



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

18 November 2021

ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 18 NOVEMBER 2021

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

**ON THURSDAY, 18 NOVEMBER 2021
COMMENCING AT 5:00PM**

PRESENT: Deputy Mayor Lynley Miners
Councillor John Rooney
Councillor John Castellari
Councillor James Ewart
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor John Last
Councillor Anne Maslin – via audio-visual link
Councillor Brian Old – via audio-visual link
Councillor Bob Stewart – via audio-visual link

APOLOGIES: Mayor Peter Beer

Staff: Peter Bascomb, Chief Executive Officer
David Rawlings, Chief Strategy Officer
Jeff Morgan, Chief Operating Officer
John Bingham, Chief Financial Officer
Gina Woodward, Chief Communications Officer
Beth Barratt-Browne, Chief Workforce Officer – via audio-visual link
Grace Harvey, Secretary Council and Committees
Liana Biki, Acting Records Officer

1. OPENING MEETING

The Deputy Mayor opened the meeting at 5:01PM.

At 5:01 pm Councillor old left the meeting.

At 5:04 pm Councillor old returned to the meeting.

1.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I21/331

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

Council adopted procedures for attendance by Councillor's at meetings by audio-visual link at its meeting on 15 April 2021 (Resolution No: 67/21).

Council, consistent with its adopted procedures must consider the following request/s:

Councillor Name	Meeting Date	Reason	Request received within timeframe and reason(s) provided (Y/N)
Clr Maslin	18 November 2021	The weather is still unpredictable, with flooding on the roads so it is not certain that I can attend in person. Therefore I request permission to attend via zoom.	Y – 15/11/2021
Clr Old	18 November 2021	Reason being that I am starting to get busy so an extra hour in the afternoon is very helpful, plus it save me 2 hours of travel.	Y – 15/11/2021
Clr Stewart	18 November 2021	Still feeling unwell to drive from Bombala to Cooma (reason explained verbally over the phone).	Y – 15/11/2021

When considering the reasons the Council must be satisfied the requesting Councillor/s will be prevented from attending the meeting in person because of illness, disability or a caring responsibility.

Where a Councillor's request is for reason/s other than the above, the Council must determine if they accept these reasons.

COUNCIL RESOLUTION

268/21

That Council

- A. Approve the remote attendance of Clr Maslin at the meeting on 18 November 2021, via audio-visual link and accept her reason of the weather is still unpredictable, with flooding on the roads so it is not certain that I can attend in person. Therefore I request permission to attend via zoom.
- B. Approve the remote attendance of Clr Old at the meeting on 18 November 2021, via audio-visual link and accept his reason of reason being that I am starting to get busy so an extra hour in the afternoon is very helpful, plus it save me 2 hours of travel.
- C. Approve the remote attendance of Clr Stewart at the meeting on 18 November 2021, via audio-visual link and accept his reason of still feeling unwell to drive from Bombala to Cooma (reason explained verbally over the phone).

Moved Councillor Ewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

3.1.

COUNCIL RESOLUTION

269/21

That the apology from Mayor Beer be accepted and leave of absence be granted.

Moved Councillor Rooney

Seconded Councillor Ewart

CARRIED

Record of Voting

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

Councillors Against: Nil.

4. CITIZENSHIP CEREMONIES

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

270/21

That the Ordinary Council Meeting be adjourned for Public Forum at 5:05 pm.

Moved Deputy Mayor Miners

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 5:06 pm Councillor Old left the meeting.

At 5:15 pm Councillor Old returned to the meeting.

The Council meeting resumed at 5:21 pm.

5. DISCLOSURE OF INTEREST

Nil

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

271/21

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 on 21 October 2021
- 7.2 – Closed Session of the Ordinary Council Meeting held on 21 October 2021
- 9.1.2 – Road Naming
- 9.1.3 – Monthly Funds Management Report – October 2021
- 9.1.4 – Jindabyne Pool Re-Opening Risk Assessment
- 9.1.5 – Cemetery Advisory Committee Meeting Minutes 14 September 2021
- 9.1.6 – Minutes of the Arts and Culture 355 Advisory Committee Meeting held 20 October 2021
- 9.3.1 – Adoption of Local Traffic Committee Meeting held on 22 September 2021
- 9.3.2 – Adoption of Local Traffic Committee Meeting held on 26 October 2021
- 9.3.3 – Bligh St Cooma
- 9.3.4 – Road Reserve Closure & Disposal – Dry Plains Road – Lot 6 & DP 1018626

- 9.4.1 – 2017-2021 End of Term Report
- 9.4.4 – Quarterly Budget Review Statement (QBRS) to September 2021
- 9.4.5 – Audit, risk and Improvement Committee (ARIC) – Appointment of Independent Member
- 9.4.6 – Tabling of Disclosures by Councillors and Designated Persons
- 9.4.8 – Answers to Questions with Notice
- 9.4.9 – Resolution Action Sheet Update

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

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING 21 OCTOBER 2021

COUNCIL RESOLUTION

272/21

THAT the minutes of the Ordinary Council Meeting held on 21 October 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 21 OCTOBER 2021

