

**THE MINUTES OF THE COUNCIL MEETING HELD IN THE TUMUT ROOM, 67
CAPPER STREET, TUMUT ON THURSDAY 19 MAY 2022 COMMENCING AT 2.03PM**

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

IN ATTENDANCE: Chief Executive Officer Matthew Hyde, Acting Executive Director Infrastructure John Osland, Executive Chief of Staff Shelley Jones, Chief Financial Officer Susanne Andres, Manager Growth and Activation Nick Wilton and Executive Assistant Jeannie Moran-Fahey.

1. ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of country was delivered by the Mayor.

2. APOLOGIES, LEAVE OF ABSENCE AND REMOTE ATTENDANCE

M129/22 RESOLVED:

That the request for remote attendance from Cr Hayes, Cr Ham and Cr Thomson be received and granted.

Cr John Larter/Cr Sam Hughes

CARRIED UNANIMOUSLY

3. DECLARATIONS OF PECUNIARY INTEREST

Cr Armour declared a non-pecuniary interest in relation to report #11.2 'DA2022/0023 'Proposed Lot Consolidation and Boundary Adjustment – 738 Goobarragandra Road – Walls Creek Road East' and 11.3 'DA2021/0268 'Food and Drink Industry – Micro-Distillery – Lot 26 DP1018407' due to knowing the applicants and will leave the room during discussion and voting.

Executive Chief of Staff Shelley Jones declared a non-pecuniary interest in relation to report # L.2.1 'DA2022/0022 Proposed Alterations and Additions to a Dwelling Lot 6 Dp511399 - 51 Dalhunny Street, Tumut' due to being related to the applicant and will leave the room during discussion and voting.

Chief Financial Officer declared a pecuniary interest in relation to report # L.2.1 'DA2022/0022 Proposed Alterations and Additions to a Dwelling Lot 6 DP511399 - 51 Dalhunny Street, Tumut' due to being a tenant of one of the applicants and will leave the room during discussion and voting.

4. PUBLIC FORUM

Eight individuals addressed the Public Forum held immediately prior to the 19 May 2022 Ordinary Meeting of Council as follows:

Graeme Nix spoke *against* Item 11.3 DA2021/0268 For a Food and Drink Industry – Microdistillery at Lot 26 DP1018407;

David Sheldon spoke *against* Item 11.3 DA2021/0268 For a Food and Drink Industry – Microdistillery at Lot 26 DP1018407;

Michael McFeeters, JM Engineering and Ellen Webb *for* Item 11.3 DA2021/0268 For a Food and Drink Industry – Microdistillery at Lot 26 DP1018407;

Jenny and Dean Parry spoke *for* Item L.2.1. DA2022/0022 Proposed Alterations and Additions to a Dwelling Lot 6 DP511399 - 51 Dalhunny Street, Tumut;

Lyndsay Buckley & Judy Buckley spoke *for* Item 11.2 DA2022/0023 – Proposed Lot Consolidation and Boundary Adjustment – 738 Goobarragandra Road – Walls Creek Road East.

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING – 21 APRIL 2022

M130/22 RESOLVED:

That the Minutes of the Ordinary Council Meeting held on 21 April 2022 be received.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

5.2 BUSINESS ARISING

Cr Ham spoke to Item #11.3 'Road Name Change – Proposed Name Change from Mitchell Avenue to Wallaby Avenue – Khancoban'.

6. CORRESPONDENCE/PETITIONS

Nil.

7. NOTICE OF MOTION/NOTICE OF RESCISSION

7.1 NOTICE OF MOTION – REDUCTION AND REFUND OF SPORTING FIELD FEES FOR SCHOOLS – CR JAMES HAYES

RECOMMENDATION:

THAT COUNCIL:

1. Afford schools the same status as sporting clubs, viz \$500 p.a. in the 2021/22 financial year to use sports grounds, and that monies received from individual schools exceeding \$500 be returned.

