



SNOWY MONARO
REGIONAL COUNCIL

Minutes

Ordinary Council Meeting

15 July 2021

**ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, 81 COMMISSIONER STREET, COOMA NSW 2630
ON THURSDAY 15 JULY 2021**

MINUTES

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

**ON THURSDAY, 15 JULY 2021
COMMENCING AT 5:00PM**

- PRESENT:** Mayor Peter Beer
Deputy Mayor Lynley Miners
Councillor John Rooney – via audio-visual
Councillor John Castellari – via audio-visual
Councillor Rogan Corbett
Councillor Sue Haslingden
Councillor John Last
Councillor Anne Maslin – via audio-visual
Councillor Brian Old – via audio-visual
Councillor Bob Stewart
- APOLOGIES:** Councillor James Ewart
- Staff:** David Rawlings, Acting Chief Executive Officer
Jeff Morgan, Chief Operating Officer
Janine Hudson, LTW
Liana Biki, Acting Secretary Council and Committees

1. OPENING MEETING

The Mayor opened the meeting at 5:03PM

1.1 APPROVING COUNCILLORS ATTENDANCE BY AUDIO-VISUAL LINK

COUNCIL RESOLUTION

148/21

That Council, consistent with Council's adopted procedures for attendance by councillors at meetings by audio-visual link approve the attendance of Councillors John Castellari, Councillors John Rooney and Councillor Anne Maslin via remote audio-visual link.

The reasons for attendance by audio visual attendance were:

- Councillor John Castellari – Winter travel is dangerous during the ski season and especially at night. Risk exists of wildlife collision.
- Councillor John Rooney – Dangers of travel at night.
- Councillors Anne Maslin – COVID travel restrictions.

Moved Councillor Stewart

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

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

Councillors Against: Nil.

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

COUNCIL RESOLUTION

149/21

That the apology from Clr Ewart be accepted and leave of absence be granted.

Moved Mayor Beer

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

4. CITIZENSHIP CEREMONIES

Procedural Motion

ADJOURNMENT TO HOLD PUBLIC FORUM

ADJOURNMENT

150A/21

That the Ordinary Council Meeting be adjourned for the public forum at 5:08pm

Moved Mayor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

The Council meeting resumed at 5:32pm.

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

151/21

- 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 - Minutes of the Ordinary Council Meeting held on 17 June 2021
 - 7.2 - Minutes of the Closed Session of the Ordinary Council Meeting held on 17 June 2021
 - 7.3 - Minutes of the Extraordinary Council Meeting held on 28 June 2021
 - 9.1.1 - Residential Aged Care – Adoption of Policies
 - 9.1.2 - Minutes of Bombala Exhibition Ground, Bredbo Hall and Adaminaby Hall management committees meetings
 - 9.2.1 - How can Council best leverage the State Government’s recently announced policy on temporary supportive accommodation
 - 9.3.1 - Draft Michelago Master Plan
 - 9.3.3 - Kalkite STP Evaporation Dam Refurbishment
 - 9.4.1 - Expression of Interest Submissions Community Use Tenancy 17 Bent Street Jindabyne – Lot 2 DP 860886
 - 13.1 - Legal action and potential claims against SMRC as at 30 June 2021
- B. That the Officer’s Recommendations in the reports listed above are hereby adopted.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, 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 17 JUNE 2021

COUNCIL RESOLUTION

152A/21

That the minutes of the Ordinary Council Meeting held on 17 June 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

7.2 CLOSED SESSION OF THE ORDINARY COUNCIL MEETING 17 JUNE 2021

COUNCIL RESOLUTION

153A/21

THAT the minutes of the Closed Session of the Ordinary Council Meeting held on 17 June 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

7.3 EXTRAORDINARY COUNCIL MEETING 28 JUNE 2021

COUNCIL RESOLUTION

154A/21

THAT the minutes of the Extraordinary Council Meeting held on 28 June 2021 are confirmed as a true and accurate record of proceedings.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

