



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**16 April 2020**



**ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630  
ON THURSDAY 16 APRIL 2020**

<b>MINUTES</b>
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**MINUTES OF THE ORDINARY COUNCIL MEETING  
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON THURSDAY, 16 APRIL 2020  
COMMENCING AT 5:00PM**

**PRESENT:** Mayor Peter Beer  
Deputy Mayor Linley Miners  
Councillor John Rooney  
Councillor John Castellari  
Councillor James Ewart  
Councillor Rogan Corbett  
Councillor Sue Haslingden  
Councillor John Last  
Councillor Anne Maslin  
Councillor Brian Old  
Councillor Bob Stewart

**APOLOGIES:**

**Staff:** Peter Bascomb, Chief Executive Officer  
Peter Smith, Acting Director Operations & Infrastructure  
Gina McConkey, Acting Director Environment & Sustainability  
David Rawlings, Acting Director Corporate & Community Services  
Joyleen Mathias, Manager Corporate Governance

**Notes:** *The Mayor opened the meeting at 5:05PM. The Mayor adjourned the Council meeting @ 5.06PM for public forum. The Mayor resumed the Council meeting at @5.54PM. Councillor Stewart was absent from the meeting from 5.54pm during Item 6 Matters Dealt with by Exception returning at 6.09pm during Item 9.2.1 Monaro Rail Trail Draft Feasibility Report. Councillor Old was absent from the meeting from 5.54pm during Item 6 Matters Dealt with by Exception returning at 6.03pm during Item 8.1 Review of Determination REV4001/2020 Review of Councils Determination of MOD4028/2019 amendments to conditions relating to access to Highview Estate. Councillor Old was absent from the meeting from 6.11pm during Item 9.4.1 Councillor Superannuation Submission returning at 6.14pm during same Item. At 7.14 pm the meeting was closed to the press and public. At 7.25 pm the Closed Session ended and the Council meeting continued in Open Session. There being no further business the Mayor declared the meeting closed at 7.25PM.*

## 1. OPENING MEETING

The Mayor opened the meeting at 5:05PM.

## 2. ACKNOWLEDGEMENT OF COUNTRY

## 3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

## 4. CITIZENSHIP CEREMONIES

Nil.

## 5. DISCLOSURE OF INTEREST

### 5.1 COUNCILLOR EWART

Councillor Ewart declared an interest in 13.2 Legal Action Potential Claims Against SMRC as at 31 March 2020 as he has a conflict of interest in this item due to "mother and partner have insurance claims regarding the water reservoir".

### Note 1: Adjournment of Meeting

The Mayor adjourned the Council meeting @ 5.06PM for public forum.

### Note 2: Resumption of Meeting

The Mayor resumed the Council meeting at @5.54PM.

## 6. MATTERS DEALT WITH BY EXCEPTION

### Items by Exception

The Mayor requested that Councillors nominate any items listed in Corporate Business and Confidential Business that they wished to discuss.

### COUNCIL RESOLUTION

58/20

- A. That all items listed in Corporate Business both Open and Confidential be dealt with separately other than the following items which are moved by exception:
- 7.1 Ordinary Council Meeting held 19 March 2020
  - 7.2 Closed Session of the Ordinary Council Meeting held 19 March 2020
  - 7.3 COVID-19 Committee Meeting held 19 March 2020
  - 7.4 Closed Session of the COVID-19 Committee Meeting held 19 March 2020
  - 9.1.1 Minutes – Residential Aged Care Advisory Committee 28 October 2019
  - 9.1.2 Waiver of 2019/2020 Food Premises Inspection Fees
  - 9.1.3 Monthly Funds Management Report – March 2020
  - 9.1.4 Review of Lease Payments – COVID -19
  - 9.2.2 Bombala Commercial Precinct Painting
  - 9.4.2 Review of Investment and Procurement Policies
  - 9.4.3 Answer to Questions With Notice
  - 9.4.4 Resolution Action Sheet Update
  - 9.4.5 Audit, Risk and Improvement Committee – Minutes of Meeting held on 4 March 2020
  - 13.1 Review of Lease Payments – COVID-19 (Supporting Confidential Information)

B. That the Officer's Recommendations in the reports listed above are hereby adopted.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**RECORD OF VOTING**

**COUNCILLORS FOR:** MAYOR BEER , COUNCILLOR CASTELLARI, COUNCILLOR CORBETT, COUNCILLOR EWART, COUNCILLOR HASLINGDEN, COUNCILLOR LAST, COUNCILLOR MASLIN, DEPUTY MAYOR MINERS S AND COUNCILLOR ROONEY.