2. That this be funded from the unspent 2021/22 financial year training budget for Cr Hayes, Cr Larter and Cr Ivill.

Cr James Hayes/Cr Julia Ham/Cr John Larter

M131/22 RESOLVED to move into the Committee of the Whole

Cr Trina Thomson/Cr Sam Hughes

Division

For

- Cr Ian Chaffey
- Cr Julia Ham
- Cr Johanna (Hansie) Armour
- Cr Brent Livermore
- Cr John Larter
- Cr Mick Ivill
- Cr Sam Hughes
- Cr Trina Thomson

Against

- Cr James Hayes

8/1

CARRIED

M132/22 RESOLVED to move out of the Committee of the Whole.

Cr John Larter/Cr Sam Hughes

CARRIED UNANIMOUSLY

M133/22 RESOLVED that the two recommendations for Item # 7.1 'Notice Of Motion – Reduction and Refund of Sporting Field Fees for Schools – Cr James Hayes' be dealt with seperately.

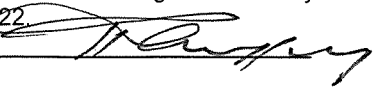
Cr Julia Ham/Cr Trina Thomson

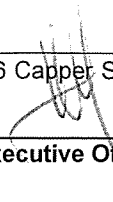
CARRIED UNANIMOUSLY

7.1 NOTICE OF MOTION – REDUCTION AND REFUND OF SPORTING FIELD FEES FOR SCHOOLS – CR JAMES HAYES

M134/22 RESOLVED:

THAT COUNCIL:


Mayor


Chief Executive Officer

1. Afford schools the same status as sporting clubs, viz \$500 pa to use sports grounds, and that monies received from individual schools exceeding \$500 be returned.

Cr James Hayes/Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY

7.1 NOTICE OF MOTION – REDUCTION AND REFUND OF SPORTING FIELD FEES FOR SCHOOLS – CR JAMES HAYES

M135/22 RESOLVED:

THAT COUNCIL:

- 2.. Enable this to be funded from unspent 2021/22 financial year training budget for Cr Hayes, Cr Larter and Cr Ivill.

Cr James Hayes/Cr Julia Ham/Cr John Larter

Division

For

Cr Johanna (Hansie) Armour
Cr Brent Livermore
Cr John Larter
Cr Mick Ivill
Cr James Hayes

Against

Cr Julia Ham
Cr Trina Thomson
Cr Sam Hughes
Cr Ian Chaffey

5/4

CARRIED

7.2 NOTICE OF MOTION – BLACKSPOT ONLY SPEED CAMERAS – CR JOHN LARTER

RECOMMENDATION:

THAT COUNCIL:

1. Formally request via writing to Transport for NSW that mobile speed cameras not be used within Snowy Valleys Council local government area unless being utilised within a blackspot area as ratified by the Local Traffic Committee.

Cr John Larter/Cr James Hayes

M136/22 RESOLVED:

to move into Committee of the Whole.

Division**For**

Cr Johanna (Hansie) Armour
 Cr Brent Livermore
 Cr John Larter
 Cr Mick Ivill
 Cr Trina Thomson
 Cr Sam Hughes
 Cr Ian Chaffey
 Cr Julia Ham

Against

Cr James Hayes

8/1

CARRIED

M137/22 RESOLVED:

to move out of Committee of the Whole.

Cr John Larter/Cr Sam Hughes

CARRIED UNANIMOUSLY

AMENDMENT

THAT COUNCIL:

1. Receive the Notice of Motion 'Blackspot Only Speed Cameras';
2. Request the Local Traffic Committee review current Black Spot locations and identify any additional Black Spot locations in the SVC area.

The amendment was put and carried.

Cr Mick Ivill/Cr Sam Hughes

Division**For**

Cr Johanna (Hansie) Armour
 Cr Brent Livermore

Cr Mick Ivill
 Cr Trina Thomson
 Cr Sam Hughes
 Cr Ian Chaffey
 Cr Julia Ham

Against

Cr John Larter
 Cr James Hayes

7/2

CARRIED

M138/22 RESOLVED:

THAT COUNCIL:

1. Receive the Notice of Motion 'Blackspot Only Speed Cameras';
2. Request the Local Traffic Committee review current Black Spot locations and identify any additional Black Spot locations in the SVC area.