8. PLANNING AND DEVELOPMENT APPLICATION MATTERS

8.1 330.2021.1002 - POST EXHIBITION REPORT - RECLASSIFICATION OF LAND COMMUNITY TO OPERATIONAL - LOT 10 DP 1130244, PT LOT 10 DP 126661

Responsible Officer:	Chief Strategy Officer
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">1. Attachment 1 - Submission received during public exhibition2. Attachment 2 - Written submission received at public hearing3. Attachment 3 - Independent Report on Public Hearing - Reclassification of Lands in Berridale and Cooma

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Public consultation on the proposal in relation to the reclassification of the following land from community land to operational land:

- Land adjacent to Snowy River Hostel – 7A Jindalee Street, Berridale (Lot 10 DP 1130244); and
- Yallambee Lodge – 1 Binalong Street, Cooma (Pt Lot 10 DP 1266613)

has been completed.

COUNCIL RESOLUTION

155/21

That

- A. Council endorse the planning proposal to amend the Cooma-Monaro Local Environmental Plan 2013 and Snowy River Local Environmental Plan 2013 to reclassify Pt Lot 10 DP 1266613 Cooma and Lot 10 DP 1130244 Berridale from community to operational land.
- B. Council exercises the function of the Minister for Planning and Public Spaces under section 3.36(2) of the *Environmental Planning & Assessment Act 1979*.
- C. The CEO use Council's delegated plan making authority to implement the amendment described above.

Moved Councillor Stewart

Seconded Councillor Rooney

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, 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 RESIDENTIAL AGED CARE - ADOPTION OF POLICIES

Responsible Officer:	Chief Operating Officer
Author:	Manager Community Services
Key Theme:	1. Community Outcomes
CSP Community Strategy:	1.2 High quality community support and residential aged care services are available and accessible to residents across the region
Delivery Program Objectives:	1.2.2 Council strategies recognise the growing demand of residential aged care services
Attachments:	1. Dignity & Choice 2. Assessment & Planning 3. Medication Administration 4. Personal Care & Clinical Care 5. Service Environment 6. Comments & Complaints 7. Human Resources 8. Governance 9. Services & Supports for Daily Living 10. Serious Incident Response Scheme
Cost Centre	Residential Aged Care - Administration
Project	Residential Aged Care adoption of Policies

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Following the introduction of the new aged care quality standards in July 2019, ten policies have been developed to inform how services are delivered in Council's residential aged care facilities. These policies, along with operating procedures already in force, demonstrate Council's overarching commitment to quality assurance and risk management.

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

COUNCIL RESOLUTION

156/21

That Council approve the following policies for implementation:

1. Dignity & Choice
2. Assessment & Planning
3. Medication Administration
4. Personal Care and Clinical Care
5. Services & Support for Daily Living
6. Organisation's Service Environment
7. Feedback & Complaints
8. Human Resources
9. Organisational Governance
10. Serious Incident Response Scheme

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

9.1.2 MINUTES FROM THE BOMBALA EXHIBITION GROUND MANAGEMENT, BREDBO HALL AND ADAMINABY HALL S355 COMMITTEES

Record No:

Responsible Officer: Chief Strategy Officer

Author: Governance 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. Minutes of Bombala Exhibition Ground Committee 10 March 2021 2. Minutes of Bombala Exhibition Ground Committee 10 February 2021 3. Minutes of Bredbo Hall 24 March 2021 4. Minutes of the Adaminaby Hall 19 March 2021

EXECUTIVE SUMMARY

Council has received minutes of the meetings from the following management committees:

- Bombala Exhibition Ground, meeting held on 10 February 2021
- Bombala Exhibition Ground, meeting held on 10 March 2021
- Bredbo Hall, meeting held on 24 March 2021
- Adaminaby Hall, meeting held on 19 March 2021

These minutes are attached for Council's information.

