Council Meeting
Minutes

Council Meeting held on Monday 23 September 2019 at 6.05pm

Present	Crs K Mack (Chairperson), D Cameron, A Cohn, G Docksey, A Glachan, J Stuchbery, D Thurley and H van de Ven
Staff	Chief Executive Officer, Deputy CEO Business Growth and Community, Deputy CEO Infrastructure, Planning & Environment, Chief Financial Officer, Group Leader Engineering, Team Leader Parks & Recreation, Project Leader Wagirra, Team Leader Town Planning, Team Leader Leisure Facilities, Media and Communications Officer and Executive Assistant.
Apologies	Cr M King

THE MEETING OPENED WITH THE PRAYER & ACKNOWLEDGMENT 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

- Cr van de Ven declared a pecuniary, significant conflict of interest in relation to item CM13.3 Albury Aquatic Facilities Advisory Committee Establishment due to one of the nominated community representatives is a person he has close business dealings with. Cr van de Ven advised that he would leave the chamber when the matter is discussed.

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 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 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

MOTION
Cr Thurley Moved, Cr Docksey Seconded

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

CARRIED

CM5. MAYORAL MINUTE

There was no Mayoral Minute.

CM6. ACTION PLANS

MOTION
Cr Stuchbery Moved, Cr Docksey 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 Monday 9 September 2019 at 6.00pm

MOTION
Cr Thurley Moved, Cr Stuchbery Seconded

That the Minutes of the Council Meeting held on Monday 9 September, at 6pm, 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 Presentations and Deputations.

CM11. REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

CM11.1. Minutes of the Sports Albury Advisory Committee Meeting held on Wednesday 21 August 2019

MOTION
Cr van de Ven Moved, Cr Docksey Seconded

That the Minutes/Recommendations of the Sports Albury Advisory Committee Meeting held on Wednesday 21 August 2019 be received, noted and accepted.

CARRIED

CM11.2. Minutes of the Murray Darling Association Region 1 Meeting held on Friday 23 August 2019

MOTION
Cr Thurley Moved, Cr Glachan Seconded

That the Minutes/Recommendations of the Murray Darling Association Region 1 Meeting held on Friday 23 August 2019 be received, noted and accepted.

CARRIED

CM11.3. Minutes of the Sustainability Advisory Committee Meeting held on Tuesday 3 September 2019

MOTION
Cr Thurley Moved, Cr Cohn Seconded

That the Minutes/Recommendations of the Sustainability Advisory Committee Meeting held on Tuesday 3 September 2019 be received, noted and accepted.

CARRIED

CM11.4. Minutes of the Albury Airport Users Advisory Committee Meeting held on Wednesday 4 September 2019

MOTION
Cr Glachan Moved, Cr Docksey Seconded

That the Minutes/Recommendations of the Albury Airport Users Advisory Committee Meeting held on Wednesday 4 September 2019 be received, noted and accepted.

CARRIED

CM12. DOCUMENTS FOR SEALING

CM12.1. Documents for Sealing

MOTION
Cr van de Ven Moved, Cr Stuchbery Seconded

That Council authorises its Seal to be affixed to the documents outlined below, in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2005 and the Council Seal and Management of Legal Documents and Advice Procedure:

a. AlburyCity Lease to Lavington Occasional Child Care Association Incorporated of 466 Breen Street, Lavington for 5 years with a 5 year option, commencing 1 November 2019 – FIL09/01785.
b. Low Cost Loans Initiative Funding Agreements between the NSW Government and AlburyCity for Thurgoona Wirlinga Growth Precinct ten year loan of $9,660,000 - FIL18/01966.

CARRIED

CM13. OFFICERS REPORTS FOR CONSIDERATION

CM13.1. Corporate Success Pillars - Draft Measures and Targets

MOTION
Cr Cohn Moved, Cr Thurley Seconded

a. Receive and note the measures and 2019/20 targets proposed for the six Corporate Success Pillars;
b. Endorse the reporting against the Corporate Success Pillars to occur at the completion of the 2019/20 financial year;
c. That staff, in consultation with the Energy and Sustainability Officer, the Sustainability Advisory Committee, the Youth Council and Cities Power Partnership partner councils:

    i. prepare a report to Council by no later than June 2020 that sets an ambitious and achievable carbon intensity reduction targets for 2025, 2030 and 2050;
    ii. develop mitigation measures to offset AlburyCity emissions in addition to current efforts, with an implementation schedule for each to inform the budget development process; and

d. That carbon intensity calculations include emissions from all sources including emissions by HVAC equipment and land use change.