The amendment became the motion and was put and carried.

Cr Mick Ivill/Cr Sam Hughes

Division**For**

Cr Johanna (Hansie) Armour
 Cr Brent Livermore
 Cr Mick Ivill
 Cr Trina Thomson
 Cr Sam Hughes
 Cr Ian Chaffey
 Cr Julia Ham

Against

Cr John Larter
 Cr James Hayes

7/2

CARRIED

8. MAYORAL MINUTE

Nil.

9. URGENT BUSINESS WITHOUT NOTICE

Nil.

10. GOVERNANCE AND FINANCIAL REPORTS**10.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – 2022 NATIONAL GENERAL ASSEMBLY – 19-22 JUNE 2022****M139/22 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Australian Local Government Association – 2022 National General Assembly – 19-22 June 2022;
2. Approve the in-person attendance of the Mayor and Deputy Mayor to the 2022 National General Assembly, provided there is sufficient funds within budget allocations at the time of registering attendance;

3. Approve the in-person or remote attendance of additional councillors to the 2022 National General Assembly, provided there is sufficient funds available in their Training Budget at the time of registering attendance;
4. Confirm the Mayor as the voting delegate for SVC, and in the event of the Mayor's absence, the Deputy Mayor as the alternate voting delegate.

Cr James Hayes/Cr Julia Ham

Division

For

Cr Johanna (Hansie) Armour
 Cr Brent Livermore
 Cr Mick Ivill
 Cr Trina Thomson
 Cr Sam Hughes
 Cr Ian Chaffey
 Cr Julia Ham

Against

Cr John Larter
 Cr James Hayes

7/2

CARRIED

10.2 FEES FOR COUNCILLORS AND MAYOR 2022/23 FINANCIAL YEAR

M140/22 RESOLVED:

THAT COUNCIL:

1. Receive the report on Fees for Councillors and Mayor 2022/23 Financial Year;

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

10.2 FEES FOR COUNCILLORS AND MAYOR 2022/23 FINANCIAL YEAR

M14122 RESOLVED:

THAT COUNCIL:

2. Note the Local Government Remuneration Tribunal's determination for a 2% increase in mayoral and councillor fees for the 2022/23 financial year;

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

10.2 FEES FOR COUNCILLORS AND MAYOR 2022/23 FINANCIAL YEAR**M142/22 RESOLVED:**

THAT COUNCIL:

3. Set the annual Councillor Fee for the period 1 July 2022 to 30 June 2023 at \$12,650 in accordance with the provisions of section 248 of the Local Government Act 1993;

Cr John Larter/Cr Julia Ham

Division**For**

Cr Sam Hughes
 Cr Ian Chaffey
 Cr Julia Ham
 Cr John Larter
 Cr James Hayes

Against

Cr Brent Livermore
 Cr Johanna (Hansie) Armour
 Cr Mick Ivill
 Cr Trina Thomson

5/4**CARRIED****10.2 FEES FOR COUNCILLORS AND MAYOR 2022/23 FINANCIAL YEAR****RECOMMENDATION:**

THAT COUNCIL:

4. Set the annual Mayoral Fee for the period 1 July 2022 to 30 June 2023 at \$27,600 in accordance with the provisions of section 249 of the Local Government Act 1993;

Cr James Hayes/Cr John Larter

Division**For**

Cr John Larter

Against

Cr Brent Livermore
 Cr Johanna (Hansie) Armour
 Cr Julia Ham
 Cr Mick Ivill
 Cr Trina Thomson
 Cr James Hayes
 Cr Sam Hughes
 Cr Ian Chaffey

1/8**LOST**

10.2 FEES FOR COUNCILLORS AND MAYOR 2022/23 FINANCIAL YEAR**M143/22 RESOLVED:**

THAT COUNCIL:

5. Approve to pay the deputy mayor the proportion of the mayoral fee for such time as the deputy mayor acts in the office of the mayor, which is to be deducted from the mayor's annual fee.