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

COUNCIL RESOLUTION

157/21

That Council receive the minutes of Bombala Exhibition Ground, Bredbo Hall and Adaminaby Hall management committees meetings.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

9.1.3 DESIGN FOR TRUCK PARKING AREA AT ADAMINABY

Responsible Officer:	Manager Corporate Projects
Author:	Project Specialist
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. Design for Truck Parking Area at Adaminaby
Cost Centre	Corporate Projects Office (WO 1767)
Project	Design for Truck Parking Area at Adaminaby

EXECUTIVE SUMMARY

Council Officers have secured “in-principle” approval from Transport for NSW for proposed designs for truck parking and light vehicle parking at Adaminaby. More recently Council has been advised that it has been successful in gaining grant funding for this project.

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

COUNCIL RESOLUTION

158/21

That Council defer for further consultation on the truck parking area.

Moved Deputy Mayor Miners

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Councillor Rooney.

9.1.4 MONTHLY FUNDS MANAGEMENT REPORT - JUNE 2021

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 30 June 2021.

Cash and Investments are \$76,009,615.

Certification

I, Nicholas Byrne, 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

159A/21

That Council:

- A. Receive the report indicating Council's cash and investments position as at 30 June 2021;
- B. Receive the Certificate of the Responsible Accounting Officer; and
- C. Formally thank the former Chief Financial Officer Nicholas Byrne for his proactive and constructive efforts in the role, particularly in the establishing of the next budget.

. Moved Councillor Haslingden

Seconded Councillor Maslin

CARRIED

Record of Voting

Councillors For: Mayor Beer, Councillor Castellari, Councillor Corbett, 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 HOW CAN COUNCIL BEST LEVERAGE THE STATE GOVERNMENT'S RECENTLY ANNOUNCED POLICY ON TEMPORARY SUPPORTIVE ACCOMMODATION

Responsible Officer:	Chief Communications Officer
Author:	Coordinator Economic Development
Key Theme:	2. Economy Outcomes
CSP Community Strategy:	4.3 Capitalise on the region's proximity to Canberra and bordering NSW and Victorian regions to attract industry and investment
Delivery Program Objectives:	4.3.1 Council has advocated for increased regional outcomes that support the Snowy Monaro local government area
Attachments:	Nil
Cost Centre	N/A
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

This report considers the NSW Housing Strategy, Action Plan 2021-22 and temporary supportive accommodation (TSA) initiative by the state government.

Council should continue to work with state agencies towards further developing state land particularly in Cooma, and review and respond to the discussion paper on the TSA initiative once it is released.

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

COUNCIL RESOLUTION

160A/21

That Council

- A. Continue to work with the NSW Government to identify any current opportunities.
- B. Review the temporary supportive accommodation discussion paper when it is released and develop an action plan to ensure the regions issues are identified and addressed in any action plans that are developed.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

9.3 KEY THEME 3. ENVIRONMENT

9.3.1 DRAFT MICHELAGO MASTER PLAN

Responsible Officer:	Chief Strategy Officer
Author:	Team Leader Strategic Planning
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 Michelago Master Plan
Cost Centre	WO441
Project	Michelago Master Plan

Further Operational Plan Actions: 8.1.1 New development and land use in appropriate locations with areas of environmental values protected. 8.1.3 Development assessment processes are streamlined to support regional development and growth.

7.1.2 The significance and protection of the region's natural assets along with the efficient and equitable planning of public services, infrastructure and amenities is provided for in Council's Local Environmental and associated plans.

EXECUTIVE SUMMARY

The options for consideration in the Michelago Master Plan have been on public exhibition. The consultation on scenarios resulted in significant input from a wide range of the Michelago community. While the community expressed a variety of views, there were some clear trends in terms of density, services and character.

The trends extracted from this consultation have led to the development of a combination of the preferred scenarios A and B. The draft master plan also identifies some employment opportunities, expanded tourism offerings and recreation/community facilities.

