



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Ordinary Council Meeting**

**17 September 2020**



**ORDINARY COUNCIL MEETING**  
**HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630**  
**ON THURSDAY 17 SEPTEMBER 2020**

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

**ON THURSDAY, 17 SEPTEMBER 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 arrived at 05.11PM  
Councillor Bob Stewart

**APOLOGIES:** Councillor Brian Old

**Staff:** Peter Bascomb, Chief Executive Officer  
David Rawlings, Chief Strategy Officer  
Jeff Morgan, Chief Operating Officer  
Gina Woodward, Chief Communications Officer  
Joyleen Mathias, Coordinator Governance

**Notes:** *The Mayor opened the meeting at 5:05PM. At 5:08PM the Mayor adjourned the meeting for Public Forum Councillor Maslin joined the meeting at 5.11PM during Public Forum. The Mayor resumed the meeting at 6.10PM. Councillor Miners joined the meeting at 6.16PM during discussion of Item 8.1 - Amendment Snowy River Local Environmental Plan 2013 Modification to Highview Planning Proposal. At 6.54PM Councillor Maslin left the meeting. At 6.57PM Councillor Maslin returned to the meeting. There being no further business the Mayor declared the meeting closed at 7.23PM.*

## 1. OPENING MEETING

The Mayor opened the meeting at 5:05PM.

### Note 1: Adjournment of Meeting

At 5:08PM the Mayor adjourned the meeting for Public Forum.

### Note 2: Attendance of Councillor Maslin

Councillor Maslin arrived the meeting at 5.11PM during Public Forum.

### Note 3: Resumption of Meeting

The Mayor resumed the meeting at 6.10PM.

## 2. ACKNOWLEDGEMENT OF COUNTRY

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

### COUNCIL RESOLUTION

162/20

That the apology be accepted for Councillor Old and a leave of absence be granted for Councillor Ewart for the 15 October 2020 Council Meeting.

Moved Councillor Stewart

Seconded Deputy Mayor Miners

CARRIED

### RECORD OF VOTING

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

*COUNCILLORS AGAINST: NIL.*

## 4. CITIZENSHIP CEREMONIES

Nil.

## 5. DISCLOSURE OF INTEREST

### 5.1 COUNCILLOR EWART

Councillor Ewart declared an interest in Item 13.1 as he has a conflict of interest due to "Mother and partner have insurance claims with reservoir burst".

## .6. MATTERS DEALT WITH BY EXCEPTION

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

### COUNCIL RESOLUTION

163/20

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 – Confirmation of Minutes: Ordinary Council Meeting held on 20 August 2020;

7.2 - Confirmation of Minutes: Closed Session of the Ordinary Council Meeting held on 20 August 2020;

9.1.1 - Acquisition - Easement for Access Adaminaby Sewage Treatment Plant and Town Water Supply;

- 9.1.2 - Monthly Funds Management Report - August 2020;  
9.2.1 - Proposal to Close Part Mittagang Road - Yallabee Lodge;  
9.3.5 - NSW Government Road Classification Review and Road Transfer Initiative;  
9.4.2 - Council Meeting Dates, Times and Locations for November 2020 to September 2021;  
9.4.3 - Answers to Questions With Notice;  
9.4.4 - Resolution Action Sheet Update;  
9.4.7 - Regional Community Strategic Plan;  
9.4.9 - Boco Rock Community Enhancement Fund Committee and Sub Committee Minutes 2020;  
9.4.10 - 2020 Financial Statements to be Referred to External Audit;  
13.1 - Legal Actions and Potential Claims Against SMRC as at 31 August 2020; and  
B. That the Officer's Recommendations in the reports listed above are hereby adopted.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

## RECORD OF VOTING

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

**COUNCILLORS AGAINST:** NIL.

## 7. CONFIRMATION OF MINUTES

### 7.1 ORDINARY COUNCIL MEETING 20 AUGUST 2020

#### COUNCIL RESOLUTION

**164/20**

THAT the minutes of the Ordinary Council Meeting held on 20 August 2020 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

#### Note 4: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 20 AUGUST 2020

#### COUNCIL RESOLUTION

**165/20**

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 20 August 2020 are confirmed as a true and accurate record of proceedings.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

#### Note 5: MOTIONS WITHOUT DEBATE

THE ABOVE OFFICER'S RECOMMENDATION BECAME A RESOLUTION OF COUNCIL AS A RESULT OF RESOLUTION 163/20 ABOVE AS THERE WAS NO CHALLENGE BY COUNCILLORS.

## 8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

### 8.1 AMENDMENT SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013 MODIFICATION TO HIGHVIEW PLANNING PROPOSAL

Record No:

Responsible Officer: Coordinator Strategy Development



Author:	Senior Strategic Land Use Planner
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:	8.1.2 Land use is optimised to meet the social, environment and economic needs of the region
Attachments:	<ol style="list-style-type: none"><li>1. Gateway Determination</li><li>2. Alteration to Gateway Determination</li><li>3. NSW Government Biodiversity Conservation Division (Formerly OEH Advice)</li><li>4. Planning Proposal Highview</li></ol>
Further Operational Plan Actions:	

## EXECUTIVE SUMMARY

The planning proposal is for the rezoning and reduction in minimum lot size of Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279, Barry Way Jindabyne. This can only be achieved by amending the *Snowy River Local Environmental Plan (SR LEP) 2013*.

The subject planning proposal is to amend the SR LEP, 2013 by rezoning the subject site from zone RU1 Primary Production to zone R2 Low Density Residential, reduce the minimum lot size from 40 hectares to 700sqm and introduce a floor space ration of 0.5. This proposal requires amending the Land Zoning Map LZN\_003AA, Lot Size Map LSZ\_003AA and Floor Space Ratio Map FSR\_003A in the *SR LEP 2013*.