**COUNCILLORS AGAINST:** NIL.

**Note 3: ATTENDANCE OF COUNCILLOR STEWART**

COUNCILLOR STEWART WAS ABSENT FROM THE MEETING FROM 5.54PM DURING ITEM 6 MATTERS DEALT WITH BY EXCEPTION RETURNING AT 6.09PM DURING ITEM 9.2.1 MONARO RAIL TRAIL DRAFT FEASIBILITY REPORT.

**Note 4: ATTENDANCE OF COUNCILLOR OLD**

COUNCILLOR OLD WAS ABSENT FROM THE MEETING FROM 5.54PM DURING ITEM 6 MATTERS DEALT WITH BY EXCEPTION RETURNING AT 6.03PM DURING ITEM 8.1 REVIEW OF DETERMINATION REV4001/2020 REVIEW OF COUNCILS DETERMINATION OF MOD4028/2019 AMENDMENTS TO CONDITIONS RELATING TO ACCESS TO HIGHVIEW ESTATE.

**7. CONFIRMATION OF MINUTES**

**7.1 ORDINARY COUNCIL MEETING 19 MARCH 2020**

**COUNCIL RESOLUTION**

**59/20**

THAT the minutes of the Ordinary Council Meeting held on 19 March 2020 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 5: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 19 MARCH 2020**

**COUNCIL RESOLUTION**

**60/20**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 19 March 2020 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 6: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

### 7.3 COVID-19 2020 COMMITTEE MEETING HELD 19 MARCH 2020

#### COUNCIL RESOLUTION

61/20

THAT the minutes of the COVID-19 Committee Meeting held on 19 March 2020 are confirmed as a true and accurate record of proceedings.

Moved Councillor Maslin

Seconded Councillor Corbett

CARRIED

#### Note 7: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

### 7.4 CLOSED SESSION OF THE COVID-19 2020 COMMITTEE MEETING HELD 19 MARCH 2020

#### COUNCIL RESOLUTION

62/20

THAT the minutes of the Closed Session of the COVID-19 Committee Meeting held on 19 March 2020 are confirmed as a true and accurate record of proceedings.

Moved Councillor Maslin

Seconded Councillor Corbett

CARRIED

#### Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

## 8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

### 8.1 REVIEW OF DETERMINATION REV4001/2020 REVIEW OF COUNCILS DETERMINATION OF MOD4028/2019 AMENDMENTS TO CONDITIONS RELATING TO ACCESS TO HIGHVIEW ESTATE

Record No:

Responsible Officer:	Acting Director Environment & Sustainability
Author:	Group Manager Development & Building Certification
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage
Delivery Program Objectives:	8.1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected
Attachments:	<ol style="list-style-type: none"><li>1. Applicants Justification for Review of Determination</li><li>2. Applicants Traffic Modelling SECA Solutions</li><li>3. MOD4028/2019 Signed Consent Notice</li><li>4. Transport for NSW response to REV4001/2020 referral</li><li>5. Transport for NSW response to MOD4028/2019</li><li>6. Submissions</li><li>7. Application form and cover letter</li></ol>

Applicant Number:	REV4001/2020
Applicant:	Coast Plan Consulting



Owner:	Village Style Retirement Services Pty Ltd and Erina Investment Services Pty Ltd
DA Registered:	13/01/2020
Property Description:	Lot 23 DP1227047, Lot 17 DP1216242 and Lot 32 DP1118132
Property Number:	108937, 108938, 106919
Zone:	R2 – Low Density Residential, RU1 – Primary Production, R1 – General Residential, R5- Large Lot Residential
Current Use:	Partially developed residential subdivision.
Approved Use:	Residential Subdivision 224 lots.
Application subject of Review:	MOD4028/2019
Recommendation	<p>Council confirm its determination of 19/12/19 to partially approve MOD4028/2019 for the following reasons:</p> <ol style="list-style-type: none"> <li>1. That the removal of the intersection between Kosciuszko Road and the stages 9-12 of Highview Estate will have an unreasonable impact on the surrounding local road network.</li> <li>2. That the Kosciuszko Road intersection is required to adequately service the later stages of the Highview Estate by providing a second alternative access to the development from a main road.</li> <li>3. That the deletion of conditions 61, 69 &amp; 70 is not in the public interest as it will have an unreasonable impact on residential amenity by increasing vehicular traffic through existing residential streets.</li> <li>4. That condition 58 not be amended as it was contingent upon approval of the deletion of condition 61.</li> </ol>

## EXECUTIVE SUMMARY

The purpose of this report is seek Councils consideration of a request for a review of determination under S8.2(1)(b) of the Environmental Planning and Assessment Act 1979 (“the Act”) for MOD4028/2019, determined by Council 19/12/19 ( Resolution No 458/19).