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

COUNCIL RESOLUTION

161/21

That Council place the draft Michelago Master Plan on public exhibition for a period not less than 28 days.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

9.3.2 ESSENTIAL ENERGY PROPOSED UPGRADE OF STREET LIGHTS TO LED

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. Essential Energy - Street Light - Budget Estimate
Cost Centre Road Operations – Street Lighting
Project Street Light Upgrades
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Essential Energy is undertaking a streetlight upgrade program to introduce LED lights. Works are scheduled to commence in FY22. Essential Energy have proposed two (2) funding models for Council's consideration; these are:

1. Option 1. Council Funded Model: Council funds the cost of replacements upfront

- Large capital cost at the start of the period.
- Lower ongoing costs for the period of the contract.

2. Option 2. Essential Energy Funded Model

- No upfront costs.
- Higher ongoing costs.

Option 2 will result in a lower upfront cost to Council and a saving of \$27,000 per annum for 10 years. The following officer's recommendation is submitted for Council's consideration.

COUNCIL RESOLUTION

162/21

That Council proceed with the Essential Energy bulk LED upgrade program under the option 2 funding model.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Councillor Last.

9.3.3 KALKITE STP EVAPORATION DAM REFURBISHMENT

Responsible Officer: Chief Operating Officer
Author: Manager Water Wastewater Operations
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: Nil
Cost Centre WO2460.4560.401
Project Kalkite STP Evaporation Pond Relining
Further Operational Plan Actions:

EXECUTIVE SUMMARY

Relining of the existing evaporation pond at the Kalkite STP commenced in April 2021. During this work it was identified that the maturation pond wall was at risk of imminent failure. As a result of this, the evaporation dam needs to be refurbished in a different manner than previously scoped and the size needs to be increased to optimise the process at the STP to accommodate for the removal of the maturation pond from service.

Two designs have been provided. The second design provides much better outcomes for a small incremental cost increase.

The new design which includes a reinforced wall allows for dam capacity to be increased to 2.2 megalitres, thus extending the life span of the dam while also reducing the maintenance requirements of the dam. The impact of this change is the requirement for an additional \$834,123 budget, which can be funded from sewer reserves.

This amount is above the tendering threshold. It is recommended that the works proceed without tender on the existing unit rates due to:

- The works constitute an emergency situation, with the need to ensure that the existing dam does not collapse, leading to a pollution event in the nearby creek, impacts on the ability of the Council to provide services to Kalkite and to avoid the potential costs of remediation after the dam wall collapsed.
- That due to the unavailability of competitive or reliable tenderers a satisfactory result would not be achieved by inviting tenders, as the market has been tested in appointing the current contractor, who was the only group expressing an interest in undertaking work in this area.

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

COUNCIL RESOLUTION

163/21

That Council:

- A. Approve an increase of the available budget for the Kalkite STP project from \$124,384 to \$958,507.00 inclusive of GST to allow for the construction of a fully reinforced dam wall for the Kalkite evaporation dam re-build.
- B. Not undertake tenders for the work due to:
 - a. The need to deal with the dam wall as an emergency event,
 - b. That tendering will not provide competitive or reliable tenders, and
 - c. That the current unit rates are the result of a competitive process.
- C. Approve the continuation of the current contract 024-2021 based on the schedule of rates submitted during the procurement process for the original evaporation dam relining contract, for the new refurbishment project.

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

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

9.4 KEY THEME 4. LEADERSHIP

9.4.1 EXPRESSION OF INTEREST SUBMISSIONS COMMUNITY USE TENANCY 17 BENT STREET JINDABYNE - LOT 2 DP 860886

Record No:

Responsible Officer:	Chief Operating Officer
Author:	Coordinator Land & Property
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. 21 38731 EOI - Community Use Tenancy 17 Bent St JINDABYNE 2627 - May 2021 2. EOI Submission - MFSS (<i>Under Separate Cover</i>) - Confidential 3. EOI Submission - SMCELC (<i>Under Separate Cover</i>) - Confidential 4. EOI Submission - TS Orion (<i>Under Separate Cover</i>) - Confidential 5. EOI Decline - SMNC (<i>Under Separate Cover</i>) - Confidential
Cost Centre	WO2250 - 17 Bent St Jindabyne Acquisition of Property. Note: Operational WO pending creation for ongoing future use aspects.
Project	
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

Council sought expressions of interest (EOIs) to identify and appoint suitable lessees to a newly acquired building located at 17 Bent Street Jindabyne. The EOI submission period closed 28 May 2021.