COUNCIL RESOLUTION

273/21

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 21 October 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillor Rooney.
Councillors Against: Nil.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 DEVELOPMENT APPLICATION 10.2020.144.1 - OLD ADAMINABY BOAT RAMP AND CAR PARK EXTENSION

Record No: I21/303

Responsible Officer: Chief Operating Officer
 Author: Coordinator Development
 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:

1. Draft Conditions of Consent 10.2020.144.1
2. General Terms of Approval (Heritage NSW) 10.2020.144.1
3. Plans
4. Aboriginal Cultural Heritage Due Diligence Assessment 2021
5. Aboriginal Cultural Heritage Due Diligence Assessment 2016
6. Heritage Report and Statement of Heritage Impact 2020
7. Archaeological Assessment
8. Statement of Environmental Effects
9. Development Application Form

Further Operational Plan Actions:

Applicant Number:	10.2020.144.1
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Hydro Limited
DA Registered:	30/10/2020
Property Description:	Lot 2, 7, 8 & 9 Section 12 of DP 758008 Ph Seymour, Dennison Street Old Adaminaby
Planning Portal Reference	CNR-15076
Zone:	SP1 - Special Activities (Water Supply System)
Current Use:	Boat ramp, recreational area and commercial water storage
Proposed Use:	Boat launching ramp and associated car parking facilities
Permitted in Zone:	Yes

Recommendation:	That the development application be approved with conditions
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EXECUTIVE SUMMARY

The purpose of this report is seek approval for the construction of a carpark and boat ramp extension at Old Adaminaby. The development will augment the existing boat ramp facility and unformed parking area. The site is used to access Lake Eucumbene and is a popular area to launch boats for use on the lake.

The area is the site of the original town of Adaminaby and as such there are a number of artefacts which needed to be taken into consideration in the location and assessment of the ramp and parking area.

Lake Eucumbene and surrounds is state heritage listed and as such any works within this area required referral to Heritage NSW as Integrated development. The areas of importance as identified have been mapped and avoided and the car park designed around them.

General terms of approval have been issued by the Heritage Council of NSW.

The application is being presented to Council for determination, as it is a Council project. This is consistent with Council policy.

The application was not required to be notified or advertised and no submissions were received.

It is recommended that the development be approved as submitted with draft conditions of consent attached to this report.

COUNCIL RESOLUTION

274/21

That Council, pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)*, grants consent to DA 10.2020.144.1 for extension to boat launching ramp and associated car parking facilities on lots Lot 2, 7, 8 & 9 Section 12 of DP 758008 Ph Seymour, Dennison Street Old Adaminaby with draft conditions of consent attached to this report.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9. OTHER REPORTS TO COUNCIL

9.1 KEY THEME 1. COMMUNITY

At 5:28 pm Councillor Stewart joined the meeting.

9.1.1 DRAFT REGIONAL TRAILS MASTERPLAN

Record No: I21/265

Responsible Officer:	Chief Strategy Officer
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives:	1.3.2 Council has effectively identified community and visitor needs in the development and enhancement of the Region's recreational facilities to ensure sound decision making
Attachments:	1. Attachment A- Vol I Draft Regional Trails Masterplan (<i>Under Separate Cover</i>) 2. Attachment B- Draft Lake Jindabyne Shared Trail 'Around the Lake' Feasibility Study Vol II (<i>Under Separate Cover</i>)
Cost Centre	WO395
Project	Draft Regional Trails Masterplan
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The regional trails masterplan presents a series of trail opportunities and actions to help guide the Council and the community over ten years. The masterplan considers the social and tourism trends along with the importance of trail planning and management. Understanding these trends will help ensure these trails appeal to our community and future trail users.

Research shows that quality trail experiences help drive tourism which delivers significant economic, social, environmental and cultural benefits to regional Australia.

The Regional Trails Masterplan (the Masterplan) was identified as a high priority within the SMRC Destination Management Plan (2019). A regional trails masterplan is required to determine those trails with the greatest potential to create benefits for the community and the economy.

In November 2020, Tredwell Management Services was contracted to work with Council staff on developing the Masterplan. A draft masterplan (attachments A and B) has been prepared for consideration and public exhibition. The draft masterplan consists of two volumes. This includes;

- **Volume I- Regional Trails Masterplan**- including walking, trail running, mountain biking, road cycling and equestrian trails
- **Volume II- Lake Jindabyne 'Around the Lake' Trail Experience Feasibility Study**

The masterplan recommends option C, with a water-based transport link as the recommended option for the 'Around the Lake' experience. The trail extension to Kalkite and Creel Bay has already been funded, and the project is underway. The establishment of water-based transport service on Lake Jindabyne would service recreational trail users and members of the public. This option would provide many additional benefits to the Lake Jindabyne trail experience. Further investigation with key stakeholders would be required.

The draft masterplan is recommended to be placed on public exhibition for an extended nine-week period from 22 November 2021 to 28 January 2022. The draft masterplan's public exhibition will allow the general public a significant nine-week window to provide comments on the draft plan.