MOD4028/2019 sought to make the following amendments to DA0079/2007 (224 lot residential subdivision, known as Highview Estate Jindabyne):

1. Amend Condition 58 to delete the requirement to carry out a Traffic Study in lieu of constructing the Barry Way intersection.
2. Amend the Masterplan for the proposed subdivision to delete the access to the proposed subdivision from Kosciuszko Road.
3. Change the staging numbers of the original Stages 9 to 12 as indicated on the submitted Masterplan.
4. Delete Condition 61 as a result of the deletion of the access to Kosciusko Road.

5. Delete Condition 69 & 70 as a result of the deletion of the access to Kosciusko Road.
6. Amend Condition No 2 of the Development Consent so that each stage of the subdivision is to be proceeded in ascending numerical order up to Stage 9 as indicated on the amended staging plan submitted with this application. This will allow some flexibility in the completion of the development and will not result in any conflict with any of the current and amended conditions of the consent.

The following is the resolution as made at the meeting of 19/12/19:

**COUNCIL RESOLUTION**

**458/19**

That Council

A. Pursuant to section 4.55(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that MOD4028/2019 being an amendment to DA0079/2007 on Lot 23 DP1227047, Lot 17 DP1216242 and Lot 32 DP1118132 be approved in part (being those conditions relating to the restaging of the subdivision) subject to the amended conditions of consent attached.

B. Notify anyone who made a submission to MOD4028/2019 according to the regulations

**Moved Councillor Castellari**

**Seconded Councillor Haslingden**

**CARRIED**

As such no conditions relating to the removal of the requirement for an additional intersection to the development from Kosciuszko Road were amended. Under the provisions of the Environmental Planning and Assessment Act 1979 a person with benefit of a development consent has the opportunity to seek a review of a determination of the subject application. In this case the review of those conditions that were not approved as part of MOD4028/2019 has been lodged under the provisions of S8.2(1)(b) of the Act. The applicant is seeking to have the subject conditions deleted as previously requested in MOD4028/2019. The applicant's position is that the deletion of the conditions are supported by traffic modelling and that *"the conditions of consent of the master plan relating to traffic and access within the Highview Estate has been amended on a number of occasions and has been an issue since the development was first proposed"*. Council officers are not in support of the applicants position that the removal of the intersection will not have an unreasonable impact on local streets and residential amenity.

It is recommended that Council confirm its determination of 19/12/19 to partially approve MOD4028/2019, without making further changes to the development consent.

**COUNCIL RESOLUTION**

**63/20**

That

A. Pursuant to section 8.2(1)(b) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that Council confirm its determination of MOD4028/2019 as made on the 19/12/2019 for the following reasons:

1. That the removal of the intersection between Kosciuszko Road and the stages 9-12 of Highview Estate will have an unreasonable impact on the surrounding local road network.
2. That the Kosciuszko Road intersection is required to adequately service the later stages of the Highview Estate by providing a second alternative access to the development from a main road.
3. That the deletion of conditions 61, 69 & 70 is not in the public interest as it will have an unreasonable impact on residential amenity by increasing vehicular traffic through existing residential streets.
4. That condition 58 not be amended as it was contingent upon approval of the deletion of condition 61.

B. Notify in writing those who made a submission to this Application of its decision as per the requirements of clause 102(2) of the *Environmental Planning and Assessment Regulation 2000*

**Moved Councillor Rooney**

**Seconded Councillor Ewart**

**CARRIED**

**Record of Voting**

Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old and Councillor Rooney.

Councillors Against: Nil.

Councillor Stewart was absent during Item 8.1

**9. OTHER REPORTS TO COUNCIL**

**9.1 KEY THEME 1. COMMUNITY**

**9.1.1 MINUTES - RESIDENTIAL AGED CARE ADVISORY COMMITTEE 28 OCTOBER 2019**

Record No:

Responsible Officer: Acting Director Corporate and Community Services

Author: Executive Assistant to Acting Director Corporate and Community Services

Attachments: 1. Minutes - Residential Aged Care Advisory Committee 28 October 2019

**EXECUTIVE SUMMARY**

The Residential Aged Care Advisory Committee meeting was held on 28 October 2019 in Cooma. The Minutes are presented for Council's information.

