

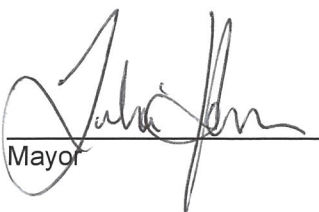


## **ORDINARY MEETING**

## **MINUTES**

**Thursday, 21 November 2024**

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



Mayor



Interim General Manager



Thursday, 21 November 2024

In the Council Chambers 76 Capper Street Tumut and Via Video Link

2:00 PM

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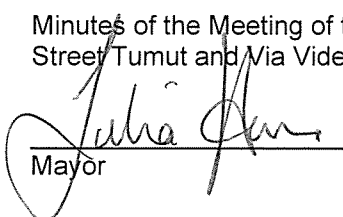
A handwritten signature in black ink, appearing to read "Julia", is written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to read "Graham", is written over a horizontal line.

Interim General Manager

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Mayor



Interim General Manager

**PRESENT:** Mayor Julia Ham, Cr Grant Hardwick, Cr James Hayes, Cr Michael Inglis, Cr John Larter, Cr Hugh Packard, Cr David Sheldon, Cr Trina Thomson, Cr Andrew Wortes

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

## 1. PUBLIC FORUM

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The following speakers addressed the Public Forum:

- Donna Martin and Dwayne Murray spoke for Item 11.2 Snowy Valleys Emergency Evacuation Centre and Multipurpose Facility Project General Update
- Grace Hooper and Emma Peacock spoke for Item 6.1 Petition Opposing the Proposed Location of the Proposed Multipurpose Centre at Richmond Park, Tumut
- John Williams spoke to Item 11.1 Adoption of Council Managed Crown Land Plan of Management

## 2. ACKNOWLEDGEMENT OF COUNTRY

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

## 3. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

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Nil.

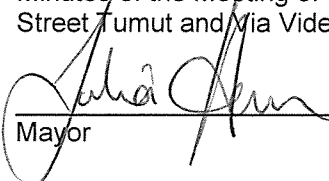
## 4. DECLARATIONS OF PECUNIARY INTEREST

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Cr Inglis declared a non-significant non-pecuniary interest in relation to report 13.1 'Confidential Mayoral Minute: Replacement of Interim General Manager', due to the Director Community & Corporate's family member once being a close personal friend and will choose to leave the room during discussion.

The Director Community & Corporate declared a non-pecuniary/significant interest in relation to report 8.3 Notice of Rescission - Sale of Council Freehold Request Land Lot 1 DP 1163661 Tumut - Crs Inglis, Sheldon and Hayes, due to family member being an interested party and will leave the room during discussion.

The Director Community & Corporate declared a non-pecuniary/significant interest in relation to report 13.2 Confidential - Legal Matters 131-133 Herbert Street Tumut due to subject site being a neighbouring property and will leave the room during discussion.



Mayor



Interim General Manager

## 5. CONFIRMATION OF MINUTES

---

**M242/24 RESOLVED:**

THAT COUNCIL receive and confirm as an accurate record the following Minutes of Ordinary and Extraordinary meetings by exception:

- 5.1 Minutes - Extraordinary Council - 10 October 2024
- 5.2 Minutes - Ordinary Council - 17 October 2024
- 5.3 Minutes - Extraordinary Council - 31 October 2024
- 5.4 Minutes - Extraordinary Council - 7 November 2024

Cr Larter/Cr Sheldon

**CARRIED UNANIMOUSLY**

**M243/24 RESOLVED** to move Item 10.7 Presentation of 2023/24 Annual Financial Statements forward.

Cr Packard/Cr Sheldon

**CARRIED UNANIMOUSLY**

Mr Nicky Rajani (NSW Audit Office) addressed Council.

## 10.7. PRESENTATION OF 2023/24 ANNUAL FINANCIAL STATEMENTS

**M244/24 RESOLVED:**

THAT COUNCIL:

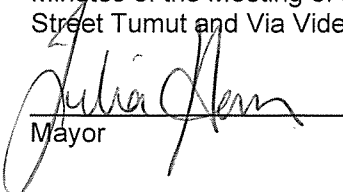
1. Note the report on the Presentation of the 2023/2024 Annual Financial Statements; and
2. Formally present the 2023/2024 Audited Financial Statements and Audit Reports to the public in accordance with Sections 418 and 419 of the *Local Government Act 1993*.