Cr Ian Chaffey/Cr Mick Ivill

CARRIED UNANIMOUSLY**10.3 COUNCILLORS AND MAYORAL REMUNERATION – COMMENCEMENT OF LOCAL GOVERNMENT AMENDMENT ACT 2021****M144/22 RESOLVED:**

THAT COUNCIL:

1. Receive the report on Councillors and Mayoral Remuneration – Commencement of Local Government Amendment Act 2021;
2. Note the contents in Section 254B in the Local Government Amendment Act 2021 regarding the ability for a Council to make payment of superannuation contributions to councillors;
3. Determine to pay superannuation to Snowy Valleys Council Councillors at the superannuation guarantee rate from 1 July 2022.

Cr James Hayes/Cr John Larter

CARRIED UNANIMOUSLY

Cr Mick Ivill left the meeting at 3.37pm.

10.4 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2022**M145/22 RESOLVED:**

THAT COUNCIL:

1. Receive and adopt the Quarter Budget Review as at 31 March 2022;
2. Adopt the Revenue, Expenditure and Capital Budget adjustments as noted in the September Quarterly Budget Review.

Cr Julia Ham/Cr John Larter

CARRIED UNANIMOUSLY**M146/22 RESOLVED:**

to move into Committee of the Whole.

Cr Julia Ham/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

Cr Mick Ivill returned to the meeting at 3.38pm.

M147/22 RESOLVED:

to move out of Committee of the Whole.

Cr John Larter/Cr Julia Ham

CARRIED UNANIMOUSLY

10.5 STATEMENT OF INVESTMENTS - APRIL 2022

M148/22 RESOLVED:

THAT COUNCIL:

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

Cr Trina Thomson/Cr Sam Hughes

CARRIED UNANIMOUSLY

10.6 IMMEDIATE BUSINESS CONTINUITY RISKS - STAFFING

M149/22 RESOLVED:

THAT COUNCIL:

1. Receive the report on Immediate Business Continuity Risks – Staffing as presented to the Audit Risk and Improvement Committee on 11 May 2022;
2. Note that the Audit Risk and Improvement Committee have reviewed and endorsed the report to come before council;
3. Note that the current risk rating for human resourcing for Business Continuity is Extreme and outside of Council's risk tolerance;
4. Endorse the mitigation strategies currently being deployed by the Chief Executive Officer.