The following officer's recommendation is submitted for Council's consideration.

**COUNCIL RESOLUTION**

**64/20**

That Council receive and note the Minutes of the Residential Aged Care Advisory Committee meeting held on 28 October 2019.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 9: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.1.2 WAIVER OF 2019/2020 FOOD PREMISES INSPECTION FEES**

Record No:

Responsible Officer:	Acting Director Environment & Sustainability
Author:	Manager Public Health and Environment
Key Theme:	1. Community Outcomes
CSP Community Strategy:	3.2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities
Delivery Program Objectives:	3.2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness
Attachments:	Nil
Cost Centre	1010
Project	Waiver of 2019/2020 Food Premises Inspection Fees
Further Operational Plan Actions:	Nil

**EXECUTIVE SUMMARY**

The recent bushfires and present COVID-19 Pandemic have created a set of circumstances which has negatively impacted the economic viability of many food businesses across the Snowy Monaro region.

NSW Food Authority has a partnership with the 128 local councils across NSW, who conduct regular inspections of retail food businesses in their local area. Snowy Monaro Regional Council is a signatory to this partnership. The general advice to councils undertaking regulatory functions during COVID-19 from the Office of Local Government and NSW Food Authority is that critical services such as food safety inspections should still be carried out.

Council charges fees in accordance with the *Local Government Act 1993* and the *Food Regulation 2015* for inspections and administration. Recent feedback from a number of businesses is that they are not in a financial position to pay the fees charged by Council

The following recommendation is submitted for Council's consideration.

**COUNCIL RESOLUTION**

**65/20**

That Council:

- A. Waive inspection fees for all food premise inspections conducted in the 2019/2020 financial year.
- B. Refund inspection fees paid to date for food premise inspections undertaken in the 2019/2020 financial year.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 10: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.1.3 MONTHLY FUNDS MANAGEMENT REPORT - MARCH 2020**

Record No:

Responsible Officer:	Director Corporate and Community Services
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.6 Increase and improve Council's financial sustainability.
Operational Plan Action:	OP7.18 Effective management of Council funds to ensure financial sustainability.
Attachments:	
Cost Centre	4010 Financial Services
Project	Funds Management
Further Operational Plan Actions:	OP7.2 Completion of reporting requirements in accordance with legislation.

**EXECUTIVE SUMMARY**

The following report details the funds management position for the reporting period ending 31 March 2020.

Cash and Investments are \$81,405,663.

**Certification**

I, Matt Payne, Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Clause 212 of the Local Government (General) Regulation 2005, that investments as detailed in this report have been invested in accordance with Section 625 of the *Local Government Act 1993*, the Regulations and Council's Investment Policy.

The following officer's recommendation is submitted for Council's consideration.

**COUNCIL RESOLUTION**

**66/20**

That Council:

- A. Receive and note the report indicating Council's cash and investments position as at 31 March 2020.
- B. Receive and note the Certificate of the Responsible Accounting Officer.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 11: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.1.4 REVIEW OF LEASE PAYMENTS - COVID-19**

Record No:

Responsible Officer: Acting Director Operations and Infrastructure  
Author: Property Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community  
Attachments: Nil  
Cost Centre 3020  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

Council has residential and commercial Leases and Licences over council land and properties in the region.

The following officer's recommendation is submitted for Council's consideration.

**COUNCIL RESOLUTION**

**67/20**

That Council

- A. Approve a reduction in fees and charges for commercial and community group Leases/Licences for tenants affected by the impact of the bushfires and COVID-19 for the period 1 January 2020 to 30 June 2020.
- B. That the reduction be based on the drop in revenue experienced by the tenant during the period of 1 January 2020 to 30 June 2020 compared to the same period in 2019; and
- C. That the CEO be authorised to apply a reduction to tenants based on the current revenue impacts identified by the tenant with and adjustment to be made following the end of the reduction period for the actual drop in revenue experienced.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 12: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

## 9.2 KEY THEME 2. ECONOMY

### 9.2.1 MONARO RAIL TRAIL DRAFT FEASIBILITY REPORT

Record No:

Responsible Officer:	Group Manager Economic Development and Tourism
Author:	Recreation Planner
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	6.1 The Snowy Monaro region is a destination that offers a variety of quintessential year – round experiences, attractions and events
Delivery Program Objectives:	6.1.1 Promote tourism and enhance the Snowy Monaro Region as a year round destination of choice through a collaborative approach between all stakeholders and interest groups
Attachments:	Nil
Cost Centre	7020
Project	Monaro Rail Trail Draft Feasibility Study Report
Further Operational Plan Actions:	

#### EXECUTIVE SUMMARY

At the Council meeting held 21 November 2019, Council was updated on the completion of the Monaro Rail Trail Feasibility Study report. The draft report presented a number of potential positive outcomes for the region if the rail trail were to become a reality and at a high level recommended that the trail should proceed. However, this was premised on a number of conditions that would need to be considered if the project were to continue progressing towards construction. One of the major issues pertaining to the development of the trail includes the recommendation that the rail line should not to be reinstated within the same corridor as this would impact the rail trail viability to such a degree that it would no longer be feasible.

The Draft report was placed on public exhibition for a 13 week period between 27 November 2019 and 28 February 2020. A total of 611 submissions were received. A total of 95% of those submissions were in support of the proposed rail trail. Landholders along the rail corridor were notified in writing regarding the exhibition of the draft feasibility report to provide them with every opportunity to make a submission.

The following report provides a summary of the feedback and recommendations provided by the general public during the consultation period.

The following officer's recommendation is submitted for Council's consideration.

#### COUNCIL RESOLUTION

68/20

That Council

- A. Receive and note the report
- B. Provide in-principle support for the Monaro Rail Trail noting that the rail line easement is not Council's asset, and subject to parts C and D of this recommendation.
- C. Prior to forming a final position on the use of the rail corridor, Council consider at a future date the

recommendations of the state government feasibility study into the reinstatement of the Queanbeyan to Bombala rail (train) line and extension to Eden, once these recommendations are known.

- D. Prior to forming a final position on the use of the rail corridor, Council consider at a future date a report examining the specific conditions highlighted in the final rail trail feasibility report in detail, including the likely implications of these conditions for Council including the capital and ongoing costs likely to be involved, and the potential funding source(s) for these costs.

**Moved Councillor Maslin**

**Seconded Councillor Ewart**

**CARRIED**

### Record of Voting

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

### 9.2.2 BOMBALA COMMERCIAL PRECINCT PAINTING

Record No:

Responsible Officer: Acting Director Environment & Sustainability  
Author: Economic Development Officer  
Key Theme: 2. Economy Outcomes  
CSP Community Strategy: 6.2 Encourage and promote vibrant towns and villages, acknowledging and celebrating the unique heritage and character of each town  
Delivery Program Objectives: 6.2.3 Council celebrates, supports and promotes the uniqueness and heritage characteristics of each town and village  
Attachments: Nil  
Project

### EXECUTIVE SUMMARY

In 2017, Council resolved to provide \$10,000 to the Bombala and District Chamber of Commerce (the Chamber) to purchase paint for their "Paint the town RAD" project. The 'Paint the Town Rad' idea was to involve the community coming together to paint the facades of the buildings in the main street.

To date, the Chamber have found the administration process determined in the resolution to claim the \$10,000 burdensome and they have not claimed the funding. This report recommends Council amend the resolution to help facilitate payment.

The following officer's recommendation is submitted for Council's consideration.

### COUNCIL RESOLUTION

69/20

That Council

- A. Note the previous resolution ADA96/16 adopted by the Administrator;
- B. Note the previous resolution 297/17 adopted by Council;
- C. Rescind Part C of resolution 297/17 and replace it with:

Authorise expenditure of \$10,000 directly to the Bombala and District Chamber of Commerce to assist with the current street upgrade project. The Chamber must agree to use the money on paint and



provide supporting documentation to Council once the project is completed.

**Moved Councillor Maslin**

**Seconded Councillor Corbett**

**CARRIED**

**Note 13: Motions Without Debate**

The above officer’s recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.3 KEY THEME 3. ENVIRONMENT**

**9.3.1 SNOWY MONARO REGIONAL COUNCIL TRAFFIC COMMITTEE REPORT**

Record No:

Responsible Officer: Acting Director Operations and Infrastructure

Author: Roads Safety Officer

Attachments: Nil

**EXECUTIVE SUMMARY**

Due to the COVID-19 Pandemic, the Local Traffic Committee were unable to hold their meeting on the 26 March 2020 .

As there was no physical meeting, there are no Minutes provided. Resolutions and comments from the Committee members are included in this report. The Committee’s recommendations and comments are presented for Council’s consideration and adoption.