Cr Packard/Cr Wortes

**CARRIED UNANIMOUSLY**

**M245/24 RESOLVED** to move back to the order of business.

Cr Thomson/Cr Hardwick

**CARRIED UNANIMOUSLY**

Mayor



Interim General Manager

## 6. CORRESPONDENCE/PETITIONS

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### 6.1. PETITION OPPOSING THE PROPOSED LOCATION OF THE PROPOSED MULTIPURPOSE CENTRE AT RICHMOND PARK TUMUT

**M246/24 RESOLVED:**

## THAT COUNCIL:

1. Receive the two petitions opposing the location of the proposed Snowy Valleys Emergency Evacuation Centre and Multipurpose Facility at Richmond Park, Tumut; and
2. Notify the chief petitioners of the upcoming opportunities for community participation in the project.

Cr Larter/Cr Sheldon

**CARRIED UNANIMOUSLY**

## 7. MAYORAL MINUTE

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The Mayor spoke on the success of recent activities facilitated by Council and the community – the Bloom event; the Tumut Rotary Snowy Valleys Cycle Challenge; Tumbarumba Flower Festival; Jamming at Jingellic; Snowy Valleys Heros book launch; Weathering of the Dry. Letters will be sent to organisers congratulating them on their success.

Refer to Confidential Item 13.1 for the Mayoral Minute – Replacement of Interim General Manager.

## 8. NOTICE OF MOTION/NOTICE OF RESCISSION

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### 8.1 NOTICE OF RESCISSION – MURRAY REGION FIRE PROTECTION GRANT – CRS HAM, PACKARD, SHELDON

**MOTION:**

## THAT COUNCIL:

1. Rescind resolution number M213/24.

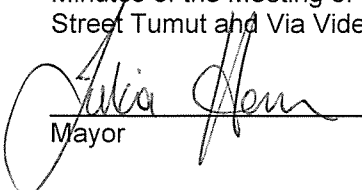
Cr Packard/Cr Wortes

**M247/24 RESOLVED** to move into Committee of the Whole.

Cr Larter/Cr Hayes

**CARRIED UNANIMOUSLY**

Cr Hayes left the meeting at 3.27pm and returned at 3.29pm.

  
Mayor  
Interim General Manager

**M248/24 RESOLVED** to move out of Committee of the Whole.

Cr Wortes/Cr Hayes

**CARRIED UNANIMOUSLY**

**M249/24 RESOLVED:**

THAT COUNCIL:

1. Rescind resolution number M213/24 that being:

**M213/24 RESOLVED**

THAT COUNCIL:

2. Not support the Tumut Aerodrome hangar application and seek Softwoods Working Group endorsement of Council's application to facilitate the acquisition of land for the future extension of the runway.

Cr Larter/Cr Packard

**For:** Cr Ham, Cr Hayes, Cr Hardwick, Cr Inglis, Cr Larter, Cr Packard, Cr Wortes

**Against:** Cr Thomson, Cr Sheldon

7 / 2

**CARRIED**

Cr Packard/Cr Wortes

**For:** Cr Ham, Cr Hardwick, Cr Hayes, Cr Packard, Cr Thomson, Cr Wortes

**Against:** Cr Inglis, Cr Larter, Cr Sheldon

**CARRIED**

6/3

**M250/24 RESOLVED:**

THAT COUNCIL:

1. Receive a further report on the funding opportunities under the Murray Region Fire Grant Program.

Cr Thomson/Cr Wortes

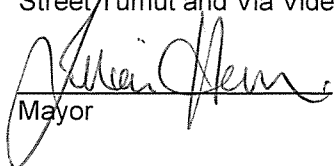
**CARRIED UNANIMOUSLY**

## **8.2 NOTICE OF RESCISSION – SECTION 7.11 DEVELOPMENT CONTRIBUTIONS UPDATE AND DRAFT SECTION 7.12 DEVELOPMENT CONTRIBUTIONS PLAN 2024 – CRS SHELDON, HAYES, LARTER**

**M251/24 RESOLVED:**

THAT COUNCIL:

1. Rescind Resolution M221/24 parts 2, 3 and 4 only:

  
Mayor

  
Interim General Manager

2. Note that the current Section 7.11 Development Contribution Plans (Open Space) and (Roads), and Development Contributions - management, remain in force until the date of final adoption of the section 7.12 Development Contributions Plans at which date the plans will be repealed in accordance with clause 215 of the *Environmental Planning and Assessment Regulation 2021*; and
3. Allocate the following restricted funds from the Developer Contributions (General) to the following projects:
  - a. \$30,000 to the General Fund as a reimbursement for the Batlow Pool Accessibility Upgrades;
  - b. \$150,000 to the Bottlebrush Drive Tumut Recreational Space embellishment works and park upgrades and accessibility;
  - c. \$150,000 to the Rotary Pioneer Park, Tumut Recreational Space - Shade Infrastructure;
  - d. \$60,000 to the Tumut Riverwalk accessibility and directional signage in accordance with the Tracks and Trails Master Plan outcomes;
  - e. \$25,000 to the Tumut Town Centre Traffic Study 2023 Recommendations (Road and Pedestrian Safety);
  - f. \$7,500 to General Fund for Plan Administration of the section 7.12 Contributions Plan;
  - g. \$142,541 shall be allocated to the general fund for road projects identified under the Roads Contributions Plans; and
  - h. \$8,804.33 be transferred from the Section 7.11 Development Contributions Reserve to a Section 7.12 Development Contributions Reserve for allocation to projects identified in the plan.
4. Note that the designs for the capital works items listed in this report are brought back to council for design approval before being implemented.

Cr Thomson/Cr Packard

**For:** Cr Ham, Cr Hardwick, Cr Inglis, Cr Larter, Cr Packard, Cr Thomson

**Against:** Cr Hayes, Cr Sheldon, Cr Wortes

6 / 3

**CARRIED**

Cr Sheldon/Cr Larter

**For:** Cr Packard, Cr Larter, Cr Hayes, Cr Inglis, Cr Hardwick, Cr Wortes, Cr Sheldon, Cr Ham

**Against:** Cr Thomson

**CARRIED**

8/1

## **M252/24 RESOLVED:**

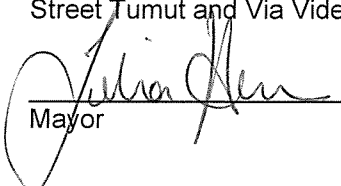
THAT COUNCIL:

1. Receive a further report to the February 2025 meeting, including all projects from the section 7.11 plan to enable the allocation of section 7.11 Developer Contributions (Open Space) and (Roads) and Developer Contributions - Management to be subject to further consideration.

Cr Packard/Cr Wortes

**CARRIED UNANIMOUSLY**

The Director Community & Corporate left the meeting at 3.52pm.

  
Mayor

  
Interim General Manager



### 8.3 NOTICE OF RESCISSION – SALE OF COUNCIL FREEHOLD REQUEST LAND LOT 1 DP1163661 TUMUT – CRS INGLIS, SHELDON AND HAYES

#### MOTION:

THAT COUNCIL:

Rescind Resolution M209/24:

#### M209/24 RESOLVED:

THAT COUNCIL:

1. Authorise the sale of Council freehold land at Lot 1 DP 1163661 on Capper Street in Tumut through the process of a Public Expression of Interest and / or a public auction / private treaty process if no suitable Expressions of Interest are received;
2. Approve the addition of an easement for access to Council's Stormwater and Sewer Services as well as power lines located at the rear of the site - Lot 1 DP 1163661 at Capper Street - Tumut;
3. Acknowledge that the creation of the easement over Lot 1 DP 1163661 will only be undertaken subject to acceptance of the terms of sale being met including:
  - a. Council accepting a suitable offer for the sale of the land;
  - b. The sale price of the land is to be determined by an independent valuation based on the future land use zoning and not the current zoning of the land as well as the future permissible use of the land under Council's current Local Environmental Plan and Development Control Plan;
  - c. Compliance with the legislative framework for the sale of land contained within the 'Real Property Act 1900,' and the current NSW Registrar Generals - Land Registry Services Guidelines; and
  - d. The area of land (m2) to be sold and the required easement is to be confirmed in a land survey prepared by a registered land surveyor.
4. All adjoining property owners will be notified of the Public Expression of Interest process that Council is undertaking; and
5. A Report will be brought back to Council on the outcome of the Public Expression of Interest.

