Council Meeting
MINUTES

Council Meeting held on Monday 10 December 2018 at 6.00pm

Present Crs K Mack (Chairperson), D Cameron, A Cohn, G Docksey, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven

Staff General Manager, Director Engineering, Director Planning & Environment, Acting Director Community & Recreation (Simona Coad), Director Economic Development & Tourism, Chief Financial Officer, IT Network Administrator, Media & Communications Officer, Executive Assistant and Executive Support Officer

Apologies Nil.

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 Glachan declared a Non Pecuniary, Less than Significant Interest for Item CM17.1 Confidential Report due to a family member working for a party noted in the Confidential Report. Cr Glachan will remain in the meeting and vote.

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 147 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 79C(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 2A of Part 6 of that Act.

CM4. APOLOGIES

There were no Apologies received by the Chair.

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 26 November 2018 at 6.11pm

MOTION

Cr Thurley Moved, Cr Docksey Seconded

That the Minutes of the Council Meeting held on Monday 26 November 2018, at 6.11pm, be confirmed.

CARRIED

CM8. REPORTS FROM COMMUNITY FORUMS

There were no Reports from Community Forums.

CM9. NOTICES OF MOTION/NOTICES OF RESCISSION

CM9.1. Notice of Motion - Review of Processing Development Applications

MOTION

Cr Thurley Moved, Cr Cameron Seconded

That Council staff undertake a review of the processing of Development Applications since March 2018 following amendments to the Delegations of Authority and prepare a report for Council. The report should include, but not be limited to, the type and number of applications referred to Council and determined in this time, consideration of processing times, additional workload demand and recommendations for improvements or modifications to the present delegations.

CARRIED

CM10. PRESENTATIONS AND DEPUTATIONS

CM10.1. Presentation by AlburyCity Youth Council

The AlburyCity Youth Council provided an overview to Council regarding their activities and acknowledged Council's support for the Youth Council.

CM11. REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

CM11.1. Minutes of the Audit, Risk and Improvement Committee Meeting held on Wednesday 21 November 2018

MOTION

Cr Thurley Moved, Cr Stuchbery Seconded

That Council receive, note and accept the Minutes/Recommendations of the Audit, Risk and Improvement Committee Meeting held on Wednesday 21 November 2018.

CARRIED

CM11.2. Minutes of the Local Traffic Committee Meeting held on Thursday 22 November 2018

MOTION

Cr Docksey Moved, Cr Glachan Seconded

That Council receive, note and accept the Minutes/Recommendations of the Local Traffic Committee Meeting held on Thursday 22 November 2018.

CARRIED

CM12. DOCUMENTS FOR SEALING

There were no Documents for Sealing.

CM13. OFFICERS REPORTS FOR CONSIDERATION

CM13.1. Review of Albury City Council Asset Management Policy and Strategy

MOTION

Cr Cameron Moved, Cr van de Ven Seconded

That Council:

a. Receive and note the final draft Asset Management Policy and Strategy as presented;
b. Place the draft Asset Management Policy and Strategy on public exhibition for a period of 28 days;
c. If no submissions are received, that the final draft Asset Management Policy and Strategy, be adopted and placed on the Public Policy and Procedure Register; and
d. The Asset Management Policy and Strategy be reviewed in 2021/22 or sooner if required by legislation and/or Council circumstances.

CARRIED

CM13.2. Albury Wodonga Destination Management Plan 2019 - 2023

MOTION

Cr Thurley Moved, Cr Glachan Seconded

That Council:

a. Receive and note submissions received in response to the public exhibition of the draft Albury Wodonga Destination Management Plan 2019 – 2023; and
b. Endorse the Albury Wodonga Destination Management Plan 2019 – 2023.

CARRIED

CM13.3. Albury Airport Users Advisory Committee Membership

MOTION

Cr Glachan Moved, Cr Docksey Seconded

That Council:

a. Amends the AlburyCity Airport Users Advisory Committee Terms of Reference, to include up to seven members from airport related businesses;
b. Accepts the nominations for membership of the AlburyCity Airport Users Advisory Committee for the remaining two-year period 2018 – 2020, being:

    - Mr Steve Drage (Secretary of the Albury Aero Club):
    - Mr Stephen Death (Hazair Pty Ltd): and
    - Mr Graeme Wheeler (Albury Airport General Aviation Pilot); and

c. Further consider the Albury Airport governance structure during 2019.