**COUNCIL RESOLUTION**

**70/20**

That the recommendations of the meeting of the Local Traffic Committee held on 26 March 2020 be adopted with exception of item 7.3 Parking – Soho Street Cooma.

**Moved Councillor Haslingden**

**Seconded Councillor Corbett**

**CARRIED**

**Record of Voting**

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

**9.4 KEY THEME 4. LEADERSHIP**

**9.4.1 COUNCILLOR SUPERANNUATION SUBMISSION**

Record No:

Responsible Officer: Acting Director Corporate and Community Services

Author: Governance Officer

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects

Delivery Program Objectives: 10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability

Attachments: Nil  
Cost Centre 3110  
Project  
Further Operational Plan Actions:

### EXECUTIVE SUMMARY

On 3 March 2020 Office of Local Government had issued a discussion paper to seek the views of council and their local communities on whether councillors should receive superannuation payments. The release of the discussion paper has been prompted by concerns raised by mayors and councillors that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections.

Councils are being asked to provide comment and a submission on the four options listed in this paper.

- Maintaining the status quo – mayors and councillors can continue to voluntarily contribute *a portion* of their fees to a complying superannuation fund of their choice;
- Mandate the current voluntary situation – amend the Local Government Act 1993 (the Act) to make it compulsory for councils to pay *a portion* of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillors;
- Amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors' *in addition* to the mayors' and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views; or
- Amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors *in addition* to the mayor's and councillors' fees.

The following officer's recommendation is submitted for Council's consideration.

#### COUNCIL RESOLUTION

71/20

That Council support option 4 to Amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.

**Moved Mayor Beer**

**CARRIED**

#### Record of Voting

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Ewart, Councillor Last, Councillor Maslin and Deputy Mayor Miners.*

*Councillors Against: Councillor Corbett, Councillor Haslingden, Councillor Rooney and Councillor Stewart.*

#### Note 14: Attendance of Councillor Old

Councillor Old was absent from the meeting from 6.11pm during Item 9.4.1 Councillor Superannuation Submission returning at 6.14pm during same Item.

**Note 15: Attendance of Councillor Old**

Councillor Old was absent from the meeting from 6.27pm during Item 9.4.1 Councillor Superannuation Submission returning at 6.51pm during item 10.1 Snowy Hydro Traffic Movement Report.

**9.4.2 REVIEW OF INVESTMENT AND PROCUREMENT POLICIES**

Record No:

Responsible Officer: Acting Director Corporate and Community Services  
Author: Management Accountant  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income  
Delivery Program Objectives: 11.2.4 A balanced approach to investment strategies  
Attachments: 1. SMRC 258 - Policy - Investment  
2. SMRC 55 - Policy - Procurement and Tendering  
Cost Centre 4010 Financial Services

**EXECUTIVE SUMMARY**

Council's Investment and Procurement Policies have been reviewed and updated and are presented for adoption by the Council. The revised policies were presented to the Audit Risk and Improvement Committee meeting held on Wednesday 4 March 2020.

The following officer's recommendation is submitted for Council's consideration.

<b>COUNCIL RESOLUTION</b>	<b>72/20</b>
That Council adopt the revised policies	
A. SMRC 258 Investment	
B. SMRC 55 Procurement and Tendering	
<b>Moved Councillor Maslin</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

**Note 16: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.4.3 ANSWERS TO QUESTIONS WITH NOTICE**

Record No:

Responsible Officer: Acting Director Corporate and Community Services  
Author: Secretary Council and Committees  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making

Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community

Attachments: 1. Answers to Questions with Notice for period ending March 2020

Cost Centre 3120 Governance

Project

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending March 2020.

The Councillor Questions In Progress for the period ending March 2020 is attached to this report.

The following officer's recommendation is submitted for Council's consideration.

### COUNCIL RESOLUTION

73/20

That Council receive and note the Councillor Questions In Progress report for the period ended March 2020.

Moved Councillor Maslin

Seconded Councillor Corbett

CARRIED

### Note 17: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

### 9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Acting Director Corporate and Community Services

Author: Secretary Council and Committees

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.1.1.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest.

Operational Plan Action: OP7.7 Provide timely, accurate and relevant information to Council to enable informed decision making.

Attachments: 1. In Progress Resolution Action Sheet for period ending March 2020

Cost Centre 3120

### EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of action that are current and have recently been completed, for the period ending March 2020.

The In Progress Resolution Action Sheet for period ending March 2020 is attached to this report.