The planning proposal is consistent with the Jindabyne Growth Structure Plan 2007. It involves the logical extension of a R2 Low Density Residential zone to include the subject site, where the Highview Estate subdivision is currently under construction. The further extension of the R2 zone will allow for future development consistent with the objectives of this direction and that will give effect to and are consistent with the aims, objectives and principles of the various strategies and planning schemes, including being broadly consistent with all relevant Ministerial Directions under section 9.1 of the *Environment Planning and Assessment Act 1979*. The planning proposal is, in the case of direction 1.2, not consistent however, these inconsistencies are justified by a strategy and are of minor significance.

### **Note 6: Attendance of Councillor Miners**

At 6.12PM Councillor Miners left the meeting.

### **Note 7: Attendance of Councillor Miners**

At 6.16PM Councillor Miners returned to the meeting.

**COUNCIL RESOLUTION**

**166/20**

That:

- A. The report from the Senior Strategic Land Use Planner on the Planning Proposal Pt Lot 25 & 26 DP 1253407 and Lot 12 DP 1035279 Barry Way be received;
- B. The amended Planning Proposal be submitted to the Minister of NSW Planning & Environment for a (altered) Gateway Determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*;
- C. The Department of Planning, Industry and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal; and
- D. In the event NSW Department of Planning, Industry & Environment issues an (altered) Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the *Environmental Planning and Assessment Act 1979* and any directions of the Gateway Determination.

**Moved Councillor Castellari**

**Seconded Councillor Stewart**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9. OTHER REPORTS TO COUNCIL**

**9.1 KEY THEME 1. COMMUNITY**

**9.1.1 ACQUISITION - EASEMENT FOR ACCESS ADAMINABY SEWAGE TREATMENT PLANT AND TOWN WATER SUPPLY**

Record No:

Responsible Officer: Chief Operating Officer

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  
Ordinary Council at its meeting on 16 July 2020 resolved that the matter be deferred to the meeting to be held on 20 August 2020.

Attachments: 1. Map and Information on Adaminaby STP and TWS

Cost Centre

Project PJ260009

Further Operational Plan Actions:

## EXECUTIVE SUMMARY

The Adaminaby Town water supply and Sewage Treatment Plant (STP) are land locked by Crown land, with no legal easement for access in place. Currently there are tracks in use to access these essential services but these tracks are not legal easements. It is now a requirement to have legal access in place, therefore it is necessary for an acquisition for easement to take place for both sites.

The town water supply is located on Lot 291 DP 729876 and the STP is located on Lot 1 DP 539221 in Adaminaby. Both sites have different access points which traverse through Crown land.

## COUNCIL RESOLUTION

167/20

That Council:

- A. Proceed with the compulsory acquisition of the interest in the land described as part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m for the purpose of easement for access to essential services being the Sewage Treatment Plant in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*;
- B. Proceed with the compulsory acquisition of the interest in the land described as part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services being Town Water Supply in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*;
- C. Make an application to the Minister and the Governor for approval to acquire part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m and Part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services by compulsory process under section 187(1) of the *Local Government Act 1993*;
- D. Classify the land as easement for access in accordance with the *Local Government Act 1993*;
- E. Authorise the CEO to sign any documentation required for this Acquisition process.

Moved Councillor Rooney

Seconded Deputy Mayor Miners

CARRIED

### Note 8: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 9.1.2 MONTHLY FUNDS MANAGEMENT REPORT - AUGUST 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	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 August 2020.

Cash and Investments are \$74,980,591.

### 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.

### COUNCIL RESOLUTION

168/20

That Council:

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

Moved Councillor Rooney

Seconded Deputy Mayor Miners

CARRIED

### Note 9: Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 9.1.3 SHANNONS FLAT HALL

Record No:

Responsible Officer: Chief Operating Officer  
Author: Land & Property Officer  
Key Theme: 1. Community Outcomes  
CSP Community Strategy: 3.1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all  
Delivery Program Objectives: 3.1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities  
Attachments: 1. Email from Laura Luton - Shannons Flat Hall  
Cost Centre Work Order 167 – Shannons Flat Community Hall

### EXECUTIVE SUMMARY

On 20 December 2018 Council resolved to accept the "gift" of Shannons Flat Community Hall from the current landowners, which was to be classified as community land upon transfer to Council.

The landowner has since changed his mind and is now requesting Council rescind the former resolution and instead resolve to lease the hall from the landowner for \$200 per annum; with the landowner to be

responsible for power, rates and maintenance.

Council is also being requested to place the Shannons Flat Hall on its insurance schedule.

**COUNCIL RESOLUTION**

**169/20**

That Council:

- A. Rescind resolution 575/18;
- B. Approve the request for Council to lease the hall for \$200 per annum; and
- C. If B is agreed to that the following actions occur:
  - i. The Shannons Flat Hall be added to Council's insurance schedule.
  - ii. The lease conditions be approved by Council's CEO.
  - iii. Authorise the CEO to execute the Lease on behalf of Council.
- D. Notify the landowner of Shannons Flat Hall of Council's decision.

**Moved Councillor Stewart**

**Seconded Councillor Last**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9.1.4 NOMINATION RECEIVED FOR MEMBERSHIP TO BREDBO HALL SECTION 355 COMMITTEE**

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Officer

Key Direction: 4. Leadership Outcomes

Delivery Plan Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes

Operational Plan Action: 12.3.3 Volunteer and Community group participation is valued and leveraged to improve community outcomes

Attachments: 

1. Michelle Henkel - Nomination for Bredbo Hall s355 Committee
2. Muriel Stockheim - Nomination for Bredbo Hall s355 Committee
3. Resignation - Steven Littlehales

Cost Centre

Project Section 355 Committees

**EXECUTIVE SUMMARY**

After receiving the resignation of a member of the Bredbo Hall Committee Council advertised calling for nominations in the Monaro post from 30 July 2020 to 13 August 2020, on Councils website, and Council's Facebook page. The vacancy was also promoted by the committee.

Council received Two (2) nominations from the community for the Bredbo Hall Committee.

**COUNCIL RESOLUTION**

**170/20**

That Council;

- A. Accept the resignation of Stephen Littlehales;
- B. Modify the charter to expand the number of members to 6 and appoint Michelle Hinkel and Muriel Stockheim.