Cr John Larter/Cr Brent Livermore

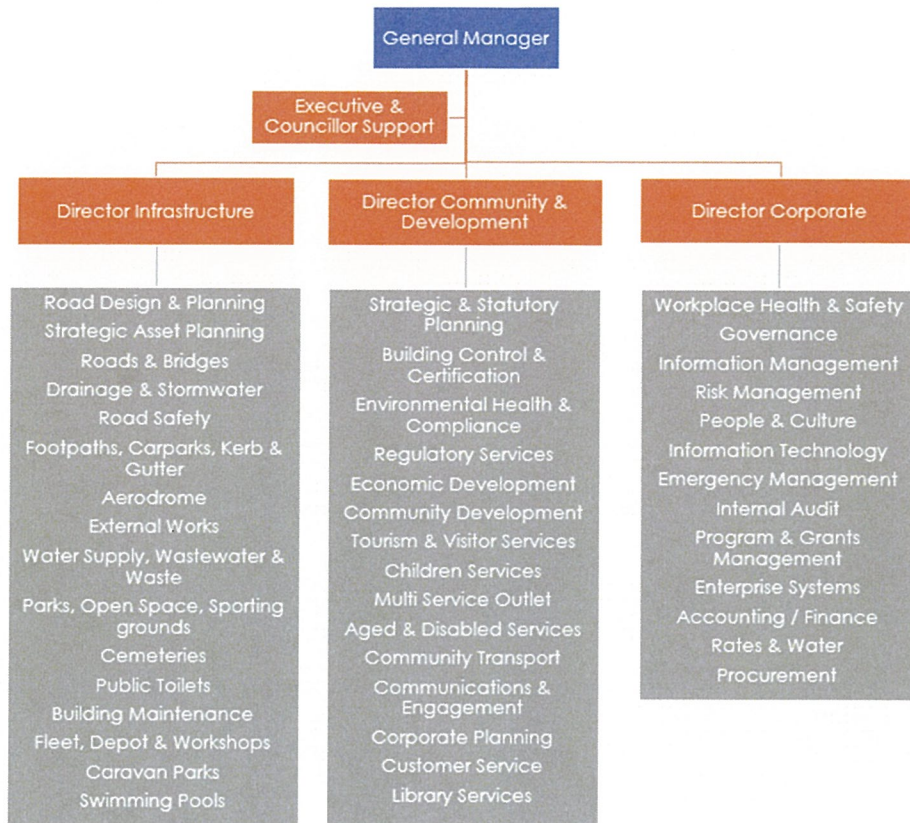
CARRIED UNANIMOUSLY

10.7 2022 REVIEW OF THE EXECUTIVE ORGANISATION STRUCTURE

M150/22 RESOLVED:

THAT COUNCIL:

1. Receive the report on the 2022 Review of the Executive Organisation Structure;
2. Determine the senior leadership and functional structure of Snowy Valleys Council from the options presented as Model 3 consisting of Tier 2 reports to the Chief Executive Officer of three Directors as per below;



3. Allocate the resources to affect the appropriate recruitment and transition arrangements to deliver the best outcome for existing staff and community by way of allocation of budget in the 2022-2023 Operational budget;
4. Note the timeline for implementation of a new structure, risks and constraints as identified;
5. Confirm the current delegation to the Chief Executive Officer to vary the total Full Time Equivalent (FTE) resourcing allocation by up to 5% (of total FTE);
6. Note the imperative to action required recruitment and transition arrangements in line with industrial relations provisions in order to reassure and stabilise the current workforce and to deliver services and projects for the community with minimal disruption;
7. Acknowledge the efforts and commitment of staff to continue to deliver services through a challenging period of uncertainty.

Cr John Larter/Cr James Hayes

CARRIED UNANIMOUSLY

M151/22 RESOLVED:

to move into Committee of the Whole.

Cr Sam Hughes/Cr Julia Ham

CARRIED UNANIMOUSLY

M152/22 RESOLVED:

to move out of Committee of the Whole.

Cr John Larter/Cr Sam Hughes

CARRIED UNANIMOUSLY

11. MANAGEMENT REPORTS**11.1 KHANCOBAN VACANT LAND – LOTS 11, 12, 13, 14, 15 AND 16 DP220750 – REQUEST FOR PURCHASE****M153/22 RESOLVED:**

THAT COUNCIL:

1. Receive the report on the Khancoban Vacant Land – Lots 11, 12, 13, 14, 15 and 16 DP220750 – Request for Purchase;
2. Rescind the resolution of 11.1 - 17 February 2022 on the sale of operational freehold land located on Mcillree Street, Khancoban;
3. Proceed to sell the Land — Lots 11, 12, 13, 14, 15 and 16 DP220750 at a public auction at a time and place to be determined;
4. 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 public auction;
5. Negotiate by private treaty and accept offers for sale of any property that fails to sell at public auction;
6. Authorise the application of the Council seal on the sale of land.

Cr John Larter/Cr Brent Livermore

CARRIED UNANIMOUSLY

Cr Armour left the meeting at 4.07pm for Items 11.2 and 11.3.

Cr Julia Ham left for the remainder of the meeting at 4.07pm.

11.2 DA2022/0023 - PROPOSED LOT CONSOLIDATION AND BOUNDARY ADJUSTMENT - 738 GOOBARRAGANDRA ROAD (WALLS CREEK ROAD EAST), GOOBARRAGANDRA**M154/22 RESOLVED:**

THAT COUNCIL:

1. Receive the report relating to DA2022/0023 which seeks consent for a boundary adjustment and lot consolidation at 738 Goobarragandra Road, Goobarragandra.

2. Determine development application 2022/0023 seeking development consent for a boundary adjustment, consolidation of lots and transfer of a building entitlement to an unrelated allotment by way of approval and delegate to the Chief Executive Officer delegation to apply standard conditions of development consent to the notice of determination.
3. Include a condition of development consent that requires a S88E Public Positive Covenant be applied to the consent requiring any future application for a dwelling house on proposed Lot 20 upgrade the access road to Council's standards.