The following officer's recommendation is submitted for Council's consideration.

<b>COUNCIL RESOLUTION</b>	<b>74/20</b>
That Council receive and note the In Progress Resolution Action Sheet Update for the period ending March 2020.	
<b>Moved Councillor Maslin</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

**Note 18: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

**9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE - MINUTES OF MEETING HELD ON 4 MARCH 2020**

Record No:

Responsible Officer:	Chief Executive Officer
Author:	Senior Internal Auditor
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. 2020 03 04 - SMRC ARIC - Minutes of Meeting held on 4 March 2020
Cost Centre	3136 - Internal Audit

**EXECUTIVE SUMMARY**

The Audit, Risk and Improvement Committee met on 4 March 2020 in Committee Room, Cooma. The minutes of meetings, approved by the Chair and circulated to the Committee and will be adopted at its next meeting, are presented for Council's information.

The following officer's recommendation is submitted for Council's consideration.

<b>COUNCIL RESOLUTION</b>	<b>75/20</b>
That Council receive and note the minutes of meeting of Council's Audit, Risk and Improvement Committee held on 4 March 2020.	
<b>Moved Councillor Maslin</b>	<b>Seconded Councillor Corbett</b>
	<b>CARRIED</b>

**Note 19: Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 58/20 above as there was no challenge by Councillors.

#### 9.4.6 BUSHFIRE RECOVERY UPDATE

Record No:

Responsible Officer: Chief Executive Officer  
Author: Local Recovery Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making  
Delivery Program Objectives: 10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community  
Attachments: 1. Bushfire Community Resilience Economic Recovery Fund - Phase 1  
Cost Centre  
Project  
Further Operational Plan Actions:

#### EXECUTIVE SUMMARY

This is an information report to update the Councillors on the activities being undertaken to assist the community with the recovery after the impacts of the 2019/20 bushfires.

The following officer's recommendation is submitted for Council's consideration.

#### COUNCIL RESOLUTION

76/20

That Council receive and note the Bushfire Recovery Update.

**Moved Councillor Stewart**

**Seconded Councillor Ewart**

**CARRIED**

#### Record of Voting

*Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

#### 9.4.7 DRAFT OPERATIONAL PLAN INCLUDING BUDGET AND FEES AND CHARGES

Record No:

Responsible Officer: Chief Executive Officer  
Author: Acting Director Corporate and Community Services  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 12.1 Our community has multiple opportunities to be consulted and engaged in the development of plans, services and policies that affect the region  
Delivery Program Objectives: 12.1.1 Council is a trusted community partner providing value for money through delivering according to Council's adopted Delivery Program  
Attachments: 1. Operational Plan 2021 (*Under Separate Cover*)

2. 2021 Fees and Charges *(Under Separate Cover)*
3. Revenue Policy 2021 *(Under Separate Cover)*

Cost Centre

Project

Further Operational Plan Actions:

### EXECUTIVE SUMMARY

The Operational Plan attached is developed around seeking to maintain the normal services provided by Council within a difficult financial time for the Council and the community. It outlines a range of activities that are provided on an ongoing basis as well as specific activities to be undertaken, designed to meet community needs or regulatory requirements.

The following officer's recommendation is submitted for Council's consideration.

### COUNCIL RESOLUTION

77/20

That Council

- A. Apply the rates peg of 2.6% to the Revenue Policy; and
- B. Place the Operational Plan and the associated Revenue Policy and Fees and Charges on public exhibition.

**Moved Councillor Stewart**

**Seconded Councillor Haslingden**

**CARRIED**

### Record of Voting

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Rooney and Councillor Stewart.*

*Councillors Against: Councillor Last, Councillor Maslin and Deputy Mayor Miners.*

## 10. NOTICE OF MOTION

### 10.1 SNOWY HYDRO TRAFFIC MOVEMENT REPORT

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Last

Attachments: 1. Notice of Motion - Councillor Last

Councillor John Last has given notice that at the Ordinary Meeting of Council on 16 April 2020, he will move the following motion.

**COUNCIL RESOLUTION**

**78/20**

That Council

- A. Request Snowy Hydro to provide full details of traffic movements from the plant at Polo Flat Road and the proposed route through the town of Cooma including detailed traffic movements, types of vehicles and weights, both laden and unladen and hours of movements. Such traffic movements are in respect of the factory to be established at Polo Flat, and in relation to materials from that factory to be moved to works in connection with the proposed tunnels to be constructed; and
- B. That the aforementioned information be provided within a reasonable time.