**Moved Councillor Rooney**

**Seconded Councillor Stewart**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9.1.5 AUGUST YOUTH COUNCIL MINUTES AND MOSAIC TIME WALK 2.0 PROJECT**

Record No:

Responsible Officer: Chief Operating Officer

Author: Youth Officer

Key Theme: 1. Community Outcomes

CSP Community Strategy: 1.4 Youth in the region are supported to reach their maximum potential

Delivery Program Objectives: 1.4.1 Youth of the region are engaged, supported, mentored and trained to be the leaders of tomorrow

Attachments: 1. August Youth Council Minutes

Cost Centre

Project Youth Council Meeting – August 2020

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The Youth Council held their monthly meeting 24 August 2020 over Zoom. The minutes are attached for Council's consideration.

The minutes include an overview of the Youth Council's proposal to extend the Mosaic Time Walk in Centennial Park, Cooma. Installed in 1988 as part of Bicentennial celebrations, the Youth Council seek to continue the Time Walk along the back of the existing monument; capturing, preserving and celebrating the region's modern history.

Following in principle from the Arts and Culture Section 355 Committee and South East Arts, Council staff submitted a time sensitive application to the Foundation for Rural and Regional Renewal (FRRR) to fund the project. The outcome of this application is expected in November and the Youth Council are now seeking formal permission from Council to move ahead with the project.

**COUNCIL RESOLUTION**

**171/20**

That Council:

- A. Receive and note the minutes of the Youth Council meeting held 24 August 2020;
- B. Note the Arts and Culture Committee's in principle support for the Mosaic Time Walk 2.0;
- C. Approve the Youth Council to extend the Mosaic Time Walk monument in Centennial Park, in partnership with the Arts and Culture Committee, South East Arts and Council Staff;
- D. Approve Council staff to pursue funding for the Mosaic Time Walk 2.0 project on behalf of the Youth Council; and
- E. Approve the Youth Council to commence community consultation, with leadership from Council staff, once funding has been secured.

**Moved Councillor Ewart**

**Seconded Councillor Stewart**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9.2 KEY THEME 2. ECONOMY**

**9.2.1 PROPOSAL TO CLOSE PART MITTAGANG ROAD - YALLAMBEE LODGE**

Record No:

Responsible Officer: Chief Operating Officer  
Author: Land & Property Officer  
Key Theme: 3. Environment Outcomes  
CSP Community Strategy: 9.1 Transportation corridors throughout the region are improved and maintained  
Delivery Program Objectives: 9.1.1 Management of road corridors is effective and efficient  
Attachments: 1. Draft survey plan - proposed road closure - Mittagang Road - Yallambee Lodge  
Cost Centre: Work Order 313 – Yallambee Lodge Extension

**EXECUTIVE SUMMARY**

Council is in the process of consolidating lot 29 DP 416596 (the former garage site adjacent to Yallambee Lodge) with Lot 1 DP 841447 (Yallambee Lodge).

Council staff have noted that the Yallambee Lodge bin enclosure which is located on Mittagang Road is on the road reserve. It is a timely opportunity to tidy up this anomaly whilst the project for the expansion works at Yallambee Lodge and consolidation of the former service station site with Yallambee Lodge is ongoing.

It is proposed to close part of Mittagang Road in accordance with the draft plan attached to this report to ensure that the bin enclosure is not located on the road reserve.

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

**COUNCIL RESOLUTION**

**172/20**

That Council;

- A. Approve the road closing of part of Mittagang Road in accordance with the *Roads Act 1993*;
- B. Consolidate the new lot with lot 1 DP 841447 (Yallabee Lodge); and
- C. Authorise Council's CEO to execute all necessary documents to complete the road closing and lodgement of the plan of consolidation.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 162/20 above as there was no challenge by Councillors.

**9.3 KEY THEME 3. ENVIRONMENT**

**9.3.1 DELEGATE WATER SUPPLY OPTIONS REPORT - UPDATE**

Record No:

Responsible Officer:	Chief Operating Officer
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard
Delivery Program Objectives:	8.2.1 Council maximises its Asset utilisation to deliver services today and into the future
Attachments:	1. Options_Assessment_Delegate_Water_Supply - final Draft 30-7-2020
Cost Centre	347 – 4690 - 410
Project	Delegate Water Supply Options report

Further Operational Plan Actions: N/A

**EXECUTIVE SUMMARY**

The scope of this report and attachment is to inform Council on the progress of the Delegate Water Supply Options Report and to endorse the report for public exhibition. The options report covers bore hole drilling and results, existing Delegate weir considerations, raw water pump station and proposed new water treatment plant (WTP) with options to achieve reliable and sustainable water treatment, compliant with current Australian Drinking Water Guidelines (ADWG) plus "water industry best practice in operation".



**Note 10: Lost Amendment**

An amendment to the original motion moved Cllr Haslingden and seconded Cllr Maslin was put to the vote and LOST. The lost amendment was in the following terms

*“That Council Defer the report until the community consultation.”*

**Record of Voting – Amendment**

*Councillors For: Councillor Castellari, Councillor Haslingden and Councillor Maslin.*

*Councillors Against: Mayor Beer , Councillor Corbett, Councillor Ewart, Councillor Last, Deputy Mayor Miners, Councillor Rooney and Councillor Stewart*

<b>COUNCIL RESOLUTION</b>	<b>173/20</b>
That Council endorse the Options Assessment Report – Delegate Water Supply for public exhibition.	
<b>Moved Councillor Stewart</b>	<b>Seconded Councillor Haslingden</b>
	<b>CARRIED</b>

**Record of Voting for Resolution**

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

*Councillors Against: Councillor Haslingden.*

**9.3.2 MINUTES OF THE SNOWY MONARO REGIONAL COUNCIL TRAFFIC COMMITTEE MEETING - HELD ELECTRONICALLY 23 JULY 2020**

Record No:

Responsible Officer: Chief Operating Officer

Author: Roads Safety Officer

Attachments: 1. Minutes of the Local Traffic Committee meeting held Thursday 23 July 2020

**EXECUTIVE SUMMARY**

Due to the COVID-19 Pandemic, the Local Traffic Committee held their meeting on Thursday 23 July 2020 electronically.