Cr Hayes/Cr Packard

**CARRIED UNANIMOUSLY**

Cr Inglis/Cr Sheldon

*Cr Sheldon left the meeting at 3.58pm and returned at 4.00pm*

*Cr Wortes left the meeting at 4.00pm and returned at 4.02pm.*

**M253/24 RESOLVED** to move into Committee of the Whole.

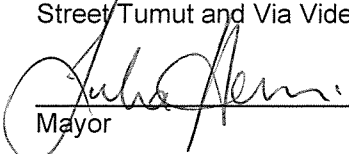
Cr Thomson/Cr Hardwick

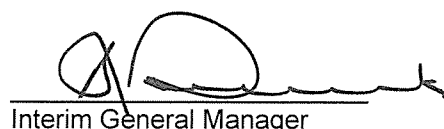
**CARRIED UNANIMOUSLY**

**M254/24 RESOLVED** to move out of Committee of the Whole.

Cr Thomson/Cr Hardwick

**CARRIED UNANIMOUSLY**

  
Mayor

  
Interim General Manager

**M255/24 RESOLVED**

## THAT COUNCIL:

1. Rescind Resolution M209/24:

**M209/24 RESOLVED:**

## THAT COUNCIL:

1. Authorise the sale of Council freehold land at Lot 1 DP 1163661 on Capper Street in Tumut through the process of a Public Expression of Interest and / or a public auction / private treaty process if no suitable Expressions of Interest are received;
2. Approve the addition of an easement for access to Council's Stormwater and Sewer Services as well as power lines located at the rear of the site - Lot 1 DP 1163661 at Capper Street - Tumut;
3. Acknowledge that the creation of the easement over Lot 1 DP 1163661 will only be undertaken subject to acceptance of the terms of sale being met including:
  - a. Council accepting a suitable offer for the sale of the land;
  - b. The sale price of the land is to be determined by an independent valuation based on the future land use zoning and not the current zoning of the land as well as the future permissible use of the land under Council's current Local Environmental Plan and Development Control Plan;
  - c. Compliance with the legislative framework for the sale of land contained within the 'Real Property Act 1900,' and the current NSW Registrar Generals - Land Registry Services Guidelines; and
  - d. The area of land (m2) to be sold and the required easement is to be confirmed in a land survey prepared by a registered land surveyor.
4. All adjoining property owners will be notified of the Public Expression of Interest process that Council is undertaking; and
5. A Report will be brought back to Council on the outcome of the Public Expression of Interest.

Cr Hayes/Cr Packard

**CARRIED UNANIMOUSLY**

Cr Inglis/Cr Sheldon

For: Cr Packard, Cr Hayes, Cr Larter, Cr Inglis, Cr Sheldon

Against: Cr Thomson, Cr Hardwick, Cr Wortes, Cr Ham

**CARRIED**

5/4

**M256/24 RESOLVED:**

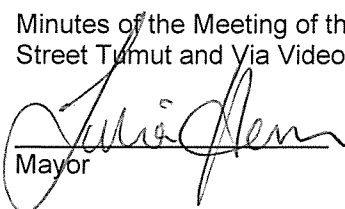
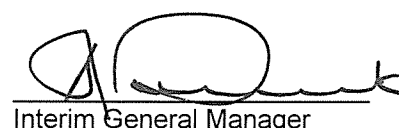
## THAT COUNCIL:

1. Endorse seeking Expressions of Interest for the sale and use of the site Lot 1 DP1163661;
2. Receive a further report on the outcome of Expressions of Interest; and
3. Receive a report on potential future uses of the site.

Cr Inglis/Cr Sheldon

**CARRIED UNANIMOUSLY****M257/24 RESOLVED** that Council adjourn for a short break.

Cr Hardwick/Cr Packard

**CARRIED UNANIMOUSLY**  
Mayor  
Interim General Manager

At this point, the time being 4.22pm, the meeting adjourned.

**M258/24 RESOLVED** to resume the meeting.

Cr Larter/Cr Wortes

**CARRIED UNANIMOUSLY**

At this point, the time being 4.29pm, the meeting resumed.

The Director Community & Corporate returned to the meeting at 4.29pm.

## **8.4 NOTICE OF MOTION – NEW ADVOCACY PLAN – CR JAMES HAYES**

**M259/24 RESOLVED:**

THAT COUNCIL:

1. Urgently engage with peak community bodies to develop a new advocacy plan for Snowy Valleys Council.

Cr Hayes/Cr Hardwick

For: Cr Hayes, Cr Larter, Cr Inglis, Cr Hardwick, Cr Wortes, Cr Sheldon, Cr Ham

Against: Cr Thomson, Cr Packard

**CARRIED**

7/2

## **8.5 NOTICE OF MOTION – POTABLE WATER TO AIRPORT PRECINCT – CR JAMES HAYES**

**M260/24 RESOLVED:**

THAT COUNCIL:

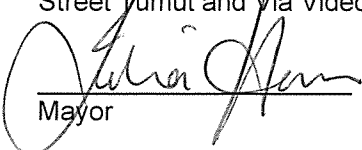
1. Investigate the options of supplying potable water to the airport precinct and beyond including investigating funding sources.