CARRIED

CM13.2. Media Policy

MOTION
Cr Glachan Moved, Cr Docksey Seconded

That Council adopt the AlburyCity Media Policy.

WITHDRAWN

MOTION
Cr Thurley Moved, Cr Cohn Seconded

That Council adopt the AlburyCity Media Policy with the removal of Protocol 12.

CARRIED

Cr van de Ven left the chamber at 06:45 pm.

CM13.3. Albury Aquatic Facilities Advisory Committee Establishment

MOTION
Cr Glachan Moved, Cr Thurley Seconded

That Council:

a. Endorse the Terms of Reference for the Albury Aquatics Facilities Advisory Committee;
b. Nominate a Councillor to represent Council and act as Chairperson; and
c. Endorse the nominations of Peter Slattery and Stephen Mamouney as Community Representatives.

CARRIED

Cr van de Ven returned to the chamber at 06:50 pm

MOTION
Cr Thurley Moved, Cr Stuchbery Seconded

That Cr Glachan be appointed the Council representative and Cr van de Ven appointed the substitute delegate to the Albury Aquatics Facilities Advisory Committee.

CARRIED

CM13.4. Committees and Working Parties Register Update

MOTION
Cr Thurley Moved, Cr Stuchbery Seconded

That Council:

a. Elect and/or confirm its representatives for the following Committees and Working Parties:

    i. One substitute delegate for the Companion Animals Advisory Panel; Cr Cameron, and
    ii. Other relevant Committee/Working Party following advice at the meeting;

b. Adopt the revised 2019/20 AlburyCity Committees and Working Parties Register.

CARRIED

CM13.5. Local Area Traffic Management - Tenbrink Street/Ryan Road

MOTION
Cr Glachan Moved, Cr Cohn Seconded

That Council endorse the preferred treatments, specifically:

a. Installation of Stop signs at the Wilkinson Street/Tenbrink Street and Hodge Street/Tenbrink Street intersections;
b. Implement channelised turn lanes at the Hodge Street/Tenbrink Street intersection;
c. Implement a surface treatment on Tenbrink Street between Ryan Road and Hodge Street;
d. Implement a speed zone reduction from 60kmph to 50kmph on Ryan Road and Tenbrink Street;
e. Installation of barrier railing at the intersection of Tenbrink and Wilkinson Streets;
f. To retain close the southbound access to Watson Street from the Chenery/Burrows/Ryan roundabout for a trial period of three months;
g. Continue to monitor the Tenbrink Street/Ryan Road intersection, with consideration for possible improvement in the future;
h. To report back to Council of the success or otherwise on all the other treatments at the three month period.

CARRIED

CM13.6. Draft Bunton Park Master Plan

MOTION
Cr van de Ven Moved, Cr Glachan Seconded

That Council:

a. Receive and endorse the draft Bunton Park Master Plan;
b. Place the draft Bunton Park Master Plan on public exhibition for a minimum of 28 days; and
c. If no submissions are received that the draft Bunton Park Master Plan be adopted.

CARRIED

CM13.7. Mungabareena Aboriginal Place Management Plan

MOTION
Cr Cohn Moved, Cr Thurley Seconded

That Council:

a. Receive and note the eight submissions received in response to the public exhibition of the draft Mungabareena Aboriginal Place Management Plan; and

b. Adopt the revised Mungabareena Aboriginal Place Management Plan as attached to the report.

CARRIED

Cr Cameron left the chamber at 07:19 pm

CM13.8. Albury Riverside Precinct - Updated Concept Designs and Public Exhibition

MOTION
Cr Cohn Moved, Cr Docksey Seconded

That Council:

a. Endorse the refined Riverside Precinct Concept Plan;
b. Place the refined Riverside Precinct Concept Plan on public exhibition for a minimum of 28 days; and
c. Consider any feedback received during this consultation while finalising the detailed design phase of the project.