A registered caveat on title - AQ487463 - defines use restrictions for the site, requiring its use for community services. Discussions will be needed to be held around the various proposed uses and with the NSW Government. To allow for this in principle direction is sought from the councillors on the approach to be taken.

Three (3) organisations submitted EOIs:

- Monaro Family Support Service (MFSS)
- Snowy Mountains Care & Early Learning Centre (SMCELC)
- Australian Naval Cadets TS Orion (TS Orion)

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

COUNCIL RESOLUTION

164A/21

That Council authorise further discussions with the EOI stakeholder groups with the aim of developing a feasible mixed occupancy model to benefit the community and meet the caveat terms.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

Record of Voting

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

Councillors Against: Nil.

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

10. NOTICE OF MOTION

10.1 PROJECT MANAGEMENT FRAMEWORK

Record No:

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 15 July 2021, she will move the following motion.

COUNCIL RESOLUTION

165/21

That:

- A. Council's Project Management Framework document include provision for the CEO to ensure capital projects/contracts of a value over \$400,000 are completed to a professional standard.
- B. Contractors only receive final payment after completion of the project's paperwork (including Certificate of Practical Completion) when finalised, approved and signed by the CEO.

Moved Councillor Maslin

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Mayor Beer, Councillor Castellari, Councillor Corbett and Councillor Rooney.

At 06:06 pm Deputy Mayor Miners left the meeting.

At 06:07 pm Deputy Mayor Miners returned to the meeting.

Procedural Motion

GENERAL MOTION

COUNCIL RESOLUTION

166/21

That Council approve the attendance of Councillor Brian Old via remote audio visual link.

The reasons for attendance by audio visual attendance were:

Councillor Brian Old – Running late returning from Canberra due to work.

Moved Councillor Stewart

Seconded Councillor Maslin

CARRIED

Record of Voting

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

Councillors Against: Nil.

At 06:15 pm Clr Old Joined the Meeting

10.2 HOUSING AND SOCIAL SERVICES COMMITTEE

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor Sue Haslingden

Attachments: Nil

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 15 July 2021, she will move the following motion.

COUNCIL RESOLUTION

167/21

That Council form a SMRC Housing and Social Services Committee or Working Group to work with Governments and Snowy 2.0 to share information and coordinate a response to the acute and chronic shortage of accommodation and housing across the region and the associated impacts socially.

The committee will act under a Terms of Reference, including but not limited to:

Terms of Reference:

- To collaborate with NSW DPIE housing, Regional Growth Development Corporation, Snowy 2.0 and other government agencies
- To collaborate with community housing and service providers in the region

To develop

- Immediate, short and medium term responses to housing need, drawing from DPIE and Snowy 2.0 monitoring
- LGA wide projections of the demand for social services, including education and health etc.

To recommend and inform Council of

- Activities that should be considered by Council (planning, studies, innovative solutions, incentives etc)
- Investigation of changes to the 1 and 4 year components of the CSP that might be required
- Possible imposts and costs that might arise
- The need for coordination or provision of services

The makeup of the Committee is at Council's discretion, but could include at the least Mayor and alternate, Councillors, Staff, representatives from the Community, Snowy 2.0 and the Snowy Mountains SAP and other representatives as necessary.

Moved Councillor Haslingden

Seconded Councillor Maslin

CARRIED

Record of Voting

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

Councillors Against: Councillor Rooney.

10.3 REVIEW OF HARDSHIP POLICY - WAIVING RATES, FESS AND CHARGES

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor Sue Haslingden

Attachments: Nil

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 15 July 2021, she will move the following motion.

