayor
Interim General Manager

4. Write to the submitters, thanking them for their input and advising them of the outcome to their submission.

Cr Ham/Cr Armour

CARRIED UNANIMOUSLY

10.6. STATEMENT OF INVESTMENTS - JULY 2024

M176/24 RESOLVED:

THAT COUNCIL:

1. Note the report on Statement of Investments - July 2024.

Cr Hughes/Cr Livermore

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS

12. MINUTES OF COMMITTEE MEETINGS

12.1. MINUTES - ADELONG SHOWGROUND COMMITTEE - 13 FEBRUARY 2024 - 8 MAY 2024

M177/24 RESOLVED:

THAT COUNCIL:

1. Note the Minutes of the Adelong Showground Committee held on 13 February 2024 and 8 May 2024.

Cr Hayes/Cr Ham

CARRIED UNANIMOUSLY

12.2. MINUTES - BATLOW CIDER RAIL TRAIL STEERING COMMITTEE - 24 JULY 2024

M178/24 RESOLVED:

THAT COUNCIL:

1. Note the Minutes of the Batlow Cider Rail Trail Steering Committee held on 24 July 2024; and
2. Adopt the following recommendation/s from the minutes:
 - 2a. The Committee appoints the Chairperson as David Purcell.

Cr Hughes/Cr Ham

CARRIED UNANIMOUSLY

12.3. MINUTES - GLENROY HERITAGE RESERVE COMMITTEE - 10 JULY 2024**M179/24 RESOLVED:**

THAT COUNCIL:

1. Note the Minutes of the Glenroy Heritage Reserve Annual General Meeting held on 10 July 2024; and
2. Endorse the nominations of the following committee members:
 - a. President: Bruce Wright
 - b. Vice President: Neil Christie
 - c. Treasurer: Stephen Weeks
 - d. Secretary: Jamie Metcalf
3. Provide a letter of appreciation to Mr Neil Christie for his outstanding service to the committee.

Cr Ham/Cr Ivill

CARRIED UNANIMOUSLY**13. CONFIDENTIAL**

M180/24 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:

13.1 CONFIDENTIAL - ADELONG SERVICES & BOWLING CLUB - ADELONG CARAVAN PARK LEASE AGREEMENT

Item 13.1 is confidential under the Local Government Act 1993 Section 10A (2) (d) (ii) as it relates to commercial information of a confidential nature 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 Thomson/Cr Livermore

CARRIED UNANIMOUSLY

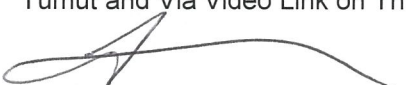
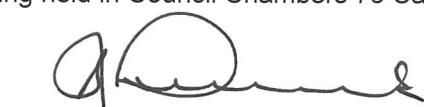
The meeting was closed to the public at 3.09pm.

M181/24 RESOLVED to move back into Open Session.

Cr Ham/Cr Armour

CARRIED UNANIMOUSLY

At this stage, the time being 3.35pm the meeting was re-opened to the public.


Mayor
Interim General Manager

Cr Hayes and Cr Larter left the meeting at 3.35pm.

13.1. CONFIDENTIAL - ADELONG SERVICES & CITIZENS AND BOWLING CLUB - ADELONG CARAVAN PARK LEASE AGREEMENT

MOTION:

THAT COUNCIL:

1. Enters into a new lease arrangement with the Adelong Services & Citizens and Bowling Club for the Council owned property which is 7,053 m2 of Council owned freehold operational land, located at 11-13 Victoria Hill Road, Adelong;
2. Notes as per the Council Resolution M136/24 at its 20 June 2024 meeting, the lease arrangement with the Adelong Services & Citizens and Bowling Club is for an initial five (5) year period which will commence on 18 August 2024 through to 18 August 2029 with options to renew the lease for further 5 x 5 years;
3. Enters into the new lease arrangement on the lease payment terms and conditions outlined in the attached lease which is \$12,000 per annum;
4. Notes the other capital improvements to the Caravan Park site that the Adelong Services & Citizens & Bowling Club has committed to undertake in the first 18 months of the new lease and which are incorporated as lessee obligations to be fulfilled under the new lease;
5. Authorises the Interim General Manager or delegate to enter into direct negotiation and finalise the draft Lease with the Adelong Services & Citizens Bowling Club;
6. Authorises the Interim General Manager at the end of successful negotiations to enter into a new lease arrangement with the Adelong Services & Citizens & Bowling Club for the Council owned property (L131 - 7,053m2 of Council freehold operational land) located at 11-13 Victoria Hill Road, Adelong;
7. Authorises the Interim General Manager and Mayor to affix the Council Seal and execute all associated documentation to the lease agreement;
8. Upon execution of the lease, advertises information relating to the lease / leases in accordance with the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with Private Sector; and
9. Treat matters in the Confidential Report specified in Sections 10A(2)(d)(ii) as confidential and remain confidential until Council determines otherwise.

Cr Hayes/Cr Larter

M182/24 RESOLVED to move into Committee of the Whole.

Cr Thomson/Cr Armour

CARRIED UNANIMOUSLY


Cr Ivill left the meeting at 3.23pm and returned at 3.24pm.

M183/24 RESOLVED to move out of Committee of the Whole.

Cr Hughes/Cr Ham

CARRIED UNANIMOUSLY

The Mayor declared the above motion null and void.



Mayor



Interim General Manager

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

M184/24 RESOLVED**THAT COUNCIL:**

1. Enters into a new lease arrangement with the Adelong Services & Citizens and Bowling Club for the Council owned property which is 7,053 m2 of Council owned freehold operational land, located at 11-13 Victoria Hill Road, Adelong;
2. Notes as per the Council Resolution M136/24 at its 20 June 2024 meeting, the lease arrangement with the Adelong Services & Citizens and Bowling Club is for an initial five (5) year period which will commence on 18 August 2024 through to 18 August 2029 with options to renew the lease for further 5 x 5 years;
3. Enters into the new lease arrangement on the lease payment terms and conditions outlined in the attached lease which is \$15,000 per annum with a 2% annual market increase plus a CPI increase applied at the anniversary of the executed lease agreement each year (Annual rental increase);
4. Notes the other capital improvements to the Caravan Park site that the Adelong Services & Citizens & Bowling Club has committed to undertake in the first 18 months of the new lease and which are incorporated as lessee obligations to be fulfilled under the new lease;
5. Authorises the Interim General Manager or delegate to enter into direct negotiation and finalise the draft Lease with the Adelong Services & Citizens Bowling Club;
6. Authorises the Interim General Manager at the end of successful negotiations to enter into a new lease arrangement with the Adelong Services & Citizens & Bowling Club for the Council owned property (L131 - 7,053m2 of Council freehold operational land) located at 11-13 Victoria Hill Road, Adelong;
7. Authorises the Interim General Manager and Mayor to affix the Council Seal and execute all associated documentation to the lease agreement;
8. Upon execution of the lease, advertises information relating to the lease / leases in accordance with the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with Private Sector; and
9. Treat matters in the Confidential Report specified in Sections 10A(2)(d)(ii) as confidential and remain confidential until Council determines otherwise.

Cr Ham/Cr Livermore

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

Against: Cr Hayes, Cr Larter

CARRIED

7/2

14. MEETING CLOSURE

The Deputy Mayor thanked Mayor, Cr Chaffey and Cr Livermore for their service.

There being no further business to discuss, the meeting closed at 3.47pm.