CARRIED

CM13.4. Heating Ventilation Air Conditioning (HVAC) Refurbishment Albury Entertainment Centre Contract No. 18/02189

MOTION

Cr van de Ven Moved, Cr Stuchbery Seconded

That Council:

a. Accepts the tender provided by Red Airconditioning for Contract No. 18/02189 for the Construction of Heating, Ventilation and Air Conditioning Refurbishments to the Albury Entertainment Centre Theatre Wing for the lump sum of $880,550.00 (including GST); and
b. Endorses the reallocation of $150K of funding from the Albury Entertainment Centre Theatre Profile Lights project to Replacement of Theatre HVAC at the Centre.

CARRIED

CM13.5. Reconstruction of Taxiways at Albury Airport Contract No. 18/02685

MOTION

Cr Glachan Moved, Cr Docksey Seconded

That Council:

a. Accepts the tender from Antoun Civil Engineering Aust Pty Ltd for Contract No.18/02685 – Reconstruction of Taxiway Alpha and Echo and Taxiway Charlie (excluding Separable Portion), in the lump sum amount of $3,024,995.41 including GST; and
b. Not accept any tender for the extension of Taxiway Alpha (Separable Portion) based on budgetary constraints.

AMENDMENT

Cr van de Ven Moved, Cr King Seconded

That Council:

a. Accepts the tender from Antoun Civil Engineering Aust Pty Ltd for Contract No.18/02685 – Reconstruction of Taxiway Alpha and Echo and Taxiway Charlie, in the lump sum amount of $3,024,995.41 including GST; and the extension of Taxiway Alpha (Separable Portion) in the amount of $1,166,403.43 (including GST).

LOST

The ORIGINAL MOTION was PUT and **CARRIED**

Cr Cameron left the meeting at 6.56pm.
Cr Cameron returned to the meeting at 6.58pm.

CM13.6. Albury Leachate Treatment Plant Upgrade Contract No. 18/02396

MOTION

Cr Thurley Moved, Cr Docksey Seconded

That Council:

b. Accepts the tender from Water Treatment Australia Pty Ltd for Contract No. 18/02396 – Leachate Treatment Facility – Design, Construct and Commission in the lump sum of $1,505,946.22 (including GST); and
c. Allocate a further $406K (including GST) as part of the 2019/20 Operational Plan to complete this project.

CARRIED

CM13.7. Kerr Road Reconstruction Stage 5 Contract No. 18/01922

MOTION

Cr Thurley Moved, Cr Docksey Seconded

That Council accepts the tender from Excell Gray Bruni Pty Ltd for Contract No.18/01922 – Kerr Road Reconstruction Stage 5, in the lump sum amount of $1,247,891.15 including GST.

CARRIED

CM13.8. Aquatics Advisory Committee Options

MOTION

Cr Cameron Moved, Cr Stuchbery Seconded

That Council:

a. Proceed with the establishment of a Cross Border Aquatics Facilities Advisory Committee including:

- Adopting the Draft Terms of Reference for the Albury Wodonga Aquatics Facilities Advisory Committee;
- Seeking formal agreement from the City of Wodonga to be involved in the Committee; and
- Pending approval from the City of Wodonga, commence the process to appoint all committee members.

b. Formally thank the existing members of the Aquatics Facilities Advisory Committee for their time and effort.

CARRIED

CM14. OFFICERS REPORTS FOR NOTING

CM14.1. Two Cities One Community Action Plan - Progress Report

MOTION

Cr Cohn Moved, Cr Stuchbery Seconded

That Council receive and note the December 2018 Two Cities One Community Action Plan Progress Report.

CARRIED

CM15. DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

CM16. NOTICE OF URGENT BUSINESS

There were no Notices of Urgent Business.

CONFIDENTIAL MATTERS

ITEM NO.	NAME OF REPORT & REASON FOR CONFIDENTIALITY
CM17.1	**Lavington Sports Ground Unsuitable Soil Update** *Confidential item, exclusive of press or public on the grounds that the matter relates to* *(2) The matters and information are the following:* *(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.* Local Government Act 1993 No. 30 Section 10A(2)(g)

CM17. CONFIDENTIAL MATTERS

Cr Thurley Moved, Cr Cameron Seconded

That Council move into Confidential to discuss Item CM17.1 as this is a confidential item, exclusive of press or public on the grounds that the matters relate to:

(2) The matters and information are the following:

g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

[Local Government Act 1993 No.30 Section 10A(2)(g)]

The Chairperson, Cr Mack asked if there were any statements or submissions from the public regarding the reasons as identified for the Confidential Item CM17.1

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 7.47pm

MOTION

Cr Cameron Moved, Cr Stuchbery Seconded

That Council move back into Open Council.

CARRIED

Resumption of Open Council 8.15pm

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

CM17.1. Lavington Sports Ground Unsuitable Soil Update

MOTION

Cr Cameron Moved, Cr Stuchbery Seconded

That Council take no further action on this matter.

CARRIED

The meeting closed at 8.16pm.