Members on the Committee submitted their approval and comments for each item via e-mail. Resolutions and comments from the Committee members are included in the minutes attached to this report.

The Committee’s recommendations and comments are presented for Council’s consideration and adoption.

**COUNCIL RESOLUTION**

**174/20**

That Council adopt the Recommendations of the Local Traffic Committee meeting held on 23 July 2020:

- A. **LTC162/20 - Rare Cancers Australia - Canberra to Thredbo Charity Ride "Parliament to Peak"**  
That Council approve the application for the Ride for Rare Cancer Event to be conducted over 11<sup>th</sup> and 12<sup>th</sup> March 2021;
- B. **LTC163/20 - Jindabyne East Residents Committee (JERC)**  
The Jerrara Drive Road Safety Review was noted by the Local Traffic Committee and advises Council that this report is not within the scope of the Delegation from Transport for NSW and council continue to lobby the state government to fix the problem of Jerrara Drive intersection and Kosciuszko Highway; and
- C. **LTC164/20 - Cardwell Street & Wellington Street Bombala**  
That the Local Traffic Committee requests Council officers to investigate the engineering and funding possibilities to make to intersection of Cardwell Street and Wellington Street safer.

**Moved Deputy Mayor Miners**

**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 Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

**9.3.3 AMENDMENT OF THE TERMS OF REFERENCE OF THE WASTE MANAGEMENT COMMITTEE**

Record No:

Responsible Officer: Chief Operating Officer  
Author: Manager Resource & Waste Services  
Key Theme: 3. Environment Outcomes  
CSP Community Strategy: 7.2 Water, waste, sewer and stormwater management practices are contemporary and efficient  
Delivery Program Objectives: 7.2.3 Innovative solutions and infrastructure supporting waste and recycling operations to reduce landfill have been investigated  
Attachments: 1. Amended Terms of Reference - Waste Management Committee  
Cost Centre  
Project  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The Waste Management Committee was established in February 2018 for the purpose of investigating and reporting to Council on recommendations for optimum efficiencies relating to Council's waste management operations, services and facilities.

Under the current terms of reference, the limited membership of the committee has made it difficult for a quorum to be achieved to enable meetings to be held.

The purpose of this report is to amend the terms of reference of the Waste Management Committee to expand membership to ensure that the committee will have a quorum at each meeting along with increased representation across the LGA. The report also recommends an additional Councillor be nominated to the Waste Management Committee.

**COUNCIL RESOLUTION**

**175/20**

That Council:

- A. Adopt the revised terms of reference for the Waste Management Committee; and
- B. Nominate Councillor Haslingden as a member of the Waste Management Committee.

**Moved Councillor Ewart**

**Seconded Councillor Last**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9.3.4 REQUEST FOR EASEMENT OVER COUNCIL LAND IN COOMA**

Record No:

Responsible Officer: Chief Operating Officer

Author: Land & Property 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: 10.1.4 Harmonisation of policies, procedures and processes deliver customer focused business practices

Attachments: 1. Proposed Pipe Location

Cost Centre Work Order 216 (Cooma Open Spaces related)

**EXECUTIVE SUMMARY**

Council has received a request from the owner of Lot 1 DP 224408 (the applicant) in Barrack Street Cooma to install a 25mm pipeline across Council land in Cooma being Lot 2 DP 224408, which is open land adjoining Cooma Creek. The applicant owns the adjoining property being Lot 1 DP 224408, where he keeps two horses. He intends to pump water from the creek to provide water for his horses.

The applicant has agreed to meet all costs involved in creating the easement. It was pointed out that whilst Council may approve the easement for water supply, the applicant would still need the consent of NSW Water to pump water from the creek. The beneficiary of the easement will be responsible for all remediation and maintenance of the easement, including ensuring that any subsidence is remediated on an ongoing basis under the 88B Instrument prepared to create the easement.

**COUNCIL RESOLUTION**

**176/20**

That Council

- A. Approve the request to create an easement for water supply over Lot 2 DP 224408 subject to:
- i. All costs being borne by the owner of Lot 1 DP 224408.
  - ii. Any disturbance to Lot 2 DP 224408 to be remediated by the applicant, as soon as possible, to the same condition as prior to disturbance.
  - iii. The owner of Lot 1 DP 224408 obtaining a licence to pump water from Cooma Creek prior to installing the pipeline for water supply; and
- B. Authorise Council's CEO to execute any documents necessary to register the easement.

**Moved Councillor Ewart**

**Seconded Councillor Corbett**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Councillor Last.*

**9.3.5 NSW GOVERNMENT ROAD CLASSIFICATION REVIEW AND ROAD TRANSFER INITIATIVE**

Record No:

Responsible Officer: Chief Operating Officer  
Author: Manager Infrastructure  
Key Theme: 3. Environment Outcomes  
CSP Community Strategy: 9.1 Transportation corridors throughout the region are improved and maintained  
Delivery Program Objectives: 9.1.1 Management of road corridors is effective and efficient  
Attachments: 1. Road Classification Review & Transfer Information Paper  
Cost Centre 1802 – Road Management Operations  
Project Road Classification & Transfer Review  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

In February 2019, the NSW Government announced the initiation of a Road Classification Review to ensure the road classification framework is still fit for purpose and that roads across NSW are appropriately classified.

Also in February 2019, the NSW Government announced that up to 15,000 kilometres of council owned roads would be returned to State management as part of a broader package of support for local councils to better manage and maintain the rural road network.

On 21 August 2020 Transport NSW released the following:

*Earlier this month, nominations opened for all priority and non-priority reclassifications and/or transfers. This is the first step in a two-step process, and requests high-level information about roads currently planned to be submitted to the Independent Panel for consideration in a non-binding format.*

*Some councils have submitted feedback that the initial August deadline for nominations does not provide*

*sufficient time for response. In response, the Independent Panel has extended the due date until 25 September 2020.*

Given the latest information from NSW Transport does not commit Council, but is an initial expression of interest, it is recommended that Council proceeds with submission of all regional roads and upgrade of Jerangle road, Bobeyan road and the Barry Way to regional road status.

