Council Meeting
Minutes

Minutes of the Council Meeting held on Monday 14 August 2023 at 6.00pm

Present Crs K King (Chairperson), S Baker (via Zoom), D Betteridge, S Bowen, D Cameron, A Glachan, A Edwards and D Thurley.

Staff CEO, Deputy CEO Infrastructure, Planning and Environment, Deputy CEO Business, Growth and Community, Service Leader Assets, Sustainability and Environment, Service Leader Business & Lifestyle, Service Leader Community and Place, Service Leader Engagement, Service Leader City Projects, Acting Service Leader City Development, Service Leader Water & Waste Water, Acting Team Leader Communications & Engagement, IT Staff and Executive Support.

Apologies Cr J Kellahan

THE MEETING OPENED WITH THE AFFIRMATION & ACKNOWLEDGEMENT OF ORIGINAL CUSTODIANS OF OUR LAND

CM2. RECORDING AND WEBCASTING OF MEETING

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

CM3. CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

3.1 Conflict of Interest Declarations

There were no Conflict of Interest Declarations received by the Chair

3.2 Disclosure of Political Donations and Requirements of the *Environmental Planning & Assessment Act 1979*

Advice to the Council Meeting

The Environmental Planning and Assessment Act 1979, Section 10.4 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, $1,000.

The Disclosure Statement forms are available on Council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the Chamber during meetings.

In dealing with Development Applications, Councillors need to take into account specific planning matters contained in the Environmental Planning & Assessment Act 1979.

Accordingly, the provisions of Section 4.15(1) of that Act are set out in the Council officers report detailing planning issues to be considered.

The Local Government Act 1993, Section 375A requires that a division be called whenever a motion for a planning decision is put at a meeting of the council.

Planning decision means a decision made in the exercise of a function of council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act.

CM4. APOLOGIES

CM4.1. Apologies

MOTION
Cr Thurley Moved, Cr Bowen Seconded

That Council receive, note and accept the apology of Cr Jess Kellahan and grant leave of absence for the meeting.

CARRIED

CM4.2. Attendance by Councillors at Meeting by Audio-Visual Link

MOTION
Cr Glachan Moved, Cr Bowen Seconded

That Council receive, note and accept the attendance of Cr Baker via Audio-Visual Link for the meeting.

CARRIED

CM5. MAYORAL MINUTE

There was no Mayoral minute.
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CM6. ACTION PLANS

MOTION
Cr Betteridge Moved, Cr Thurley Seconded

That the following Action Plans be received and noted:

1. Actions Complete – For Noting Only;
2. Actions Awaiting Response from External Parties;
3. Actions in Progress; and
4. Long Term Issues (more than three months).

CARRIED

CM7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

CM7.1. Minutes of the Council Meeting held on 24 July 2023 at 6.00pm

MOTION
Cr Thurley Moved, Cr Bowen Seconded

That the Minutes of the Council Meeting held on 24 July 2023, at 6.00pm, be confirmed.

CARRIED

CM8. REPORTS FROM COMMUNITY FORUMS

There were no reports from Community Forums.

CM9. NOTICES OF MOTION/NOTICES OF RESCISSION

There were no Notices of Motion/Notices of Rescission.

CM10. PRESENTATIONS AND DEPUTATIONS

There were no Presentation or Deputations.

CM11. REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

CM11.1. Minutes of the Albury Crime Prevention Committee Meeting held on Tuesday 6 June 2023

MOTION
Cr Cameron Moved, Cr Edwards Seconded

That Council receives, notes and accepts the Minutes of the Crime Prevention Committee Meeting held on Tuesday 6 June 2023, be confirmed.

CARRIED

CM12. DOCUMENTS FOR SEALING

There were no Documents for Sealing.

CM13. OFFICERS REPORTS FOR CONSIDERATION

CM13.1. Development Application 10.2022.39306.1 132 Lot Subdivision 356 Kerr Road, Wirlinga

MOTION
Cr Glachan Moved, Cr Thurley Seconded

That Council:

a. receives the contents of this report; and

b. grants consent to Development Application 10.2022.39306.1 for a 132-lot subdivision and associated works on land described as Lot 28 of DP1243505 situated at 356 Kerr Road, Wirlinga, subject to the conditions contained in the Draft Determination, included at attachment 5 to this report.

FOR	**AGAINST**
Cr Thurley	
Cr Edwards	
Cr Bowen	
Cr King	
Cr Betteridge	
Cr Glachan	
Cr Baker	
Cr Cameron	

CARRIED

CM13.2. Centaur Road Reconstruction Overend Street to Mudge Street Contract No. 20/02903

MOTION
Cr Edwards Moved, Cr Thurley Seconded

a. That Council accepts the tender from Excell Gray Bruni Pty Ltd for Contract No. 20/02903 for Centaur Road Reconstruction – Overend Street to Mudge Street, for the lump sum value of $1,920,191.90 (including GST).

b. explores the opportunity of creating a comprehensive wildlife corridor along Centaur Rd, following completion of the Centaur Road Reconstruction (Overend Street to Mudge Street), that exceeds the minimum requirements for ecological compensatory planting and artificial hollow replacement rates required by the Albury DCP 2010 Part 5 (Section 5.3.2).