COUNCIL RESOLUTION

168/21

That Council, in its review of the Hardship Policy and actions, bring to a General Meeting of Council a list, if applicable, for consideration of deferring or waiving rates or any fees and charges.

Moved Councillor Haslingden

Seconded Councillor Maslin

LOST

Record of Voting

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

10.4 BUSINESS CASE - DE-AMALGAMATION OF SMRC

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor Sue Haslingden
Attachments: Nil

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 15 July 2021, she will move the following motion.

MOTION

The motion was withdrawn by Councillor Haslingden.

At 07:05 pm Councillor Last left the meeting.

At 07:08 pm Councillor Last returned to the meeting.

10.5 DEMERGER POLL

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor Bob Stewart
Attachments: Nil

Councillor Bob Stewart, Councillor John Castellari and Councillor Lynley Miners have given notice that at the Ordinary Meeting of Council on 15 July 2021, they will move the following motion.

LOST MOTION

169/21

That Council conduct a poll concurrent with the September 2021 council elections and that the poll questions are:

- A. Do you support a demerger of the former Bombala Council? Yes / No
- B. Do you support a demerger of the former Cooma Monaro Shire Council? Yes / No
- C. Do you support a demerger of the former Snowy River Shire Council? Yes / No

Moved Councillor Stewart

Seconded Councillor Castellari

LOST

Record of Voting

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

Councillors Against: Mayor Beer, Councillor Corbett, Councillor Haslingden, Councillor Old and Councillor Rooney.

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 Council's code of meeting practice the Mayor exercised his casting vote and voted against the motion

Procedural Motion

ADJOURNMENT

COUNCIL RESOLUTION

170/21

That the Ordinary Council Meeting be adjourned at 7:33 pm for dinner and resume at 8:04pm.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

The Council meeting resumed at 08:05 pm.

10.6 ACCESSIBLE TOILET FACILITES FOR DELEGATE SCHOOL OF ARTS

Record No:

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 15 July 2021, she will move the following motion.

COUNCIL RESOLUTION

171/21

That Council include disabled accessible toilet facilities at the historic Delegate School of Arts, as part of the overall upgrade project, for which a grant of \$720,692.62 has been received.

Funding of \$150,000 has been set aside for disabled access facilities, and it is necessary for the works to be carried out concurrently.

One disabled toilet and two ambulant toilets should be included in a design as per consultation with the Delegate School of Arts committee if funding allows.

Moved Councillor Maslin

Seconded Councillor Last

CARRIED

Record of Voting

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

Councillors Against: Councillor Rooney.

11. MAYORAL MINUTES

11.1 PROPOSED ELECTORAL COMMISSION ADVERTISING

BACKGROUND

The following letter has been received by Council today, 15 July 2021:

Hi all,

Hope you are remaining safe and well at the current time.

I am writing to you in regards to the upcoming LGA elections, and proposed Electoral Commission advertising.

I received word this afternoon that the campaign will predominantly be digital and social media. The print component is minimal, and was almost non-existent.

Below is part of the response I received this afternoon:

“Unfortunately the key priority for the elections campaign is digital and social activity, so the activity we put forward for offline was mostly pushed back.

We were able to book a small print campaign however to maximise efficiency on the buy we were limited to one print provider.

Due to our negotiations a group buy with ACM was the most cost effective and high reach option for us so that was put forward.

They almost cut all print spend off the plan but we convinced them to reduce the size and keep it.

There is no budget left for this campaign so unfortunately we won't be booking any additional print for it. “

So if you're an independent paper in a an area where ACM provides absolutely no coverage, you won't be receiving any Electoral Commission money at all.

It's pretty much a farce....

There is an election COVID specific message that is being planned for August. Wavemaker has been advised by the client that papers could be added for this campaign if the local councils make complaints about the lack of print support in their areas.

We need you to make a bit of a stink now to your local LGA councillors, and councillors-to-be.

There are so many areas where ACM does not provide coverage at all – I have already pointed this out to Wavemaker, but the belief is that the client will cover off “everywhere” with its digital and social media campaign.