There remain concerns over the adequacy of funding for maintenance of these roads and how transfer to state ownership will impact on funding levels and Council's workforce development. These concerns can be discussed concurrently with the NSW Government as the transfer of ownership process proceeds.

Council can also give further consideration of priority roads to be transferred prior to the finalisation of the transfer process which is in 2021.

**COUNCIL RESOLUTION**

**177/20**

That Council makes a submission under the NSW Transport Round 1 Road Classification and Transfer Initiative for transfer or all Regional Roads and reclassification to regional road status and transfer of Jerangle Road, Bobeyan Road and the Barry Way.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

**9.4 KEY THEME 4. LEADERSHIP**

**9.4.1 SUBMISSION - DRAFT STATE STRATEGIC PLAN – A VISION FOR CROWN LAND**

Record No:

Responsible Officer: Chief Operating Officer  
Author: Coordinator Land & Property  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.3 Advocate and work with other levels of government, community and industry to improve outcomes  
Delivery Program Objectives: 10.3.1 Council connects, recognises, advocates and works in collaboration with all leaders across the community and beyond our boundaries  
Attachments: 1. Draft State Strategic Plan for Crown Land  
2. SSP Crown Land - SMRC Submission - 3 September 2020  
Further Operational Plan Actions: 8.2.1 Council maximises its asset utilisation to deliver services today and into the future.

**EXECUTIVE SUMMARY**

The NSW government is currently developing the first ever State Strategic Plan for Crown Land. It is inviting stakeholders to provide feedback on how Crown land can be used over the next ten years to

best meet the evolving needs of our community. Opportunity to comment is open to the general public and all interested stakeholders. The initial consultation period closed midnight 20 August 2020, with an extension for submission granted to Snowy Monaro Regional Council.

Under the *Crown Land Management Act 2016* (the Act) the NSW Government is required to create a State Strategic Plan for Crown land with the Plan "setting the vision, priorities and overarching strategy for the management of Crown land and outline timeframes and outcomes."

The attached document was provided as a draft for Councillor comment and then presented to a briefing of Councillors on 3 September 2020 for discussion.

**COUNCIL RESOLUTION**

**178/20**

That Council endorse the submission document on the Draft State Strategic Plan – A Vision for Crown Land.

**Moved Councillor Ewart**

**Seconded Councillor Castellari**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Councillor Last.*

**9.4.2 COUNCIL MEETING DATES, TIMES AND LOCATIONS FOR NOVEMBER 2020 TO SEPTEMBER 2021**

Record No:

Responsible Officer: Chief Strategy Officer

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: Nil

**EXECUTIVE SUMMARY**

As per the Local Government Act Council must meet at least 10 times in a year, in different months. Currently Council holds one ordinary Council meeting on the third Thursday of each month commencing at 5pm. These meetings are rotated between Cooma, Bombala and Jindabyne. Council is required to determine the meeting schedule for November 2020 to October 2021.

**COUNCIL RESOLUTION**

**179/20**

That Council:

- A. Maintain the Council meeting schedule to third Thursday of the month commencing at 5pm;
- B. Alternate Council meetings to regional locations as listed in the proposed schedule in this report; and
- C. Agree to conduct council meetings at regional location starting from November 2020.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No:

Responsible Officer: Chief Strategy Officer  
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. In Progress Councillor Questions for the period ending August 2020  
Cost Centre 3120 Governance  
Project  
Further Operational Plan Actions:

### EXECUTIVE SUMMARY

As per clause 3.13 of Code of Meeting Practice a councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the council. In order to provide answers to questions asked by Councillors, a report has been generated with response for the period ending August 2020. Refer the answers in the attachment of the report.

### COUNCIL RESOLUTION

180/20

That Council receive and note the answers to questions with notice.

Moved Councillor Rooney

Seconded Deputy Mayor Miners

CARRIED

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No:

Responsible Officer: Chief Strategy Officer  
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. Progress on Resolution Action Sheet for period ending August 2020  
Cost Centre 3120

### EXECUTIVE SUMMARY

In order to provide Councillors with updates on the progress of Council resolutions, a report is generated with a summary of action that is current and is completed, for the period ending August 2020.

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

COUNCIL RESOLUTION	181/20
That Council receive and note the progress on Resolution Action Sheet for the period ending August 2020.	
Moved Councillor Rooney	Seconded Deputy Mayor Miners CARRIED

### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

### 9.4.5 MEMBERSHIP OF GRANITE HILLS WINDFARM COMMUNITY CONSULTATIVE COMMITTEE

Record No:

Responsible Officer: Chief Communications Officer  
Author: Economic Development Officer  
Key Theme: 4. Leadership Outcomes  
CSP Community Strategy: 10.3 Advocate and work with other levels of government, community and industry to improve outcomes  
Delivery Program Objectives: 10.3.1 Council connects, recognises, advocates and works in collaboration with all leaders across the community and beyond our boundaries  
Attachments: 1. Community Consultative Committee Guidelines  
Cost Centre  
Project  
Further Operational Plan Actions:

### EXECUTIVE SUMMARY

Councillor Maslin has requested a Councillor be appointed to attend the proposed Granite Hills Wind Farm Community Consultative Committee (CCC) meetings. This report advises of the current circumstances of the CCC and the process required should Council wish to nominate a Councillor for the Committee.



**COUNCIL RESOLUTION**

**182/20**

That Council:

- A. Nominate Councillor *Stewart* to attend the proposed Granite Hills Wind Farm Community Consultative Committee meetings in addition to the existing staff member that attends; and
- B. Write to the Chairperson of the Committee, Mr Peter Gordon, requesting acceptance of the nominated Councillor on the Committee.