Cr John Larter/Cr Trina Thomson

CARRIED UNANIMOUSLY

11.3 DA2021/0268 FOR A FOOD AND DRINK INDUSTRY – MICRODISTILLERY AT LOT 26 DP1018407

RECOMMENDATION:

THAT COUNCIL:

1. Receive the report on DA 2021/0268 for a Food and Drink Industry – Micro Distillery at Lot 26, DP 1018407;
2. Determine the determination application DA2021/0268 for a Food and Drink Industry – Micro Distillery at Lot 26, DP 1018407 by way of approval and Council delegate authority to the Chief Executive Officer or their delegate to apply appropriate conditions of development consent.

M155/22 RESOLVED that Item #11. 3 'DA2021/0268 Food and Drink Distillery Industry – Micro-distillery - Lot 26 DP1018407' be deferred to a future meeting until further information is obtained.

Cr Hayes/Cr Larter

CARRIED UNANIMOUSLY

Cr Armour returned to the meeting at 4.35pm.

11.4 PROVISION OF RECREATIONAL SPACE IN THE GLEN ESTATE TUMUT

M156/22 RESOLVED:

THAT COUNCIL:

1. Receive the report on Provision of Recreational Space – The Glen Estate Tumut;
2. Not proceed with the purchase of land in the Glen Estate for the purposes of recreational space;
3. Commence investigations into improvements to Tumut recreational reserves in consultation with relevant stakeholders and Council investigate

the provision of footpaths, lighting and drainage from the Glen Estate recreation reserve;

4. Fund any embellishment works through Councils open space contribution restricted funds.

Cr Trina Thomson/Cr Mick Ivill

CARRIED UNANIMOUSLY

Moved by Cr Thomson and seconded by Cr Ivill that Item #11. 4 'Provision of Recreational Space in the Glen Estate Tumut' be deferred to a future meeting until further information is obtained.

Lapsed

The CEO left the meeting at 4.38pm and returned at 4.39pm.

M157/22 RESOLVED:

to move into Committee of the Whole.

Cr John Larter/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

M158/22 RESOLVED:

to move out of Committee of the Whole.

Cr Trina Thomson/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

L.1.1 TUMUT EVACUATION AND MULTI-PURPOSE FACILITY DUE DILIGENCE OUTCOMES REPORT

M159/22 RESOLVED:

THAT COUNCIL:

1. Receive the report on Tumut Evacuation and Multi-Purpose Facility Due Diligence Outcomes;
2. Review the Business Case and report back to Council following the review;
3. Continue discussions with Regional NSW in relation to cost escalation issues being faced by the project with a request that the cost escalations be funded by the State.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

M160/22 RESOLVED:

to move into Committee of the Whole.

Cr John Larter/Cr Brent Livermore

CARRIED UNANIMOUSLY

M161/22 RESOLVED:

to move out of Committee of the Whole.

Cr John Larter/Cr Mick Ivill

CARRIED UNANIMOUSLY

Executive Chief of Staff Shelley Jones and Chief Financial Officer Susanne Andres left the meeting at 5.08pm.

L.2.1 DA2022/0022 PROPOSED ALTERATIONS AND ADDITIONS TO A DWELLING LOT 6 DP511399 - 51 DALHUNTY STREET, TUMUT**M162/22 RESOLVED:**

THAT COUNCIL:

1. Receive the Late report on DA2022/0022 Proposed Alterations and Additions to a Dwelling Lot 6 DP511399 - 51 Dalhunny Street, Tumut;

Cr Trina Thomson/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

M163/22 RESOLVED:

THAT COUNCIL:

1. Determine the Development Application DA2022/022 being Lot 6 DP511399, 51 Dalhunny Street Tumut by way of approval and delegate to the Chief Executive Officer the power to apply standard conditions of consent to any notice of determination.

Cr Trina Thomson/Cr Johanna (Hansie) Armour

CARRIED UNANIMOUSLY

12. MINUTES OF COMMITTEE MEETINGS

Nil.

13. CONFIDENTIAL

Nil.

14. MEETING CLOSURE

There being no further business to discuss, the meeting closed at 5.18pm.