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

COUNCIL RESOLUTION

275/21

That Council

- A. Receive and note the Regional Trail Masterplan update
- B. Endorse the release of Draft Masterplan for public comment over an extended two month period between 22 November 2021 to 28 January 2022.

Moved Councillor Ewart

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.2 ROAD NAMING

Record No: I21/304

Responsible Officer: Chief Strategy Officer
Author: GIS Administrator
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: 1. Woodside Subdivision New Roads
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

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

COUNCIL RESOLUTION

276/21

That Council

- A. Endorse the proposed names of Riverbend Road and Quarry Lane for public exhibition.
- B. Refer the road names to the Geographical Names Board for endorsement if no community objections are received in response to their public exhibition.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.3 MONTHLY FUNDS MANAGEMENT REPORT - OCTOBER 2021

Record No: I21/314

Responsible Officer:	Chief Financial Officer
Author:	Finance Officer
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 October 2021.

Cash and Investments are \$79,460,096.

Certification

I, John Bingham, 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

277/21

That Council

- A. Receive the report indicating Council's cash and investments position as at 31 October 2021; and
- B. Receive the certificate of the Responsible Accounting Officer.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.4 JINDABYNE POOL RE-OPENING RISK ASSESSMENT

Record No: I21/337

Responsible Officer: Chief Executive Officer
Author: Chief Operating Officer
Key Theme: 1. Community Outcomes
CSP Community Strategy: 1.3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle
Delivery Program Objectives: 1.3.3 Council's recreational facilities, parks and public open spaces are safe, well managed and accessible
Attachments: 1. Risk assessment - reopening Jindabyne Pool
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Due to the identification of mould at various locations within the Jindabyne pool as a result of persistent problems with the Heating, Ventilation and Air Conditioning (HVAC) system, the Jindabyne pool was closed in August 2021. Temporary remediation measures have been implemented enabling the pool to reopen. A risk assessment of reopening has been prepared and is presented for endorsement by Council.

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

COUNCIL RESOLUTION

278/21

That Council endorse

- A. The Jindabyne pool risk assessment
B. The reopening of the Jindabyne pool.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.1.5 CEMETERY ADVISORY COMMITTEE MEETING MINUTES 14 SEPTEMBER 2021

Record No: I21/226

Responsible Officer: Chief Operating Officer

Author: Coordinator Public Health & Environment

Attachments: 1. Minutes of Meeting 14 September 2021 Cemetery Advisory Committee

2. Item 5.1.1 Staff Update on Cemetery Services

3. Item 5.1.1 Attachment Snowy Monaro Region Cemetery Advisory Committee Charter

4. Item 8.1 Officer Report Review of Policy - Ordering Cemetery Plaques

5. Item 8.1 Attachment SMRC Plaques in Council Cemeteries Policy

6. Item 10.1 Officer Report - SMRC Headstones and Cemetery Monuments Policy

7. Item 10.1 Attachment SMRC Headstones and Cemetery Monuments Policy

EXECUTIVE SUMMARY

The Cemetery Advisory Committee met on 14 September 2021 held virtually using Zoom. The Committee's recommendations are presented for Council's consideration.

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

COUNCIL RESOLUTION

279/21

That the recommendations of the meeting of the Cemetery Advisory Committee held on 14 September 2021 be adopted.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

Councillors For: Councillor Corbett, Deputy Mayor Miners, Councillor Castellari, Councillor Maslin,

Councillor Haslingden, Councillor Old, Councillor Last, Councillor Ewart and Councillor Rooney.
Councillors Against: *Nil.*

9.1.6 MINUTES OF THE ARTS AND CULTURE 355 ADVISORY COMMITTEE MEETING HELD 20 OCTOBER 2021

Record No: I21/305

Responsible Officer: Chief Strategy Officer
Author: Community Development Planner and Projects Officer
Key Theme: 1. Community Outcomes
CSP Community Strategy: 2.2 Support and promote the arts recognising the broad and diverse contribution it makes to community identity and wellbeing
Delivery Program Objectives: 2.2.1 A range of regional level arts and cultural activities are delivered and promoted in partnership with the community
Attachments: 1. Minutes of the Arts and Culture 355 Advisory Committee meeting held 20 October 2021
2. Draft Public Art Policy recommended for public exhibition
Cost Centre
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Arts and Culture 355 Advisory Committee held its final meeting on 20 October 2021.

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

COUNCIL RESOLUTION

280/21

That Council place the draft SMRC Public Art Policy on public exhibition for a period of 28 days.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: *Nil.*

9.2 KEY THEME 2. ECONOMY

Nil

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 ADOPTION OF LOCAL TRAFFIC COMMITTEE MEETING HELD ON 22 SEPTEMBER 2021

Record No: I21/311

Responsible Officer: Chief Operating Officer

Author: Road Safety Officer

Attachments: Nil

EXECUTIVE SUMMARY

The Snowy Monaro Local Traffic Committee held their meeting on the 22 September 2021. The Committee's recommendations are presented for Council's consideration.