**Moved Councillor Rooney**

**Seconded Councillor Last**

**CARRIED**

**Record of Voting**

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

*Councillors Against: Nil.*

**9.4.6 EXTENSION OF S355 COMMITTEE MEMBERSHIP**

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Officer

Key Direction: 4. Leadership Outcomes

Delivery Plan Strategy: 10.2 Sound governance practices direct Council business and decision making

Operational Plan Action: 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

**EXECUTIVE SUMMARY**

Council previously extended the appointed membership of committees established under section 355 of the Local Government Act until September 2020. Due to COVID-19 pandemic, the elections have been postponed until 4 September 2021. If Council wishes the current membership to stay in place until after the elections their term needs to be extended. An extension of 3 months after the election, until December 2021, would allow time for the Council to determine its committee structure and advertise for nominations.

Council is represented on a number of external committees. The current representatives on these committees can be extended or new representatives can be elected until September 2021. In certain circumstances the Mayor is the designated representative (unless the responsibility is delegated by the Mayor).

**COUNCIL RESOLUTION**

**183/20**

That Council

- A. Extend the term of the representatives on external committees to the end of the Council term and notify the external committees of the extension of appointments; and
- B. Extend the term of the remaining internal advisory and management committees until December 2021 and notify the members of the extension of appointments.

**Moved Deputy Mayor Miners**

**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 Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

**9.4.7 REGIONAL COMMUNITY STRATEGIC PLAN**

Record No:

Responsible Officer: Chief Strategy Officer

Author: Coordinator Strategy Development

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

Project

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

The Canberra Region is a unique and diverse geographic region which stretches from the South-West Slopes, through the Sydney-Canberra Corridor across the Eurobodalla down to the Sapphire Coast and then up to the Snowy Mountains.

The Canberra Region Joint Organisation (CRJO) provides a forum for councils, state agencies and other stakeholders to work together at a regional level to identify shared priorities. This approach helps to deliver critical regional projects, delivering better outcomes for communities. The core objectives of joint organisations include regional strategic planning and priority setting; intergovernmental collaboration; and regional leadership and advocacy. The CRJO often explores opportunities to collaborate and jointly procure services or deliver a program or project on behalf of member councils. Below are the CRJO member Councils.

Following the next local government elections there is the requirement to review the Community Strategic Plan (CSP). The CSP is the peak corporate plan within the integrated planning & reporting suite and sets the strategic direction for the communities within the local government area. The Canberra

Region Joint Organisation (CRJO) have recognised the synergies and efficiencies can be gained through developing a region-wide Community Strategic Plan and survey.

Working regionally allows for a much higher level of technical expertise to be employed, as there are many common issues. Researching the issue once across the region will allow more resources to be allocated towards understanding and providing information and strategies in response to the issues facing our communities. This will mean that the Council will have better information to drive responses from other levels of government as well as to develop its own delivery plan, to guide the role it wants to take in meeting the community's needs.

Having a regional plan will improve the opportunity for political lobbying about issues affecting the region and having a regional approach will improve the credibility of the council's in the region, which should improve our lobbying effort.

The vision for the CRJO Regional CSP is that it would provide a section on regional priorities along with various communities' long-term aspirations based around the sub-regions of Tablelands, Alpine and Coastal. Each Council will have a chapter of information specific to their local government area.

Currently within our region the Goulburn Mulwaree, Upper Lachlan and Yass Valley council have previously developed a regional CSP. These council's representatives in the working group have indicated they found this a very beneficial process. An example of the region working within this model is the development of a regional State of the Environment Report 2004 (<http://reports.envcomm.act.gov.au/SoE2004/>). While the ACT government has not been involved in the discussions so far, there is always the potential opportunity for the ACT Government to want to be involved in a regional approach to strategy, which would also boost the available resource to undertake strategic planning and improve our ability to engage with the ACT Government on regional issues.

**COUNCIL RESOLUTION**

**184/20**

That Council;

- A. Participate in a CRJO coordinated project to develop a Regional Community Strategic Plan in collaboration with the member Councils of the CRJO; and
- B. Support the development of a joint Regional Wellbeing Survey that includes data collection on community satisfaction with the member Councils of the CRJO.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

**9.4.8 AMENDMENTS TO THE MODEL CODE OF CONDUCT**

Record No:

Responsible Officer: Chief Strategy Officer

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: 10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making

- Attachments:
1. Draft - SMRC 1 Code of Conduct
  2. Draft SMRC 83 Gifts and Benefits Policy
  3. Draft Councillor and Staff Interaction Policy

### EXECUTIVE SUMMARY

On 14 August Council received circular from the Office of Local Government (OLG) advising amendments have been made to the Model Code of Conduct and the Procedures for the Administration of the Model Code of Conduct for Local Councils (the Procedures) and take effect immediately. This is because the amendments to the Procedures largely reflect existing practice following the Supreme Court's decision and the amendments to the Model Code of Conduct are minor in nature. Council's should adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures as soon as possible. These amendments are in response to the decision by the Supreme Court in the Matter of Cornish v Secretary, Department of Planning, Industry and Environment [2019] NSWSC 1134.

### COUNCIL RESOLUTION

185/20

That Council

- A. Adopt the amended Model Code of Conduct and the Procedures from Administering the Model Code of Conduct; and
- B. Increase the token value of gifts from \$50 to \$100 and amend the value in SMRC Gifts and Benefits Policy.

**Moved Councillor Haslingden**

**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 Rooney and Councillor Stewart.*

*Councillors Against: Nil.*

### 9.4.9 BOCO ROCK COMMUNITY ENHANCEMENT FUND COMMITTEE AND SUB COMMITTEE MINUTES 2020

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance Administration Support

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 12.3 Our community is empowered and supported in facilitating community outcomes

Delivery Program Objectives: 12.3.1 Community organisations and individuals have the capacity to apply for a range of grants funding opportunities

- Attachments:
1. Minutes - Committee Meeting 13 May 2020
  2. Minutes - Sub Committee Meeting 15 June 2020
  3. Minutes - Sub Committee Meeting 25 June 2020
  4. Minutes - Committee Meeting 18 August 2020

### EXECUTIVE SUMMARY

The Boco Rock Community Enhancement Fund Committee had 4 meeting since May 2020 and the minutes of the meeting are attached for Councils information.