CARRIED

Cr Cameron returned to the chamber at 07:25 pm

CM13.9. Monument Hill Redevelopment Contract No. 19/03797

MOTION
Cr Glachan Moved, Cr van de Ven Seconded

That Council accepts the tender from AP Delaney & Co Pty Ltd for Contract No. 19/03797 - Monument Hill Redevelopment for the lump sum amount of $1,345,650.00 including GST.

CARRIED

CM13.10. Albury Waste Management Centre Education Centre Contract No. 19/03944

MOTION
Cr van de Ven Moved, Cr Docksey Seconded

That Council:

a. Accepts the tender from Connelly Construction Services for Contract No. 19/03944 – Albury Waste Management Centre – Education Centre for the lump sum amount of $626,769.00 (including GST); and
b. Reallocate additional funds from the Albury Waste Management Centre Detention Basin Project as part of the Quarterly Review Process.

CARRIED

CM13.11. Airconditioning Services - Various Council Buildings Contract No. 18/02276

MOTION
Cr van de Ven Moved, Cr Glachan Seconded

That Council accepts the tenders (panel contract) from Maxx Airconditioning Pty Ltd, O'Connell's Refrigeration and Airconditioning Pty Ltd, BSA Limited and PLASAIR HVAC-R for the Provision of Airconditioning Services – Various Council Buildings, Schedule of Rates Contract No.18/02276 – for a three year period at an estimated contract value of $540K including GST.

CARRIED

CM13.12. Development Application DA 10.2019.37011.1 Lot 17 DP 1123667 Industrial Building 68 Merkel Street Thurgoona

MOTION
Cr Glachan Moved, Cr Thurley Seconded

That Council:

a. Receive and note the contents of this report; and
b. Grant development consent to Development Application 10.2019.37011.1 for an industrial building, administration offices, car parking and signage at Part Lot 17 in DP 1123667 addressed as 68 Merkel Street Thurgoona, subject to the conditions contained in the Draft Determination, included in this report at Attachment 3.

In accordance with s.375A(2) of the Local Government Act 1993, a division was duly called. The following votes of the motion were recorded:

FOR	AGAINST
Cr Stuchbery	Nil
Cr Docksey	
Cr Cameron	
Cr Mack	
Cr Cohn	
Cr Glachan	
Cr Thurley	
Cr van de Ven	

Disclosure of Political Donations
There were no Disclosures of Political Donations received by the Chairperson.

CARRIED

CM14. OFFICERS REPORTS FOR NOTING

CM14.1. Monthly Development Statistics – August 2019

MOTION
Cr Thurley Moved, Cr Stuchbery Seconded

That Council receive and note the information in the Monthly Development Statistics report for August 2019.

CARRIED

CM14.2. Investment Balances - August 2019

MOTION
Cr van de Ven Moved, Cr Docksey Seconded

That Council receive and note the Investment Balances Report for the month of August 2019.

CARRIED

CM14.3. Corporate Health Indicators June 2019

MOTION
Cr Thurley Moved, Cr Docksey Seconded

That Council receive and note the June 2019 Corporate Health Indicators Report.

CARRIED

CM14.4. June Quarter Budget Review

MOTION
Cr Thurley Moved, Cr Docksey Seconded

That Council receive and note the analysis of AlburyCity's financial performance for the 2018/19 financial year compared to forecast.

CARRIED

CM15. DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

CM16. NOTICE OF URGENT BUSINESS

CM16.1 Pemberton Street Development Update - Cr H van de Ven

Cr van de Ven requested an update on the development in Pemberton Street regarding the stop work order. Team Leader Town Planning provided a response.

CM16.2 Docs on Tap Update – Cr H van de Ven

Cr van de Ven requested a review of the Docs on Tap Council agenda system.

CM16.3 Concert from Table Top Public School and Estia Health

Cr Cohn attended a concert this morning by the residents of Estia Health, Thurgoona and the students at Table Top Public School. This was a project funded by an AlburyCity Community and Cultural Grant and facilitated by Breaking New Ground Learning. Table Top Public School and Estia Health would like to pass on their thanks to Council for funding the project.

CM 16.4 Noreuil Park Oval Lease Agreement Update – Cr Mack

Cr Mack requested an update on the Noreuil Pak oval lease agreement. Team Leader Park and Recreation provided a response.

CM17. CONFIDENTIAL MATTERS

There were no Confidential Matters.

The Meeting closed at 7.41pm