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

COUNCIL RESOLUTION

281/21

That the recommendations of the meeting of the Local Traffic Committee held on 22 September 2021 be adopted.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.2 ADOPTION OF LOCAL TRAFFIC COMMITTEE MEETING HELD ON 26 OCTOBER 2021

Record No: I21/312

Responsible Officer: Chief Operating Officer

Author: Road Safety Officer

Attachments: Nil

EXECUTIVE SUMMARY

The Snowy Monaro Local Traffic Committee held their meeting on the 26 October 2021. The

Committee's recommendations are presented for Council's consideration.

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

COUNCIL RESOLUTION

282/21

That the recommendations of the meeting of the Local Traffic Committee held on 26 October 2021 be adopted.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.3 BLIGH STREET - COOMA

Record No: I21/200

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. Legal Advice - Bligh Street (*Under Separate Cover*) - **Confidential**
2. Inspection - Bligh Street
3. NSW Government DPI&E Policy IND-O-250
4. TSR and Reserve - Bligh Street
Cost Centre Road Operations
Project Bligh Street, Cooma
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Discussions between SMRC staff and Crown Lands occurred in September 2021 and explored opportunities that would authorise Council to maintain Bligh Street, without triggering transfer, in accordance with NSW Government Department of Planning, Industry and Environment Policy IND-O-250 (Administration of Crown Roads), Section 3.1 – Authorised Crown Road Works (attached).

Following those discussions, which were promising, and on advice from Crown Lands, Council submitted an application to undertake road maintenance of Bligh Street between McDonalds Avenue and Cooma Creek.

On 20 September 2021, Crown Lands provided the following response:

Currently the location of the Crown road (between McDonalds Avenue and Cooma Creek) crosses 2 parcels of Crown Reserve. One is a Travelling Stock Reserve managed and controlled by Local Land Services (LLS) and the other a reserve for Future Public requirement. Both parcels have undetermined Aboriginal Land Claims.

- The best way to resolve ongoing issue would be via way of transfer of Crown road to SMRC and formalise access alignment.*
- SMRC to consult with Local Land Services who control the Travelling Stock reserve and the NSW Aboriginal Land Council as part of the undermined land claims.*
- The department will work with SMRC to assist with an outcome after both the NSW Aboriginal Land Council and Local Land Services have been consulted.*
- The department has placed the road construction application on hold.*

An inspection of Bligh Street between McDonalds Avenue and Cooma Creek (report attached) took place on 7 September 2021 and identified maintenance costs between \$95,148 and \$124,018 to create a road that is trafficable.

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

COUNCIL RESOLUTION

283/21

That Council

- Proceed to consult with Local Land Services and NSW Aboriginal Land Council.
- Subject to responses from Local Land Services and NSW Aboriginal Land Council, continue discussions with Crown Lands.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.4 ROAD RESERVE CLOSURE & DISPOSAL - DRY PLAINS ROAD - LOT 6 & 7 DP 1018626

Record No: I21/222

Responsible Officer: Chief Operating Officer

Author: Land and 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. Map Dry Plains Road Lot 6 & 7 Road Reserve Closure & Disposal 2. Locality map
Cost Centre	Roads Operations Administration – WO40
Project	Finalise Road Reserve Closure Lot 6 & 7 DP 1018626 & Disposal – Dry Plains Road

EXECUTIVE SUMMARY

Council have received correspondence from Blaxland Mawson & Rose (BMR) acting on behalf of the owners of Lot 3 & 5 DP 1018626 requesting a road closure and disposal to be finalised. In 1997 Snowy River Shire Council approved Development Application (DA) 38/96, a condition of consent was “That at the time of drawing up the linen plans the applicant shall be required to dedicate the physical section of the Dry Plains Road as public road, closing the unused section of that road reserve”. This was done with the understanding that the closed road reserve would be disposed of to the applicant in kind, as the applicant gifted the land for the public road reserve covering Dry Plains Road (map attached). With the applicant paying all applicable fees and charges. The land covering the physical location of Dry Plains Road has already been dedicated by the applicant and is now a public road reserve. Lot 6 & 7 DP 1018626 is the unused portion referred to in the condition of consent. The applicant has requested this matter to be finalised with the transfer of Lot 6 & 7 DP 1018626 to the applicant, so they can move forward with development on their land.

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

COUNCIL RESOLUTION

284/21

That Council

- A. Approve proposal to finalise closure of Lot 6 & 7 DP 1018626 as road reserve in accordance with the Roads Act 1993; and acknowledge that the land vests as operational land with Council, to then be used in compensation;
- B. Approve transfer of ownership of the closed road reserve known as Lot 6 & 7 DP 1018626 to adjoining landholder, being the applicant of Development Application 38/96, in Accordance with the Roads Act 1993, with associated fees and charges to be covered by the relevant adjoining landholder;
- C. Authorise the CEO to approve any terms for disposal of the relevant land parcel from Council to the adjoining landholders, and negotiate a purchase price equal to the resultant associated transfer costs only; recognising that the land for Dry Plains Road Reserve was given in kind to Council as public road.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.3.5 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE 3

Record No: I21/327

Responsible Officer:	Chief Executive Officer
Author:	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:	8.2.3 Major capital projects deliver improved community infrastructure and assets through the major project program
Attachments:	1. Jindabyne pool cost estimates
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The Local Roads and Community Infrastructure Program (LRCIP) is an Australian Government program supporting local councils to delivery priority local road and community infrastructure projects, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Phase 3 of the LRCIP has been announced with an allocation of \$3,488,644 provided to Snowy Monaro Regional Council. Council must now submit a draft work schedule nominating projects for formal approval.