- i) Committee Meeting 13 May 2020
- ii) Sub Committee Meeting 15 June 2020
- iii) Sub Committee Meeting 25 June 2020
- iv) Committee Meeting 18 August 2020

Another meeting was held on 1 September 2020 to determine the funds to the community for financial year 2020/2021. The minutes of the meeting are yet to be approved by the committee.

**COUNCIL RESOLUTION**

**186/20**

That Council note the minutes from the Boco Rock Community Enhancement Fund Committee and Sub Committee Meetings.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

**9.4.10 2020 FINANCIAL STATEMENTS TO BE REFERRED TO EXTERNAL AUDIT**

Record No:

Responsible Officer:	Chief Strategy Officer
Author:	Management Accountant
Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	11.2 Council utilises sound fiscal management practices, pursues and attracts other sources of income
Operational Plan Action:	11.2.2 Provision of statutory reporting enables our leaders to make decisions on Council's financial sustainability
Attachments:	1. GPFS Statement by Councillors & Management 2. SPFS Statement by Councillors & Management
Cost Centre	Financial Services
Project	Annual Financial Statements 2020

**EXECUTIVE SUMMARY**

Council's 2020 Financial Statements are in the process of being finalised and, in accordance with Section 413(2) of the Local Government Act 1993, Council is required to refer them for external audit.

The 2020 Financial Statements encompass the period 1 July 2019 to 30 June 2020. Council staff are well placed to complete the draft financial statements in line with the NSW Audit Office's Annual Engagement Plan timeline with the draft financial statements not due until 28 September 2020. With work still in progress at the time of preparing this report a draft income statement and statement of financial position are circulated separately to this report for review.

The Audit Risk and Improvement Committee (ARIC) will received the draft financial statements on the 25 September 2020 and it will be tabled at their meeting on the 2 October 2020.

**COUNCIL RESOLUTION**

**187/20**

That Council

- A. Authorise the Mayor, a Councillor, Chief Executive Officer, and the Responsible Accounting Officer to sign the Statement by Councillors and Management for the Snowy Monaro Regional Council 2020 General Purpose Financial Statements;
- B. Authorise the Mayor, a councillor, Chief Executive Officer, and the Responsible Accounting Officer to sign the Statement by Councillors and Management for the Snowy Monaro Regional Council 2020 Special Purpose Financial Statements for the following business activities:
- Water Supply (mandated)
  - Sewerage (mandated)
  - Water Management (self-determined)
  - Residential Aged Care (self-determined)
- C. Authorise the referral of the 2020 Financial Statements to the external auditor; and
- D. Authorise the General Manager to issue the 2020 Financial Statements upon receiving the external auditor's report.

**Moved Councillor Rooney**

**Seconded Deputy Mayor Miners**

**CARRIED**

**Motions Without Debate**

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

**9.4.11 AMENDMENTS TO 2021 SCHEDULE OF FEES AND CHARGES**

Record No:

- Responsible Officer: Chief Strategy Officer
- Author: Manager Finance
- 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: 1. BMR Letter - s10.7(2) Certificate - 24 Hr Fast Track fee

**EXECUTIVE SUMMARY**

At the Council meeting held on 18 June 2020, the Draft 2021 Operational Plan and associated documents were adopted by Council.

The Council resolution included that the Section 10.7(2) certificate, 24-hour fast track fee unit change be placed on public exhibition for 28 days.

An objection was received to the charge being based on each lot and requesting that charges for the certificates be on each certificate.

The charge per lot method is used by a number of other councils and providing a certificate for each lot is considered the:

- best method of ensuring the planning information accurately portrays the issues on each parcel

of land, and

- Most equitable form of charge as its best reflects the workload for the service.

The implication of the reference in the Conveyancing Regulation is that except in a very limited situation it is expected that a separate planning certificate is required for each title.

Charging by land parcel is a common practice across NSW and a review of the fees and charges within the NSW Land Registry Service indicates that services relating to individual titles are charged per title.

To change to charging per lot would increase the subsidy of the ratepayers, increasing average rates. Based on the limited submissions lodged it is difficult to consider that there is strong community support to increase the subsidisation of this service further.

**Note 11: Attendance of Councillor Maslin**

At 6.54PM Councillor Maslin left the meeting.

**Note 12: Attendance of Councillor Maslin**

At 6.57PM Councillor Maslin returned to the meeting.

**COUNCIL RESOLUTION**

**188/20**

That Council adopt the revised fee clarifying that the section 10.7(2) certificate, 24-hour fast track fee is per lot.

**Moved Councillor Ewart**

**Seconded Councillor Stewart**

**CARRIED**

**Record of Voting**

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

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

**Mayoral Casting Vote**

Upon the vote being put there was an equality of votes in favour of the motion and against the motion. In accordance with Clause 24.0 (8) of Council's code of meeting practice the Mayor exercised his casting vote in favour of the motion.

**9.4.12 ELECTION FOR DEPUTY MAYOR**

Record No:

Responsible Officer: Chief Strategy Officer

Author: Coordinator Governance

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

**EXECUTIVE SUMMARY**

On 2 September 2019 Council had elected Mayor and Deputy Mayor for one year term as the elections were to take place in September 2020. Due to the COVID-19 Pandemic the elections have been postponed to September 2021.

As per the *Local Government Act 1993 s.(230)* “A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act” and as per OLG circular 20-25 September 2020 mayoral elections “Mayors elected in September 2019 will continue to hold office until council elections are held on 4 September 2021.” Therefore a Mayoral election will not take place.

As per the *Local Government Act 1993 s.(231)* “The person may be elected for the mayoral term or a shorter term.” Since the Deputy Mayor was elected for a term of one year, the election will need to take place as the term ends in September 2020.

**ELECTION OF DEPUTY MAYOR**

**189/20**

Nominations were called for the position of Deputy Mayor. Only one nomination was received, for Councillor Linley Miners.