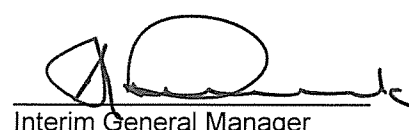
Cr Hayes/Cr Larter

**CARRIED UNANIMOUSLY**

## **9. URGENT BUSINESS WITHOUT NOTICE**

Nil.

  
Mayor

  
Interim General Manager

## 10. GOVERNANCE AND FINANCIAL REPORTS

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### 10.1. COUNCIL RESOLUTIONS ACTION REPORT

#### **M261/24 RESOLVED:**

THAT COUNCIL:

1. Note the report on the Council resolutions actions; and
2. Include the resolutions report within the business paper, rather than as an attachment.

Cr Thomson/Cr Packard

**CARRIED UNANIMOUSLY**

### 10.2. DE-AMALGAMATION UPDATE

#### **M262/24 RESOLVED:**

THAT COUNCIL:

1. Note the report on the De-amalgamation Update and consider all three recommendations separately.

Cr Hayes/Cr Sheldon

**CARRIED UNANIMOUSLY**

#### **M263/24 RESOLVED:**

2. Endorse the Snowy Valleys Council Financial Sustainability Plan

Cr Hayes/Cr Thomson

For: Cr Thomson, Cr Packard, Cr Hayes, Cr Hardwick, Cr Wortes, Cr Ham

Against: Cr Inglis, Cr Sheldon, Cr Larter

**CARRIED**

6/3

#### **M264/24 RESOLVED:**

3. 'In-Principal' support the implementation of Scenario 4 which includes the implementation of a Special Rating Variation of 32.4% (in addition to rate pegging) over 7 years.

Cr Thomson/Cr Wortes

For: Cr Thomson, Cr Packard, Cr Hardwick, Cr Wortes, Cr Ham

Against: Cr Hayes, Cr Larter, Cr Inglis, Cr Sheldon

**CARRIED**

5/4

**10.3. DRAFT STATE OF OUR REGION REPORT 2022-2024****M265/24 RESOLVED:****THAT COUNCIL:**

1. Note the State of Our Region report (2022-2024).

Cr Thomson/Cr Hardwick

**CARRIED UNANIMOUSLY****10.4. DRAFT SNOWY VALLEYS COUNCIL'S ANNUAL REPORT 2023/2024****M266/24 RESOLVED:****THAT COUNCIL:**

1. Endorse the 2023/2024 Annual Report; and
2. Approve a copy of the 2023/2024 Annual Report including the 2023/2024 Audited Financial Statement be placed on Council's website and submitted to the Office of Local Government by 30 November 2024.

Cr Packard/Cr Wortes

**CARRIED UNANIMOUSLY****10.5. DRAFT COMMUNITY ENGAGEMENT STRATEGY AND DRAFT COMMUNITY ENGAGEMENT POLICY FOR PUBLIC EXHIBITION****MOTION:**

1. THAT COUNCIL set up a committee comprising staff, members of the general public and a councillor to draft/scope a new community engagement strategy/policy.

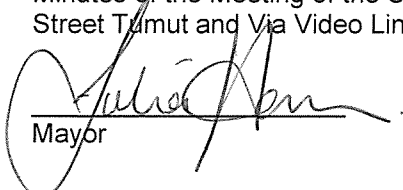
Cr Sheldon/Cr Larter

**AMENDEMENT:**

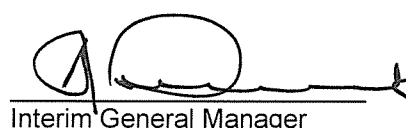
1. Endorse the Draft Community Engagement Strategy (SVC-RP-STY-003-02) and Draft Community Engagement Policy (SVC-EXE-PO-017-03) for public exhibition for a period of no less than 28 days;
2. Note if submissions are received during the exhibition, a further report will be provided to Council;
3. Adopt the Community Engagement Strategy (SVC -RP-STY-003-02) and Community Engagement Policy (SVC-EXE-PO-017-03) if no submissions are received on the day after the completion of the public exhibition period; and
4. Establish an effective communication mechanism to assist in the review of a community engagement strategy/policy.

Cr Thomson/Cr Hardwick

*The amendment was put and carried.*

**CARRIED**

Mayor



Interim General Manager

**M267/24 RESOLVED:**

1. Endorse the Draft Community Engagement Strategy (SVC-RP-STY-003-02) and Draft Community Engagement Policy (SVC-EXE-PO-017-03) for public exhibition for a period of no less than 28 days;
2. Note if submissions are received during the exhibition, a further report will be provided to Council;
3. Adopt the Community Engagement Strategy (SVC -RP-STY-003-02) and Community Engagement Policy (SVC-EXE-PO-017-03) if no submissions are received on the day after the completion of the public exhibition period; and
4. Establish an effective communication mechanism to assist in the review of a community engagement strategy/policy.