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

COUNCIL RESOLUTION

285/21

That Council proceed to submit the following projects for approval under the Local Roads and Community Infrastructure Program Phase 3 allocation with final funding amounts to be confirmed following further detailed design and tender process:

1. Jindabyne pool repairs
2. Rural road maintenance and gravel re-sheeting (balance of LRCIP phase 3 allocation after confirmation of costs of Jindabyne pool repairs).

Moved Councillor Castellari

Seconded Councillor Haslingden

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4 KEY THEME 4. LEADERSHIP

9.4.1 2017-2021 END OF TERM REPORT

Record No: I21/231

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:	1. 2017-2021 End of Term Report
Cost Centre	WO1764
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In the year which an ordinary election is held Councils are required to include in their annual report an end of term (EOT) report as set out under s.428(2) of the *Local Government Act, 1993*.

The EOT report sets out the outgoing Council's achievements in implementing the Community Strategic Plan (CSP) over the previous four years. As with the annual report, the EOT report is a key point of accountability between a council and the community it represents.

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

COUNCIL RESOLUTION

286/21

That Council

- A. Adopts the end of term report
- B. Publishes the end of term report as a supplement to the Annual Report 2020-2021.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.2 2020/2021 ANNUAL REPORT

Record No: I21/306

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:	1. 2020/2021 Annual Report (<i>Under Separate Cover</i>)
Cost Centre	WO1764
Project	Annual Report
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

The purpose of this report is to submit the Snowy Monaro Regional Council 2020/2021 Annual Report to Council, as required by s.428 of the Local Government Act 1993. The annual report is to provide open and transparent reporting to the community and region.

The 2020/2021 Annual Report details the achievements against the 2020/2021 Operational Plan (The Plan) activities and budget and a summary overview of the work undertaken in each service delivery area identified in the plan.

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

COUNCIL RESOLUTION

287/21

That Council adopt the 2020/2021 Annual Report and;

- A. Publish the report on Council's webpage
- B. Forward the webpage link to the NSW Minister of Local Government, Office of Local Government.

Moved Councillor Haslingden

Seconded Councillor Rooney

CARRIED

Record of Voting

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

Councillors Against: Nil.

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

That the Ordinary Council Meeting be adjourned for Public Forum at 5:49 pm.

Moved Deputy Mayor Miners

Record of Voting

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

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

At 5:50 pm Councillor Old left the meeting.

At 5:54 pm Councillor Old returned to the meeting.

The Council meeting resumed at 5:59 pm.

At 5:59 pm Councillor Old left the meeting.

At 6:09 pm Councillor Old returned to the meeting.

9.4.3 UPDATE ON FINANCIALS 2021

Record No: I21/292

Responsible Officer:	Chief Executive Officer
Author:	Chief Financial Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	1. Main statement for General Purpose Financial Statements FY20-21 2. Main statement for Special Purpose Financial Statements FY20-21
Cost Centre	Financial Services
Project	Annual Financial Statements 2021

EXECUTIVE SUMMARY

At the 16 September 2021 Ordinary Council Meeting, Council authorised management to refer the 2021 financial statements to the external auditors. The commencement date for the audit was set at 27 September 2021, with a final draft lodgement date of 31 October 2021.

Since then management and the auditors have spent a considerable number of hours working together to produce a final draft on time. Despite this effort both parties have been unable to complete the task and meet the lodgement date of 31 October 2021. Therefore, as agreed by both parties in mid-October, it was felt necessary to request an extension of one month and submit the statements by 30 November 2021.

There have been numerous changes to the statements presented to Council at the 16 September 2021 meeting. Given these changes were deemed to be material in nature by the auditors, it is a requirement the statements go back to Council acknowledging this for the purpose of referring again to audit.

The Audit Risk and Improvement Committee is now scheduled to meet on 11 November 2021 with the auditors present to review the updated final draft as well as the closing report, should the latter be available at the time of the meeting.

Following on from this it is intended the signed off General Purpose Financial Statements and Special Purpose Financial Statements (including independent external auditors report and report on the conduct of the audit) be presented to Council at the December 2021 meeting.

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

COUNCIL RESOLUTION

288/21

That Council

- A. Authorise the Mayor and a councillor to sign the statement by councillors and management for the Snowy Monaro Regional Council 2021 General Purpose Financial Statements;
- B. Authorise the Mayor and a councillor to sign the statement by councillors and management for the Snowy Monaro Regional Council 2021 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 2021 financial statements to the external auditor; and
- D. Authorise the Chief Executive Officer to issue the 2021 financial statements upon receiving the external auditors report.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

Record of Voting

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

Councillors Against: Councillor Maslin.