With only one nomination being received, Councillor Miners was declared elected to the position of Deputy Mayor.

**10. NOTICE OF MOTION**

**10.1 YOUTH MENTAL HEALTH**

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor John Castellari  
Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 17 September 2020, he will move the following motion.

**COUNCIL RESOLUTION**

**190/20**

That Council support the Snowy Monaro Regional Council Youth Council to access training under the “Teen Mental Health First Aid” (youth under 18 years) and “Youth Mental Health First Aid” (over 18 years) programs by providing up to three thousand dollars for the FY 2020 – 2021 to cover any incidental or other costs which may be incurred.

**Moved Councillor Castellari**

**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 Rooney and Councillor Stewart.*

*Councillors Against: Nil.*



## 10.2 OCTOBER BUSH FIRE CLEAN UP

Record No:

Responsible Officer: Chief Executive Officer  
Author: Councillor John Castellari  
Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 17 September 2020, he will move the following motion.

### MOTION

That Council:

- A. During the month of October 2020, provide free home garden green waste tipping as a way of encouraging households to prepare for the bush fire season, and that this be widely advertised through our LGA, and supported with other bushfire season educational and promotional activities; and
- B. Undertake an audit of initially the area in Jindabyne noted in the background to this motion, with a view to investigating the feasibility of the fire-retardant native plant replacement concept proposed and its applicability in a possible staged implementation across our LGA.

### LAPSED MOTION

## 11. MAYORAL MINUTES

Nil.

## 12. QUESTIONS WITH NOTICE

### 12.1 JERRARA DRIVE UPDATE

Councillor Castellari

Question: At the June 18 2020 Council meeting, under item 9.1.2 it was recommended that Council refer the Jerrara Drive upgrade study to the Local Traffic Committee for technical review and comment. The Local Traffic Committee declined to do so on the basis that it does not within their authority to comment. Jindabyne East Residents Committee (JERCs) therefore have the following questions:

- Will the 8 recommendations suggested by the report and under item 9.1.2 for immediate action now be implemented?
- Will Council, in lieu of the Local Traffic Committee, consider the comments submitted from JERCs on the study report (as per their letter to the Local Traffic Committee on July 17 2020), including their request for further discussion on the recommendations before they are adopted by Council for further action?
- Will the Council then proceed to accept the recommendations, and prioritise and identify funding options for them, as foreshadowed under item 9.1.2?

### **12.2 RATES PAYMENTS AT BERRIDALE POST OFFICE**

Councillor John Castellari

Question: Why can members of the public not pay their rates at the Berridale Post Office? Very inconvenient for some people to not be able to pay this way.

### **12.3 NSW FARMERS AND MONARO FARMING SYSTEMS**

Councillor Maslin

Question: Given community concerns over the proposed Koala Sepp and KPOM, can Council invite local peak farming groups, that is NSW Farmers and Monaro Farming Systems, to present their views at the next Council briefing session in two weeks' time.

### **.12.4 RAIL FEASIBILITY STUDY**

Councillor Anne Maslin

Question: Can Council approach the NSW government to disclose when the Rail Feasibility study will be made public?

### **.12.5 POLO FLAT ROAD**

Councillor John Last

Question: What was going on out at Polo Flat road yesterday?

### **12.6 SEALING OF ROADS IN COOMA**

Councillor John Last

Question: What is happening with the sealing of the road in town? Downers got last contract about two years ago. Are we calling for tenders again?

### **12.7 BUSHFIRE RECOVERY REPORT**

Councillor Sue Haslingden

Question: Why was there no Bushfire Recovery Report in this business paper? We have a considerable fund for Economic and Bushfire Recovery and this needs to be transparently reported on.

### **12.8 COOMA NORTH SERVO**

Councillor Lynley Miners

Question: What is Council going to do with the former service station site at Cooma North?

### 12.9 YAOUK ROAD

Councillor Lynley Miners

I have recently taken three senior staff on a tour of Yaouk Road. Since January fires, many of the culvers have been blocked by debris (From Boundary Cr to Shannon's Flat). Recently the road was closed by a bog, which has been fixed – hence the machinery requires was nearby.

Question: When will these problems be fixed? The longer it goes on, the more it will cost to repair.

### 12.10 BREDBO WATER

Councillor John Rooney

Question: The Bredbo Community is concerned that level 4 water restrictions were imposed at short notice. Will Council ensure that in future the Bredbo community is kept better informed about Council's plans for stage 4 water restrictions, how long they will last and the measures Council is taking to ensure the supply of an acceptable standard of water adequate to meet Bredbo's growing needs?

### 12.11 BOCO ROCK COMMUNITY ENHANCEMENT FUND

Councillor John Rooney

Question: The Boco Rocks community fund is meant to apply to the entire local government areas of Cooma Monaro shire and Bombala shire. Yet in the latest round, no grants were given to community groups north of Cooma. Has the committee decided that these groups are ineligible due to their distance from Boco Rocks? If so, they should be advised not to waste their time applying. If the fund still applies to the whole of the Cooma Monaro Shire, as the State Government intended, can Council ensure that in future grants will be made on the basis of the quality of the application and not proximity to Boco Rocks?

### 12.12 PROCESS OF EMERGENCY SERVICES FOR PENDING BUSHFIRE SEASON

Councillor Bob Stewart

Question: Can we get a report on evacuation centres across the region for the pending bushfire season?

## 13. REPORT FROM CONFIDENTIAL SESSION

### 13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 AUGUST 2020

#### COUNCIL RESOLUTION

191/20

That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 August 2020 report.

Moved Councillor Rooney

Seconded Deputy Mayor Miners

CARRIED

#### Motions Without Debate

The above officer's recommendation became a resolution of Council as a result of resolution 163/20 above as there was no challenge by Councillors.

There being no further business the Mayor declared the meeting closed at 7.23PM.

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CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 17 September 2020 were confirmed by Council at a duly convened meeting on 15 October 2020 at which meeting the signature hereon was subscribed.