Cr Thomson/Cr Hardwick

*The amendment became the motion and was put and carried.*

**CARRIED UNANIMOUSLY****10.6. QUARTERLY BUDGET REVIEW AS OF 30 SEPTEMBER 2024****M268/24 RESOLVED:**

THAT COUNCIL:

1. Receive and adopt the Quarterly Budget Review as at 30 September 2024; and
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the 30 September 2024 Quarterly Budget Review.

Cr Packard/Cr Wortes

**CARRIED UNANIMOUSLY**

*Cr Sheldon left the meeting at 5.21pm and returned at 5.23pm.*

**10.8. STATEMENT OF INVESTMENTS – OCTOBER 2024****M269/24 RESOLVED:**

THAT COUNCIL:

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

Cr Wortes/Cr Sheldon

**CARRIED UNANIMOUSLY**

## 11. MANAGEMENT REPORTS

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### 11.1. ADOPTION OF COUNCIL MANAGED CROWN LAND PLAN OF MANAGEMENT

**M270/24 RESOLVED:**

THAT COUNCIL:

1. Formally adopt the updated Council Managed Crown Land Plan of Management (Reserves) pursuant to Section 40 of the *Local Government Act 1993* in accordance with 3.23 (6) of the *Crown Land Management Act 2016*.

Cr Thomson/Cr Hardwick

Cr Packard left the meeting at 5.30pm and returned at 5.32pm

**CARRIED UNANIMOUSLY**

### 11.2. SNOWY VALLEYS EVACUATION AND MULTIPURPOSE CENTRE PROJECT GENERAL UPDATE

**M271/24 RESOLVED:**

THAT COUNCIL:

1. Note the Snowy Valleys Emergency Evacuation Centre and Multipurpose Facility Project General Update Report.

Cr Hayes/Cr Packard

**CARRIED UNANIMOUSLY**

Cr Hayes left the meeting at 5.45pm and returned at 5.47pm.

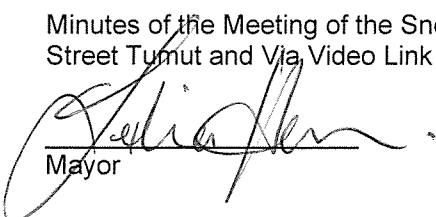
### 11.3. MURRAY REGION FIRE PROTECTION GRANT – TUMUT AERODROME HANGAR

**M272/24 RESOLVED:**

THAT COUNCIL:

1. Approve the submission of the Tumut Aerodrome Hangar Project under the Murray Region Fire Protection Grant;
2. Seek assurance that the locally based fire-fighting capacity currently available to the region will not be diminished by the addition of the hangar; and
3. Advocate for a longer-term contract for locally based fire-fighting services as offered to other bodies.

Cr Wortes/Cr Packard

**CARRIED UNANIMOUSLY**  
Mayor  
Interim General Manager

## 11.4. GET NSW ACTIVE GRANT OPPORTUNITY

### M273/24 RESOLVED:

#### THAT COUNCIL:

1. Endorse Council's grant funding submission for the following projects for funding under Get NSW Active Program:
  - a. Snowy Valleys Active Transport Strategy (\$100,000)
  - b. Forest Street, Tumut - Lambie Street to Capper Street (\$250,000)
  - c. Elm Drive, Tumut Walkway Design (\$150,000)
  - d. Memorial Avenue, Batlow (\$145,000)
  - e. Mitchell Avenue and Scott Street, Khancoban (\$200,000)

Cr Packard/Cr Thomson

**CARRIED UNANIMOUSLY**

## 12. MINUTES OF COMMITTEE MEETINGS

### 12.1. MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE – 30 OCTOBER 2024

#### M274/24 RESOLVED:

##### THAT COUNCIL:

1. Note the Minutes of the Extra-Audit Risk and Improvement Committee held on 30 October 2024.

Cr Packard/Cr Sheldon

**CARRIED UNANIMOUSLY**

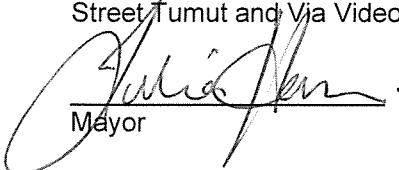
## 13. CONFIDENTIAL

### M275/24 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:

Item 13.1 Mayoral Minute 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.

Item 13.2 is confidential under the Local Government Act 1993 Section 10A (2) (g) as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.