Responsible Officer:	Chief Financial 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. Quarterly Budget Review Statement - Sept 2021
Cost Centre	W17 Financial Services

EXECUTIVE SUMMARY

The first quarter (Q1) Quarterly Budget Review Statement (QBR) for 2022 is presented to Council.

The QBR is a summary of Council's financial position as at 30 September 2021 and includes a projection to year end. The QBR outlines the major variations and recommended changes to the adopted 2021/22 Operational Plan from June 2021. These include changes resulting from carry forward projects and adjustments.

The September 2021 QBR projects a net operating deficit before capital items of (\$4.42 million) compared with the Original Budget (\$4.27 million). The increase in deficit is due to (\$95k) in re-votes plus (\$61k) in variations for the quarter.

A significant number of new projects valued at \$24.11 million have been added to the capital works program including carry forwards of \$15.53 million. The total capital expenditure is funded by restricted cash reserves and grants and contributions.

COUNCIL RESOLUTION

289/21

That Council

- A. Receive the Quarterly Budget Review Statement (QBR) for the period ended 30 September 2021, and
- B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as reported in the QBR.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.5 AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - APPOINTMENT OF INDEPENDENT MEMBER

Record No: I21/247

Responsible Officer:	Chief Executive Officer
Author:	Chief Strategy Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.1 Independent audit and risk framework drives accountability
Attachments:	Nil
Cost Centre	3136 - Internal Audit

EXECUTIVE SUMMARY

Council's ARIC requires an independent member to be appointed. Interviews were held and Mr Andrew Cox was identified as the recommended candidate due to his greater local government and ARIC experience.

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

COUNCIL RESOLUTION

290/21

That Council appoint Andrew Cox as an independent member of Snowy Monaro Regional Council's Audit, Risk and Improvement Committee for an initial period of two years with an offer of one year extension, subject to satisfactory performance assessment of his contribution to the committee.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.6 TABLING OF DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

Record No: I21/278

Responsible Officer:	Chief Strategy Officer
Author:	Governance Administration Support

Key Direction:	4. Leadership Outcomes
Delivery Plan Strategy:	10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Operational Plan Action:	10.1.1 Council has a transparent and bold growth objective which provides a framework for decision making
Attachments:	1. Index of Designated Persons Returns (<i>Under Separate Cover</i>) 2. Redacted 2021 Disclosures by Designated Persons Return - Combined Staff Returns (<i>Under Separate Cover</i>) 3. Redacted - 2021 Disclosures by Designated Persons Return - Councillors and Chief Staff (<i>Under Separate Cover</i>) 4. Redacted - 2021 Disclosures by Designated Persons Return - Peter Bascomb (<i>Under Separate Cover</i>)
Cost Centre	Corporate Services/Governance
Project	Tabling of Disclosures by Councillors and Designated Persons Section 499 Returns

EXECUTIVE SUMMARY

Under the Code of Conduct designated persons must lodge returns showing their interests. These returns become public documents and are included on the Council's website as part of the Council's open access information. The returns are tabled at the meeting as a formal process of making them public.

The list of positions making returns is included in the attachment.

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

COUNCIL RESOLUTION

291/21

That Council note the disclosure of pecuniary Interest returns completed by councillors and designated staff for the period 1 July 2020 to 30 June 2021 tabled at the meeting.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.7 CIVIC AND CEREMONIAL EVENTS - POST ELECTION

Responsible Officer:	Chief Executive Officer
Author:	Chief Strategy 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. Pre-Election Guide
Cost Centre	
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

With an extended period expected between the election being held and a new Mayor being elected by the councillors there is the possibility that for most of December and early January there will be no mayor in place.

The Council may provide delegations to allow for duties of the mayor to be carried out during this period. If not delegated to any other person, representation of the Council as required would fall to the Chief Executive Officer or delegated officer.

The Office of Local Government has issued guidance indicating that there is no barrier to delegating the authority to represent the Council,

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

OFFICER'S RECOMMENDATION

That Council

- A. Delegate authority to Peter Beer to represent Snowy Monaro Regional Council at civic and ceremonial events.
- B. That the delegation commence immediately from the end of the current mayor's term.
- C. That this delegation ends upon the election of the Mayor following the local government elections in December 2021.
- D. That during this period Peter Beer have use of the mayoral vehicle for the purpose of undertaking civic and ceremonial functions.

The matter lapsed for want of a mover.

9.4.8 ANSWERS TO QUESTIONS WITH NOTICE

Responsible Officer: Chief Strategy Officer
Author: Executive Support 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. Updates to November Meeting - In Progress Questions up to end of October 2021

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 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 October 2021.

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

COUNCIL RESOLUTION

292/21

That Council receive the answers to questions with notice for the period ending October 2021.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.9 RESOLUTION ACTION SHEET UPDATE

Responsible Officer: Chief Strategy Officer
Author: Executive Support 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. Updates to November Meeting - In Progress Actions up to end of October 2021

Cost Centre 3120

Project NIL

Further Operational Plan Actions: NIL

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current and have recently been completed, for the period ending October 2021.

The In Progress Resolution Action Sheet for period ending October 2021 is attached to this report.

COUNCIL RESOLUTION

293/21

That Council receive the resolution update for the period ending October 2021.