CARRIED

CM13.3. Design and Construction of Wonga Wetlands Machinery Shed Contract No. 19/05464

MOTION
Cr Betteridge Moved, Cr Thurley Seconded

That Council:

a. accepts the tender from MRN Rigging & Construction Pty Ltd, for Contract No. 19/05464 for the Design and Construction of the Wonga Wetlands Machinery Shed, for the lump sum of $415,855 (including GST); and

b. approves the allocation of $200K (including GST) in additional project funding at future 2023/24 Quarterly Budget Reviews to complete the project.

CARRIED

CM13.4. Draft AlburyCity Events Strategy 2024-2028 - Scope and Stakeholder Engagement Plan

MOTION
Cr Glachan Moved, Cr Bowen Seconded

That Council receives and endorses the Scope and Stakeholder Engagement Plan for the development of the draft AlburyCity Events Strategy 2024 – 2028.

CARRIED

CM13.5. Sustainability Advisory Committee Membership

MOTION
Cr Thurley Moved, Cr Edwards Seconded

That Council endorse the addition of Graham Dade and Lyndal Gawen as nominated members of the Sustainability Advisory Committee for the current Council term.

CARRIED

CM14. OFFICERS REPORTS FOR NOTING

There were no Officer's Reports for Noting.

CM15. DELEGATES REPORTS FOR NOTING

CM15.1. ALGA National General Assembly 13-16 June 2023 - Cr King

MOTION
Cr Bowen Moved, Cr Thurley Seconded

That Council receives and notes the Delegates Report on the National General Assembly of Local Government, incorporating the Regional Cooperation and Development Forum (June 13 – 16).

CARRIED

CM16. NOTICE OF URGENT BUSINESS

CM16.1 Cr Cameron – The State of Parent Rooms in Albury

Cr Cameron is concerned about the state of the Parent Room at the Harvey Norman complex as well as parent rooms in general in the Albury area. He enquired what rooms in Albury are under Council control.

Service Leader Assets, Sustainability & Environment confirmed that Council maintains Parent Rooms in the Library Museum and Council Administration building however Parent Rooms in shopping centres are private facilities. Cr Cameron has requested that if possible, discussions be held with the management of the Harvey Norman complex to see if that particular Parent Room can be improved.

CM16.2 Cr Cameron – Recent increases in Electricity Costs and the Effect on Council.

Cr Cameron stated that electricity costs have increased substantially recently and enquired what effect this would have on Council's budget. Service Leader Assets, Sustainability & Environment stated that Council currently has two long term contracts in place that protect Council from fluctuations, however the contracts include increases prebuilt into the terms and conditions.

CM16.3 Cr Bowen - Telstra Albury Wodonga Business Awards

Cr Bowen wished to congratulate those involved in the Telstra Albury Wodonga Business Award Night which was a joint venture between Business Wodonga and Albury Business Connect. It was great to see the business community come together, and an encouragement to businesses to strive to make Albury Wodonga a great place to live and work.

CONFIDENTIAL MATTERS

ITEM NO.	NAME OF REPORT & REASON FOR CONFIDENTIALITY
CM17.1	**Strategic Land Acquisition – West Albury** *Confidential item, exclusive of press or public on the grounds that:* (2) The matters and information are the following: (d) commercial information of a confidential nature, that would, if disclosed: (i) prejudice the commercial position of the person who supplied it. *Local Government Act 1993 No. 30 Section 10A (2) (d) (i)*

CM17. CONFIDENTIAL MATTERS

MOTION
Cr Glachan Moved, Cr Thurley Seconded

That Council move into Confidential to discuss Items CM 17.1 as this is a confidential item, exclusive of press or public on the grounds that:

(2) The matters and information are the following:
(d) commercial information of a confidential nature, that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it.

Local Government Act 1993 No.30 Section 10A(2)(d)(i)

The Chairperson, Cr King asked if there were any statements or submissions from the public regarding the reasons as identified for this Confidential Item CM 17.1

There were no submissions received.

The Chair asked the Council if they wished to proceed with the MOTION to move into Confidential.

The MOTION was PUT and **CARRIED**

Closed Council 6.34pm

MOTION
Cr Bowen Moved, Cr Glachan Seconded

That Council move back into Open Council.

CARRIED

Resumption of Open Council 6.37pm

The Chairperson advised the meeting of the Resolutions as adopted in Confidential.

CM17.1. Strategic Land Acquisition West Albury

MOTION
Cr Thurley Moved, Cr Edwards Seconded

That Council:

a. authorises the Chief Executive Officer to finalise negotiations and arrangements for the purchase and acquisition of Lot 66 DP264126, in accordance with Option 1 outlined in this report.

b. authorises its Seal to be affixed to land transfer documents and any other documents deemed necessary to complete the purchase and settlement of Lot 66 DP264126 in the presence of two signatories authorised to affix the Seal pursuant to *Regulation 400 of the Local Government (General) Regulation 2005* and Council's associated procedure; and

c. upon transfer of Lot 66 DP264126 to Council, the land shall be classified as Community Land in accordance with Chapter 6, Part 2 of the Local Government Act 1993.

CARRIED

The Meeting closed at 6.39pm.