Please – contact your council, current councillors and prospective candidates. Make a noise about your area/region not receiving any support from the Electoral Commission.

If you have any questions, let me know.

Regards,

Matt

MATT HEALEY

COUNCIL RESOLUTION

172/21

That Council contact the NSW Electoral Commissioner to require publication of information for the selection be undertaken through a mix of electronic and print media to ensure that all of our community is properly informed about the upcoming election.

Moved Mayor Beer

CARRIED

Record of Voting

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

Councillors Against: Nil.

12. QUESTIONS WITH NOTICE

12.1 BOBEYAN ROAD UPGRADE

Councillor Lynley Miners

Question: When is the Bobeyan road upgrade starting?

12.2 CLOSURE OF DELEGATE TRANSFER STATION

Councillor Bob Stewart

Question: Can management meet with the Delegate Progress Association and community to try to get a more positive direction?

12.3 BIN COLLECTION IN MICHELAGO

Councillor John Rooney

Question: Why was the recyclable bins not collected at Michelago in the last run?

12.4 BANK OF BINS KEY TRAVEL FOR MICHELAGO

Councillor John Rooney

Question: Will Council put out some revised communication document statements that Michelago residents do not need to travel to Cooma for the key collection of Bank of Bins.

12.5 COOMA BLOCK SALES - ADVERTISING TIMES

Councillor Anne Maslin

Question: What is the time frame for advertising the Cooma house blocks for sale, as per the April SMRC resolution to sell these house blocks as a measure to alleviate the urgent housing crisis?

12.6 LAST COUNCIL MEETING DINNER

Councillor Brian Old

Question: Will Councillors be going to a formal dinner after the last Council meeting?

12.7 THANK YOU TO HARMONISATION COMMITTEE

Councillor Sue Haslingden

Question: Could Council formally write a thank you letter to the Rate Harmonisation Committee for assisting Council in harmonising rates?

12.8 FATE OF POPLAR TREES - RYRIE STREET

Councillor John Rooney

Question: Michelago residents are concerned about the fate of the poplars that line Ryrie street when the road is redesigned for the approach to the planned bridge over Michelago Creek. Will Council conduct a proper enquiry into the fate of these trees before any felling is considered?

13. CONFIDENTIAL MATTERS

COUNCIL RESOLUTION

173/21

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 30 June 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 Divestment of Residential Aged Care - Shortlisting of EOI's

Item 13.2 is confidential in accordance with s10(A)(2)(c) of the Local Government Act because it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 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 Corbett

Seconded Deputy Mayor Miners

CARRIED

Record of Voting

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

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 8:26 pm the meeting was closed to the press and public.

Note 3: Resumption of Open Committee Meeting

At 8:35 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 30 JUNE 2021

COUNCIL RESOLUTION

174/21

That Council receive the information in the Legal Actions and Potential Claims Against SMRC as at 30 June 2021 report.

Moved Councillor Stewart

Seconded Councillor Corbett

CARRIED

The above officer's recommendation became a resolution of Council as a result of resolution 151/21 above as there was no challenge by Councillors.

13.2 DIVESTMENT OF RESIDENTIAL AGED CARE - SHORTLISTING OF EOI'S

COUNCIL RESOLUTION

175/21

That Council

- A. Acknowledges receipt of one conforming and one non-conforming expression of interest.
- B. Invite the conforming expression of interest to the request for proposal stage.
- C. Proceed with identification of suitable land for a residential aged care facility in Jindabyne and undertake community consultation as part of this process.

Moved Councillor Stewart

Seconded Councillor Haslingden

CARRIED

Record of Voting

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

Councillors Against: Nil.

There being no further business the Mayor declared the meeting closed at 8:37 pm



CHAIRPERSON

The above minutes of the Ordinary Council Meeting of Snowy Monaro Regional Council held on 15 July 2021 were confirmed by Council at a duly convened meeting on 26 August 2021 at which meeting the signature hereon was subscribed.