Moved Councillor Rooney

Seconded Councillor Castellari

CARRIED

Record of Voting

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

Councillors Against: Nil.

9.4.10 MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE 27 SEPTEMBER 2021

Record No: I21/353

Responsible Officer: Chief Executive Officer

Author: Chief Strategy Officer

Key Theme: 4. Leadership Outcomes

CSP Community Strategy: 10.2 Sound governance practices direct Council business and decision making

Delivery Program Objectives: 10.2.1 Independent audit and risk framework drives accountability

Attachments: 1. Minutes - Audit, Risk and Improvement Committee 27 September 2021

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Cr Maslin requested that ARIC provide support for her motion coming before the current meeting. After discussions the committee moved to adopt the minutes of the last meeting on 27 September 2021 at the Extraordinary meeting so that they would be before Council for consideration at this meeting.

To achieve this required the minutes to be provided as additional information.

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

COUNCIL RESOLUTION

294/21

That Council note the minutes of the Audit, Risk and Improvement Committee meeting held on 27 September 2021.

Moved Councillor Ewart

Seconded Councillor Maslin

CARRIED

Record of Voting

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

Councillors Against: Nil.

10. NOTICE OF MOTION

10.1 \$24 MILLION DEFICIT

Record No: I21/330

Responsible Officer: Chief Executive Officer

Author: Councillor Anne Maslin

Attachments: Nil

Councillor Anne Maslin has given notice that at the Ordinary Meeting of Council on 18 November 2021, she will move the following motion.

COUNCIL RESOLUTION

295/21

That SMRC formulate a committee to address ways to manage the SMRC deficit.

Moved Councillor Maslin

Seconded Councillor Last

CARRIED

Record of Voting

Councillors For: Councillor Stewart, Deputy Mayor Miners, Councillor Maslin, Councillor Haslingden, Councillor Old and Councillor Last.

Councillors Against: Councillor Corbett, Councillor Castellari, Councillor Ewart and Councillor Rooney.

At 6:56 pm Councillor Old left the meeting.

At 7:04 pm Councillor Old returned to the meeting.

At 7:04 pm Councillor old left the meeting.

At 7:07 pm Councillor Old returned to the meeting.

10.2 MOTION TO RESCIND RESOLUTION

Record No: 121/332

Responsible Officer: Chief Executive Officer

Author: Councillor Sue Haslingden

Attachments: 1. Notice of Motion to Rescind a Resolution - Signatures

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 18 November 2021, she will move the following motion.

LOST MOTION

We hereby give notice of the following motion of rescission:

That the Council resolution relating to

Minutes No. 251/21

Item No. 9.3.4

Passed at the Council meeting held on: 21 October 2021 be and is hereby RESCINDED.

Moved Councillor Haslingden

Seconded Councillor Last

Record of Voting

Councillors For: Councillor Stewart, Councillor Maslin, Councillor Haslingden, Councillor Old and Councillor Last.

Councillors Against: Councillor Corbett, Deputy Mayor Miners, Councillor Castellari, Councillor Ewart and Councillor Rooney.

Casting vote by Deputy Mayor Miners.

At 7:32 pm the meeting adjourned for a dinner break.

At 8:01 pm the meeting was resumed.

At 8:01 pm Councillor Maslin returned to the meeting.

11. MAYORAL MINUTES

11.1 A THANK YOU FROM COUNCILLORS TO COUNCIL STAFF AND COMMUNITY MEMBERS

INFORMATION

The Mayoral Minute is an acknowledgement from Councillors to Council staff and contributing members of the community for their work, support and input over the term of this Council.

On behalf of the Councillors I would like to acknowledge Council staff and contributing members of the community for their work, support and input over the term of this Council.

It has been our privilege to serve the people of Snowy Monaro for the past four years. Council staff are essential to the ongoing function and improvement of Local Government, as are community members who provide input through formal and informal committees, local resident associations, civic groups like the Lions, Rotary, Neighbourhood groups, the Chambers of Commerce, residents who attend community consultations, participate in reference groups and charitable, religious and secular groups and organisations who perform essential social services.

We extend our best wishes to all the candidates for the upcoming Council elections.

Thank you to everyone in our community for the opportunity to represent you over this term of the Snowy Monaro Regional Council.

12. QUESTIONS WITH NOTICE

At 8:03 pm Councillor Old returned to the meeting.

12.1 MPS DELEGATE CONCERNS

Councillor Bob Stewart

Question: Can Council write a letter with concerns about the downgrading of the facility?

12.2 NEGATIVE COMMENT MADE IN PUBLIC FORUM

Councillor Brian Old

Question: What is Council going to do about the comment made by Andrew Thaler in public forum?

12.3 GRADING ACCESS ROAD TO CLAY PITS

Councillor Brian Old

Question: Can Council look into grading the access road to the Clay Pits in Jindabyne?

12.4 BUNYAN GRAVEL PIT

Councillor John Castellari

Question: I received an email from some rate payers which raises the question of the cost of the SMRC's proposed expansion of the Bunyan Gravel Pit. The Regional Planning Panel has finalised the DA's consent conditions and there are a large number of requirements that must be met.