**Moved Councillor Last**

**Seconded Councillor Haslingden**

**CARRIED**

**Record of Voting**

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners and Councillor Stewart.*

*Councillors Against: Councillor Ewart, Councillor Old and Councillor Rooney.*

**11. MAYORAL MINUTES**

**11.1 ASSISTANCE TO MAINTAIN ESSENTIAL FUNCTIONS AND SERVICES**

**COUNCIL RESOLUTION**

**79/20**

That Council

- A. Calls for the packages to include the following measures:
- Increasing Financial Assistance Grants payments to 1% of federal government revenue to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 (and drought and bushfire where affected) as well as giving councils capacity to provide hardship assistance to businesses and residents.
  - Immediate financial assistance to support council employees, especially in early education and care.
  - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
  - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
- B. Commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
- C. Write to the local Federal and State Member(s) the Hon John Barilaro MP, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coultan, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local



Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.

D. Endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.

E. Advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

**Moved Mayor Beer**

**CARRIED**

### **Record of Voting**

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old, Councillor Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

## **12. QUESTIONS WITH NOTICE**

### **12.1 BOCO ROCK UPDATE**

#### **RECOMMENDATION**

Councillor Bob Stewart

Question: How is BOCO Rock Committee going?

### **12.2 INSURANCE CLAIMS - RESERVOIR**

#### **RECOMMENDATION**

Councillor John Last

Question: Wouldn't it have been better off to have paid the value of the care out earlier, or can we do it now, has that thought been put to the secretariat?

### **12.3 ADAMINABY PARKING AREA**

#### **RECOMMENDATION**

Councillor Lynley Miners

Question: Has council got an update on the dirt parking area at the fish and public toilet area in Adaminaby?

### **12.4 COOMA CREEK AND COOMA BACK CREEK**

#### **RECOMMENDATION**

Councillor Rogan Corbett

Question: Could we have a report on progress on rehabilitation of Cooma creek and in particular Cooma Back Creek?

These creeks are in the middle of Cooma and are in a very neglected state, and I believe there would be some grant funding available to do this project.

### 12.5 WEEDS AND LONG GRASS MANAGEMENT IN MICHELAGO

#### RECOMMENDATION

Councillor John Rooney

Question: Why can't council staff that mow the oval in Michelago mow the other public lands at the same time?

### 12.6 PEST MANAGEMENT AT JINDABYNE TIP

#### RECOMMENDATION

Councillor Brian Old

Question: Can we get rid of the feral cats at the Jindabyne tip?

## 13. CONFIDENTIAL MATTERS

#### COUNCIL RESOLUTION

80/20

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:
  - 13.1 Review of Lease Payments - COVID-19 (Supporting Confidential Information)**

Item 13.1 is confidential in accordance with s10(A)(2)(f) of the Local Government Act because it contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
  - 13.2 Legal Actions and Potential Claims Against SMRC as at 31 March 2020**

Item 13.2 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.

Moved Mayor Beer

CARRIED

**Note 21: Invitation to Public**

Upon the above motion being moved and seconded, the Mayor invited representations from the public as to whether this part of the meeting should be closed to consider the nominated items. There were no requests by members of the public to make any representations.

**Note 22: Confidential Session of Committee**

At 7.14 pm the meeting was closed to the press and public.

**Note 23: Resumption of Open Committee Meeting**

At 7.25 pm the Closed Session ended and the Council meeting continued in Open Session.

**14. REPORT FROM CONFIDENTIAL SESSION**

**13.1 REVIEW OF LEASE PAYMENTS - COVID-19 (SUPPORTING CONFIDENTIAL INFORMATION)**

No recommendation is required.

**13.2 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 MARCH 2020**

<b>COUNCIL RESOLUTION</b>	<b>81/20</b>
That Council matters be clarified in regards to Tropic Asphalt and Cumnt matters.	
<b>Moved Councillor Last</b>	<b>Seconded Deputy Mayor Miners CARRIED</b>

**Record of Voting**

*Councillors For: Mayor Beer , Councillor Castellari, Councillor Corbett, Councillor Ewart, Councillor Haslingden, Councillor Last, Councillor Maslin, Deputy Mayor Miners, Councillor Old and Councillor Stewart.*

*Councillors Against: Councillor Rooney.*

There being no further business the Mayor declared the meeting closed at 7.25PM.

CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 16 April 2020 were confirmed by Council at a duly convened meeting on 21 May 2020 at which meeting the signature hereon was subscribed.