Mayor



Interim General Manager



Item 13.3 is confidential under the Local Government Act 1993 Section 10A (2) (b) and (e) as it relates to discussion in relation to the personal hardship of a resident or ratepayer and information that would, if disclosed, prejudice the maintenance of land and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Item 13.4 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.

Item 13.5 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 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.

Item 13.6 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 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.

Item 13.7 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.

Item 13.8 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 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 Thomson/Cr Hardwick

**CARRIED UNANIMOUSLY**

Cr Larter left the meeting at 5.59pm and returned at 6.00pm.

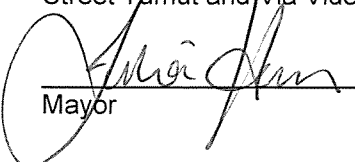
At this point, the time being 6.00pm, the meeting went into confidential session.

**M276/24 RESOLVED** to move item 13.1 to the end of the confidential session.

Cr Thomson/Cr Sheldon

**CARRIED UNANIMOUSLY**

Director Community & Corporate left the meeting at 6.05pm.

  
Mayor

  
Interim General Manager

**13.2. CONFIDENTIAL – LEGAL MATTERS 131 – 133 HERBERT STREET TUMUT****M277/24 RESOLVED:****THAT COUNCIL:**

1. Defend the matter in the New South Wales Land and Environment Court and retain legal representation including allocation of appropriate funding to defend the appeal as outlined in the report.

Cr Thomson/Cr Packard

For: Cr Thomson, Cr Packard, Cr Larter, Cr Inglis, Cr Hardwick, Cr Wortes, Cr Ham

Against: Cr Hayes, Cr Sheldon

**CARRIED**

7/2

Director Community & Corporate returned to the meeting at 6.10pm.

**13.3. CONFIDENTIAL – WRITE-OFF OF DEBTS****M278/24 RESOLVED:****THAT COUNCIL:**

1. Note the write-off and adjustments totalling \$15,605.06 made under delegated authority for the period of 1 September 2023 to 31 October 2024.

Cr Sheldon/Cr Packard

For: Cr Thomson, Packard, Cr Inglis, Cr Hardwick, Cr Wortes, Cr Sheldon, Cr Ham

Against: Cr Larter, Cr Hayes

**CARRIED**

7/2

**13.4. CONFIDENTIAL RFT 2024/11 DESIGN OF THE TUMUT EVACUATION AND MULTIPURPOSE CENTRE – TENDER REPORT****M279/24 RESOLVED:****THAT COUNCIL:**

1. Note that this resolution is subject to the endorsement of expenditure by the Department of Primary Industries and Regional Development;
2. Resolve in accordance with Section 55 of the NSW *Local Government Act 1993* to accept the tender RFT 2024/11 from Facility Design Group Pty Ltd to prepare documentation for the Design of the Snowy Valleys Emergency Evacuation Centre and Multipurpose Facility for the tendered lump sum amount of \$469,523.75 excluding GST;

3. Authorise the Interim General Manager to enter into a contract with Facility Design Group Pty Ltd to prepare documentation for the Snowy Valleys Emergency Evacuation Centre and Multipurpose Facility;
4. Once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with the Private Sector;
5. The Confidential Report relating to matters specified in Sections 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise; and
6. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Packard/Cr Wortes

**CARRIED UNANIMOUSLY**

### **13.5. CONFIDENTIAL TENDER – RFT 2024-12 MR677 SLOPES REMEDIATION**

**M280/24 RESOLVED:**

THAT COUNCIL:

1. Resolve in accordance with Section 55 of the NSW *Local Government Act 1993* to accept the tender RFT 2024/12 from NEWTON GEOTECHNICAL SERVICES PTY LTD for the SLOPE REMEDIATION WORKS, on Transport for NSW (TfNSW) road asset MR677 ALPINE WAY, as a schedule of rates contract, with the estimated spend for the required geotechnical services being \$1,918,582.30 including GST.
2. Authorise the Interim General Manager to enter a contract with NEWTON GEOTECHNICAL SERVICES PTY for the MR677 ALPINE WAY SLOPE REMEDIATION WORKS;
3. Once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with the Private Sector.
4. The Confidential Report relating to matters specified in Sections 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise; and
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Thomson/Cr Sheldon