The lifetime costs of operating and rehabilitating this gravel pit could be quite large and as councillors we have a duty to make sure that any projects we undertake are financially sound. In the DA the costs were nominated as \$10,000 when over the lifetime of the project they could be significantly higher. In addition the potential of the DA to undermine a grove of ribbon gums, a threatened species, is a very bad look for our Council when unnecessary land clearing is linked to climate change.

Has the Council undertaken a full cost benefit analysis of this project and compared this with the best alternatives? If so can this be tabled in the next Council meeting. If not when can this be done and tabled?

What are the total costs of running the gravel pit over its 20 year life including:

- the purchase or lease of the land from the Crown,
- modifications of the Monaro Highway entrance,
- costs of staff and contractors,
- plant and machinery costs,
- fuel, consumables and other operating costs,
- any water costs for dust mitigation, environmental offset, buffer, bund and rehabilitation plantings,
- planting visual buffers,
- construction and planting of earth bunds,

- planting, maintenance and monitoring of offset areas, and
- progressive rehabilitation of the quarried areas including the purchase of any required topsoil.
- a comparison of the costs of the best alternatives such as (a) a quarry on degraded land which would not require expensive woodland revegetation, nor offsets, or (b) the purchase of gravel from a commercial operator who could store bulk amounts on the site of the existing gravel pit.

At 8:12 pm Councillor Old left the meeting.

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

296/21

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 Legal Actions and Potential Claims Against SMRC as at 31 October 2021**

Item 13.1 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.
 - 13.2 Tropic Asphalt - Sentencing Hearing in Land and Environment Court**

Item 13.2 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
 - 13.3 Cmnt Legal Matters**

Item 13.3 is confidential in accordance with s10(A)(2)(g) of the Local Government Act because it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
 - 13.4 Chief Executive Officer's Annual Review**

Item 13.4 is confidential in accordance with s10(A)(2)(a) of the Local Government Act because it contains personnel matters concerning particular individuals (other than councillors) 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 Councillor Ewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

Note 1: 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 2: Confidential Session of Committee

At 8:15 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 8:56 pm the Closed Session ended and the Council meeting continued in Open Session.

14. REPORT FROM CONFIDENTIAL SESSION

13.1 LEGAL ACTIONS AND POTENTIAL CLAIMS AGAINST SMRC AS AT 31 OCTOBER 2021

COUNCIL RESOLUTION

297/21

That Council receive the information in the Legal Actions and Potential Claims Against SMRC as at 31 October 2021 report.

Moved Councillor Haslingden

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

13.2 TROPIC ASPHALT - SENTENCING HEARING IN LAND AND ENVIRONMENT COURT

COUNCIL RESOLUTION

298/21

That Council receive and note the information in the report on the Tropic Asphalt case.

Moved Councillor Ewart	Seconded Councillor Castellari	CARRIED
Record of Voting		
<i>Councillors For:</i>	<i>Councillor Corbett, Councillor Stewart, Deputy Mayor Miners, Councillor Castellari, Councillor Maslin, Councillor Haslingden, Councillor Last, Councillor Ewart and Councillor Rooney.</i>	
<i>Councillors Against:</i>	<i>Nil.</i>	

At 8:20 pm Councillor Old returned to the meeting.

13.3 CMUNT LEGAL MATTERS

COUNCIL RESOLUTION	299/21
That Council	
<ul style="list-style-type: none"> A. Notes advice received from the Trustee. B. Directs the Trustee that if the application to the Australian Financial Security Authority to seize funds held in Trust is successful, to undertake legal action to recover funds owned by the Cmunts to cover all outstanding debts to Council as the sole creditor. C. If the application is not successful a further report be presented to Council with estimated cost for services from the Trustee for legal costs associated with the recovery of funds owed to Council by the Cmunts with recommended directions. 	
Moved Councillor Ewart	Seconded Councillor Castellari
CARRIED	
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Corbett, Councillor Stewart, Deputy Mayor Miners, Councillor Castellari, Councillor Maslin, Councillor Haslingden, Councillor Old, Councillor Last, Councillor Ewart and Councillor Rooney.</i>
<i>Councillors Against:</i>	<i>Nil.</i>

13.4 CHIEF EXECUTIVE OFFICER'S ANNUAL REVIEW

COUNCIL RESOLUTION	300/21
That Council note this Mayoral Minute and the confidential attachment which includes the Chief Executive Officer's Performance Review Panel's decision following the Review for the period December 2020 to November 2021.	
Moved Councillor Castellari	Seconded Councillor Rooney
CARRIED	
Record of Voting	
<i>Councillors For:</i>	<i>Councillor Corbett, Councillor Stewart, Deputy Mayor Miners, Councillor Castellari, Councillor Haslingden, Councillor Ewart and Councillor Rooney.</i>
<i>Councillors Against:</i>	<i>Councillor Maslin, Councillor Old and Councillor Last.</i>

There being no further business the Deputy Mayor declared the meeting closed at 8:58pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 18 November 2021 were confirmed by Council at a duly convened meeting on 6 January 2022 at which meeting the signature hereon was subscribed.