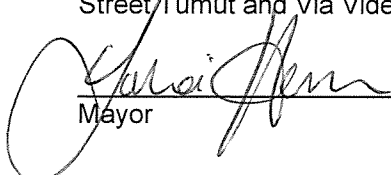
**CARRIED UNANIMOUSLY**

### **13.6. CONFIDENTIAL – RFT 2024/08 CONSTRUCTION OF AMENITIES BUILDING – RIVERGLADE OVAL TUMUT**

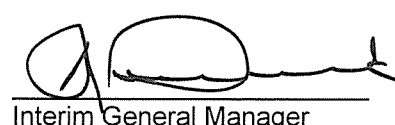
**M281/24 RESOLVED:**

THAT COUNCIL:

1. Resolve in accordance with Section 55 of the NSW *Local Government Act 1993* to accept the tender RFT 2024/08 from T Keenan Constructions Pty Ltd for the construction of an amenities building at Riverglade Oval, Tumut, for the tendered lump sum amount of \$618,181.82 excluding GST;
2. Authorise the Interim General Manager to enter into a contract with T Keenan Constructions Pty Ltd for the construction of an amenities building at Riverglade Oval, Tumut;



Mayor



Interim General Manager

3. Once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts with the Private Sector*;
4. The Confidential Report relating to matters specified in Sections 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise; and
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Sheldon/Cr Larter

**CARRIED UNANIMOUSLY**

### **13.7. CONFIDENTIAL – RFT 2024/09 – SURVEY AND DESIGN OF BRINDABELLA ROAD**

**M282/24 RESOLVED:**

THAT COUNCIL:

1. Resolve in accordance with Section 55 of the NSW *Local Government Act 1993* to accept the tender RFT 2024/09 from Rigore Engineering Services for Survey and Design Consultancy Services required for Stage 1 (10.6km section) of the Brindabella Road upgrade from Piccadilly Circus to the Brindabella Valley for the tendered lump sum amount of \$496,130.00 excluding GST;
2. Authorise the Interim General Manager to enter into a contract with Rigore Engineering Services for Survey and Design Consultancy Services required for Stage 1 (10.6km section) of the Brindabella Road upgrade from Piccadilly Circus to the Brindabella Valley;
3. Once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts with the Private Sector*;
4. The Confidential Report relating to matters specified in Sections 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise; and
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Sheldon/Cr Wortes

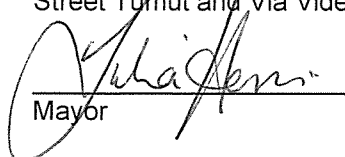
**CARRIED UNANIMOUSLY**

### **13.8. CONFIDENTIAL RFT 2024/04 TUMUT AERODROME UPGRADE**

**M283/24 RESOLVED:**

THAT COUNCIL:

1. Resolve in accordance with Section 55 of the NSW *Local Government Act 1993* to accept the tender RFT 2024/04 from Snowy Valleys Council Infrastructure Works Department for the upgrade of Tumut Aerodrome – Option 3, for the tendered lump sum amount of \$5,611,039.00 excluding GST;
2. Authorise the Interim General Manager to enter into a contract with Snowy Valleys Council Infrastructure Works Department for the upgrade of Tumut Aerodrome – Option 3;

  
Mayor

  
Interim General Manager

3. Once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by the *Government Information (Public Access) Act 2009* - Part 3 Division 5 - Government Contracts with the Private Sector;
4. The Confidential Report relating to matters specified in Sections 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise; and
5. Write to the unsuccessful tenderers advising of the outcomes of the tender process.

Cr Thomson/Cr Larter

**CARRIED UNANIMOUSLY**

Cr Inglis left the meeting at 6.43pm and did not return.

### **13.1. CONFIDENTIAL MAYORAL MINUTE: REPLACEMENT OF INTERIM GENERAL MANAGER**

**M284/24 RESOLVED:**

THAT COUNCIL:

1. Seek expressions of interest from Council's Directors to act in the position of General Manager for an initial period of twelve months subject to a six-month review.

Cr Sheldon/Cr Larter

**CARRIED UNANIMOUSLY**

**M285/24 RESOLVED** to move back into open session.

Cr Thomson/Cr Sheldon

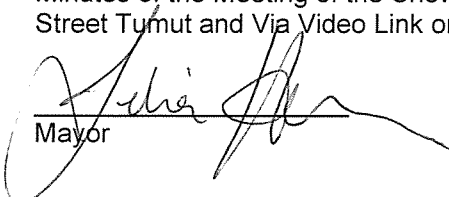
**CARRIED UNANIMOUSLY**

The Interim General Manager provided a verbal report of the resolutions made during confidential session.

## **14. MEETING CLOSURE**

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There being no further business to discuss, the meeting closed at 6.54pm.



Mayor



Interim General Manager